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UNITED NATIONS DECADE FOR WOMEN: EQUALITY, DEVELOPMENT AND PEACE

Draft Convention on the Elimination of Discrimination against Women

Working paper prepared by the Secretary-General

Addendum

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Proposals before the Working Group of the Whole on the Drafting of the Convention on the Elimination of Discrimination against Women at the thirty-third session of the General Assembly

PROPOSALS BEFORE THE WORKING GROUP OF THE WHOLE ON THE DRAFTING OF THE CONVENTION ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN AT THE THIRTY-THIRD SESSION OF THE GENERAL ASSEMBLY

DRAFT CONVENTION	AMENDMENTS	REVISIONS AND NEW PARAGRAPHS	SOURCE
III. Social and Economic Rights	Introductory part		
Article 10	Argentina		1
Each State Party agrees to take all appropriate measures to ensure to women, married or unmarried, equal rights with	The words "married or unmarried" should be replaced by "irrespective of their civil status".		A/32/218 Add.1
men in the field of education, which education shall be directed towards the full development of the human	United Kingdom Introductory sentence to be reworded as follows:		
personality and the sense of its dignity and shall streng-then the respect for human rights and fundamental freedoms. In particular, each State shall ensure:	"Each State Party shall take all appropriate measures to eliminate discrimination against women whether married or unmarried in the field of education and in particular shall ensure, on an equal basis with men."		A/C.3/32/WG.1/CRP.6/ Add.3
	U.S.A.		
	Introductory sentence to be reworded as follows:		,
	"Each State Party agrees to take all appropriate measures to ensure women, and, in particular to ensure (a)"		A/32/218 Annex I
	Subparagraph (a)		
(a) Equal conditions for career guidance, access to studies and achievement of a diploma in educational establishments of all categories in rural as well as in urban areas;	Austria Replace "career guidance" by "vocational guidance".		A/32/218 Annex I
this equality is to be ensured in pre-schooling, general, technical, professional and higher, including higher tech- nical education, as well as in all types of vocational training;			

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DRAFT CONVENTION	Amendments	REVISIONS AND NEW PARAGRAPHS	SOURCE	
Article 10 (cont'd)	Subparagraph (b)			
(b) Equal access to the same	Japan			
curricula, the same examinations teaching staff with qualifica- tions of the same standard and school premises and equipment of the same quality, whether the institutions are co-educa- tional or not:	Replace "equal access to the same curricula, the same examinations" by "Equal access to the curricula and examinations of the same or equivalent standard".		A/32/218 Annex I	
ozonar or nov,	<u>Kenya</u>			
	Add the following at the end of the subparagraph "so as to eliminate any stereotyped concept of masculine and feminine roles at all levels and in all forms of education;"		A/C.3/32/WG.1/CRP.6/ Add.2	
	Subparagraph (c)			
(c) The speedy achievement of co-education, which will also help to eliminate any stereotyped concept of masculine and feminine roles, at all levels and in all forms of	Austria Replace the words "co-education, which will also help" with "Co-education and other means which will help."	Kenya	A/32/218 Annex 1	<u>.</u>
education;	United Kingdom	Delete this paragraph.	A/C.3/32/WG.1/CRP.6/ Add.2	
	Replace this paragraph with: (c) "Education which will help to eliminate any stereotyped concept of masculine and feminine roles, at all levels and in all forms of education;"		A/C.3/32/WG.1/CRP.6/ Add.3	
	,,	Belgium		
		After paragraph 10(c) add the following new paragraph: "The application of teaching methods adapted to the presence of male and female students together, aimed at an apprenticeship to the relationship between men and women."	A/C.3/32/WG.1/CRP.6/ Add.1	
:		#Omen:		

DRAFT CONVENTION	AMENDMENTS	REVISIONS AND NEW PARAGRAPHS	SOURCE
Article 10 (Cont'd) (d) Equal opportunities to benefit from scholarships and other study grants;			
(e) Equal opportunity for access to programmes of continuing education, including adult and functional literacy programmes, particularly aimed at reducing, at the earliest possible time, the knowledge gap existing between men and women;	Subparagraph (f)		
(f) Measures to reduce the school drop-out rate among girls and the provision of programmes for young girls who have left school too early;	Argentina Replace "girls" by women".		A/32/218/Add. l para. 37
	United Kingdom Amend as follows: "Measures to eliminate any factors causing a higher school drop-out rate among girls and the provision of programmes for young girls who have left school too early".		A/C.3/32/WG.1/CRP.6/ Add. 3 A/32/218/Add.1 para. 38
(g) Access to specific educational information to help ensure the health and well-bein of families, this to include information and advice on family planning.	New Zealand Begin with: "Equal access for men and women".		A/32/218 Annex I
·	United Kingdom Insert "equal" before "access" and replace "this to include" by "including".		A/C.3/32/WG.1/CRP.6/ Add. 3

DRAFT CONVENTION	AMENDMENTS	REVISIONS AND NEW PARAGRAPHS	SOURCE
Article 11	Paragraph 1 (Introductory phrase)		
1. The States Parties shall undertake to adopt all appropriate measures to ensure to women, married or unmarried, equal rights with men in the field of economic and social life and, in particular:	Argentina Replace "married or unmarried" by "irrespective of their civil status". United Kingdom Introductory sentence to be reworded		A/32/218/Add.l para. 40
	as follows: "Each State Party shall take all appropriate measures to eliminate discrimination against women whether married or unmarried in the field of economic and social life and in particular shall ensure, on an equal basis with men".		A/C.3/32/WG.1/CRP.6/ Add.3
 (a) The right to work as an inalienable right of all human beings; (b) The right without discrimination on grounds of civil status or any other grounds to 	Subparagraph 1 (a) Kenya Insert the phrase "and benefits accuring therefrom" between "work" and "as".		A/C.3/32/WG.1/CRP.6/ Add.2
receive vocational training and retraining, to free choice of profession and employment and to promotion and lob security;"	Subparagraph 1 (b) Argentina Delete "without discrimination on grounds of civil status or any other grounds".		A/32/218/Add. l para. 41
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DRAFT CONVENTION	AMENDMENTS	REVISIONS AND NEW PARAGRAPHS	SOURCE	
Article 11 (cont'd)	Belgium			-
	Amend to read as follows: "The right, without discrimination on grounds of civil status or any other grounds, to free choice of profession and employment, to promotion and job security, to receive vocational training and retraining, which also include apprenticeship, advanced vocational training and permanent training".		A/C.3/32/WG.1/CRP.6/Add.1	
(c) The right to equal remuneration with men for work of equal value and to equality of treatment in respect of the evaluation of quality of work of equal value, as defined in the Convention of the International Labour Organization on this subject;	United Kingdom Delete the words "the evaluation of quality of".		A/C.3/32/WG.1/CRP.6/Add.3	-6-
(d) The right, equally with men, to social security, par- ticularly in case of retire- ment, unemployment, sickness, invalidity and old age or other incapacity to work, as well as the right to paid leave;				
<pre>(e) The right to family benefits on equal terms for men and women; (f) Equal employment oppor- tunities for women and preven- tion of discrimination in employment on the basis of sex.</pre>	Subparagraph 1 (f) Belgium At the end of paragraph add the following: "and the elimination of discrimination in the criteria used for selection in matters of employment".		A/C.3/32/WG.1/CRP.6/Add.1	

DRAFT CONVENTION	AMENDMENTS	REVISIONS AND NEW PARAGRAPHS	SOURCE
Article 11 (cont'd)		New subparagraph (g) Netherlands	A/32/218 Annex I
		Equal access to medical services.	
2. In order to prevent discrimination against women on account of marriage or mater-			
nity and to ensure their effective right to work, the States Parties shall under-		•	
take measures:		1	i i
(a) Prohibiting, subject to the imposition of penal- ties, dismissal on grounds		: -	
of marriage, pregnancy or maternity leave;			
(b) Progressively to introduce paid leave for pregnancy and maternity	Subparagraph 2 (b) Japan Delete the word "paid" before		A/32/218 Annex I
without loss of the job held and without loss of social allowances and bene-	the word "leave" and the phrase "the periods of leave performed".		
fits, the periods of leave being treated as equivalent to periods of work actually	United Kingdom Delete the words "the periods		A/32/218/Add.1 A/C.3/32/WG.1/CRP.6 Add
performed; the cost of this protection should be borne by social security systems or other public funds or	of leave being treated as equivalent to periods of work actually performed".		
collective systems;		t.	
			:

DRAFT CONVENTION	AMENDMENTS	REVISIONS AND NEW PARAGRAPHS	SOURCE	
Article ll	Subparagraph 2 (c)		A/32/218/Annex 1	
(c) To encourage the provision of the necessary supportive social services, including possibilities of child-care services, and to grant women free medical services during pregnancy, confinement and the postmatal period.	Austria In the context of "child care services" the point should be made that they should meet up-to-date pedagogical requirements. Japan Replace the words "and to		A/32/218/Annex I	
	grant womenpost-natal period" by "to implement health measures for women during pregnancy and post-natal period, and to adopt relief measures, including financial assistance for confinement expenses".			
	New Zealand Replace the words "possibilities of" with the word "appropriate"		A/32/218/Annex I	i G
	Netherlands Replace the words "and to grant women free medical services" by the words "and to ensure women access to medi-		A/C.3/32/WG.1/CRP.4	
	cal services"	New subparagraph (d) Union of Soviet Socialists Republics "To establish and develop a wide network of children's institutions, to pay maternity benefits, to grant allowances and benefits for large families and to provide other kinds of family allowances and assistance."		

DRAFT CONVENTION	AMENDMENTS	REVISIONS AND NEW PARAGRAPHS	SOURCE	
Article 12 The States Parties shall take all measures to eliminate discrimination against women in rural areas in order to guarantee them equality as participants in and beneficiaries of agricultural and rural development and particularly the right to:	Introductory part Bangladesh Add after "The States Parties" the words "shall take into account the significant roles women play in the economic survival of their families in the rural areas by working in the non-monetized sectors of the economy and".		A/C.3/32/WG.1/CRP.6/Add.4	
(a) Participate fully in the formulation and implemen- tation of development planning from the local to the national levels;	1	New subparagraph (b) Bangladesh Receive adequate nutrition during pregnancy and lactation;	A/C.3/32/WG.1/CRP.6/Add.4	
(b) Receive adequate medi- cal and health facilities, in- cluding family planning advice and services, as well as per- sonal rights to social securit on an equal footing with men;	Subparagraph (b) New Zealand After "services" insert "of an equal standard to those available to men".		A/32/218/Annex 1	-9-
(c) Obtain all types of training and education, formal and non-formal, including functional literacy, as well as the benefit of all communit	Subparagraph (c) Kenya After "extension services" add: "to improve inter alia the technical efficiency in their work performance".	New subparagraph (d)	A/C.3/32/WG.1/CRP.6/Add.2 A/C.3/32/WG.1/CRP.6/Add.4	
and extension services;		Bangladesh "Organize self-help groups and co-operatives in order to obtain equal access to economic opportunities through employment and self- employment;"		
:				

(e) Obtain equal access to credit and loans, marketing facilities, appropriate technologies and equal treatment in land and agrarian reform as well as in land resettlement schemes. Mex. paragraph 12 (2)	DRAFT CONVENTION	AMENDMENTS	REVISIONS AND NEW PARAGRAPHS	SOURCE
credit and loans, marketing facilities, appropriate technologies and equal treatment in land and agrarian reform as well as in land resettlement schemes. Mew paragraph 12 (2)	all community activities in-	Bangladesh		A/C.3/32/WG.1/CRP.6/Add.4
Renya Proposed that present article 12 should be renumbered 12(1) and then New 12 (2) as follows: "States Parties shall undertake all measures necessary to improve living conditions of rural women, particularly in fields of housing, water supply, health services, transport and communications". Article 13 Paragraph (1) Canada This paragraph should be parents to combine fulfilment of family and parental obligations with activity in the labour force, in professions and in public life and shall, for that purpose, promote the establishment of child-care facilities as needed, as a co-operative effort of Govern-	credit and loans, marketing facilities, appropriate tech- nologies and equal treatment in land and agrarian reform as well as in land resettlement			
1. The States Parties shall encourage measures to enable parents to combine fulfilment of family and parental obligations with activity in the labour force, in professions and in public life and shall, for that purpose, promote the establishment of child-care facilities as needed, as a co-operative effort of Govern-			Kenya Proposed that present article 12 should be renumbered 12(1) and then New 12 (2) as follows: "States Parties shall undertake all measures necessary to improve living conditions of rural women, particularly in fields of housing, water supply, health services,	A/C.3/32/W.G.1/CRP.6/Add.2
parents to combine fulfilment of family and parental obligations with activity in the labour force, in professions and in public life and shall, for that purpose, promote the establishment of child-care facilities as needed, as a co-operative effort of Govern-	1. The States Parties shall		Canada This paragraph should be	A/32/218/Add.1
meno, oddiness and industry and	parents to combine fulfilment of family and parental obligations with activity in the labour force, in professions and in public life and shall, for that purpose, promote the establishment of child-care facilities as needed, as a		Sweden This paragraph should either be added to article ll, or	A/32/218/Add.1

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DRAFT CONVENTION	AMENDMENTS	REVISIONS AND NEW PARAGRAPHS	SOURCE	
Article 13 other institutions and organizations in the private sector.				
2. Appropriate measures shall be taken, including legislation to ensure the health and safety of all workers, male and female,	Paragraph 2 Byelorussian SSR Delete paragraph		A/32/218/Add.l	
in their conditions of employ- ment.	Ukrainian SSR Delete paragraph		A/32/218/Add.1	
3. Protective legislation applying to women should be reviewed in the light of scientific and translations.	Paragraph 3 Byelorussian SSR Delete paragraph		A/32/218/Add.1	
tific and technological know- ledge, and should be revised, repealed or extended to all workers as necessary.	Hungary Delete paragraph		A/32/218/Add.2	
	Ukrainian SSR Delete paragraph		A/32/218/Add.1	-11-
		New paragraph 3 USA Two alternative versions: The following alternative versions were proposed States Parties which have enacted laws designed to protect women workers from ha-	A/32/218/Annex I	
		zardous or unhealthy conditions of employment shall undertake progressively to extend such protection to all workers, with the goal of eliminating differences in treatment of male and female		
		oreachent of male and female		

DRAFT CONVENTION	AMENDMENTS	REVISIONS AND NEW PARAGRAPHS	SOURCE	
Article 13 (continued)				
4. The States Parties shall adopt measures to extend special protection to women for types of work proved to be harmful to them from the standpoint of their social functions of reproduction. Such measures shall be periodically reviewed and brought up to date in cases where such limitations are discriminatory with regard to free choice of employment of women and in the light of advances in scientific and technological knowledge.	Paragraph 4 Netherlands	workers and ensuring equal employment opportunities for women. Or, Existing protective legis-lation applying to women should be reviewed and should be revised, repealed or extended to all workers as necessary to eliminate differences in treatment of male and female workers and ensuring equal employment opportunities for women Paragraph 4 Canada This paragraph should be added to article 11 New paragraph 5 Belgium "The measures taken by the States Parties under the title of protection of women may not in any way	A/32/218/Add.1 A/32/218/Annex I A/32/218/Add.1 A/C.3/32/WG.1/CRP.6/Add.1	-12-

DRAFT CONVENTION	AMENDMENTS	REVISIONS AND NEW PARAGRAPHS	SOURCE.
IV. CIVIL AND FAMILY RIGHTS Article 14			
1. The States Parties shall accord to women equality with men before the law.			
2. The States Parties shall accord to women a civil and legal capacity identical to that of men, and the exercise of that capacity. They shall in particular give them equal rights to conclude contracts and administer property and treat them equally in all stages of procedure in courts and tribunals		·	
3. The States Parties agree that all contracts and all other legal instruments of any kind directed at restricting the legal capacity of women shall be deemed null and void.			
4. The States Parties shall accord to men and women the same rights with regard to the law on the movement of persons and the freedom to choose their residence and domicile.			
Article 15 1. The States Parties shall adopt all necessary measures to ensure the full equality of women with men in all matters relating to marriage and family relations, including:		Introductory part United Kingdom Redraft introductory phrase to read: "Each State Party shall take all appropriate measures to eliminate discrimination against women whether married or unmarried in all matters relating to marriage and family relations and in particular shall ensure, on an equal basis with men"	A/C.3/32/WG.1/CRP.6/Add.3

DRAFT CONVENTION	AMENDMENTS	REVISIONS AND NEW PARAGRAPHS	SOURCE
Article 15 (continued)			The state of the s
(a) The same right as men to enter into the marriage state;			
(b) The same right as men to free choice of a spouse and to enter into marriage only with their free and full consent;			
(c) Equal rights and responsi- bilities with men during marriage and at its dissolution;			
(d) Equal rights and responsibilities with men for women, whether married or not, in matters relating to their children: in all cases the interests of the children shall be paramount;	Subparagraph (d) Argentina Replace "whether married or not" by "irrespective of their civil status"		A/32/218/Add.1
(e) Equal rights of men and women 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 this right;			
(f) Recognition of equal rights and responsibilities to be guardians and trustees, and also of an equal right to adopt children;		New subparagraph (f) Bahrain inition of equal rights and duties of both men and women in respect of wardship of children in such a way that does not run counter to the interests of the children and conforms with the rules and regulations of society derived from the provision of the applicable religious and positive laws prevailing in the society	A/32/218/Annex I

DRAFT CONVENTION	AMENDMENTS	REVISIONS AND NEW PARAGRAPHS	SOURCE
Article 15 (continued)			
(g) Recognition of the equal personal rights of husband and wife, including the right to choose a family name, a profession and an occupation;			
(h) Recognition of equal rights of both spouses in respect of the ownership, acquisition, management, administration, enjoyment, disposition			
whether free of charge or for a valuable consideration - or inheritance of property, whether it be property owned by one spouse or joint property.			
2. The betrothal and the marriage of a child shall be prohibited and effective 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			
3. To eliminate discrimination against single parents and to give effect to the principle proclaimed in the Declaration of the Rights of the Child that	Paragraph 3 Madagascar Replace "single parents" by "single mothers"		A/C.3/32/WG.1/CRP.6
all children shall be protected irrespective of the circumstan-ces of their birht, the States Parties shall provide that all children shall enjoy equal			
rights and equal legal and social protection			

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DRAFT CONVENTION	AMENDMENTS	REVISIONS AND NEW PARAGRAPHS	SOURCE
v. FINAL PROVISIONS			
<u>Article 16</u>	Article lo Canada		A/32/218/Add.1
 Nothing in the present Convention shall affect the provisions of domestic legislation in force in a State Party if they are more favourable to women. 	Omit this article		
2. Similarly, nothing in the present Convention shall affect existing conventions adopted under the auspices of the United Nations or the specialized agencies and having as their object the regulation of various aspects of the status of women, if they provide for more extensive rights for women.			
		New sub-paragraph (3) United Kingdom "Nothing in the present Convention shall apply to service in the naval, military or air forces of a State Party".	A/C.3/32/WG.1/CRP.6/Add.
Article 17			
 The present Convention shal be open for signature by all States. 			
2. The present Convention is subject to ratification. Instruments of ratification shall be deposited with the Secretary General of the United Nations.			
The present Convention shall be open to accession by			
any State. Accession shall be		Ì	

DRAFT CONVENTION	AMENDMENTS	REVISIONS AND NEW PARAGRAPHS	SOURCE
Article 17 (continued) effected by the deposit of an instrument of accession with the Secretary-General of the United Nations Article 18 1. A request for the revision of the present Convention may be made at any time by any State Party by means of 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			
Article 19 1. The States Parties undertake to adopt measures at the national level, including the establishment of machinery and procedures, aimed at achieving the full realization of the rights recognized in the present Convention.		Article 19 Kenya Bring this article into the main body of the Convention under the subheading "Implementation" or have it placed as an annex to the Convention.	A/C.3/32/WG.1/CRP.6/Add.2
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DRAFT CONVENTION	AMENDMENTS	REVISIONS AND NEW PARAGRAPHS	SOURCE
Article 19 (continued) 2. (a) Every two years following the entry into force of the present Convention, the States Parties undertake to submit to the Secretary-General of the United Nations reports on the legislative, judicial, administrative or other measures which they have adopted and on the progress made in implementing the provisions of the Convention; reports may indicate factors and difficulties affecting the degree of fulfilment of obligations under the Convention.			
(b) In preparing their reports, the States Parties shall make use of national machinery established to promote the advancement of women and of appropriate non-governmental organizations;			
(c) The States Parties shall furnish their reports in stages, in accordance with a programme to be established by the <u>ad hoc</u> Group set up under this article after consultation with the States Parties and the specialized agencies concerned.			
ering the progress made in the implementation of the present Convention by the States Parties the Commission on the Status of Women shall establish an ad hoc Proup consisting of 10 to 15	ragraph 3 rway ter the words "Commission on he Status of Womn" add "or ther body under the Economic nd Social Council that the arties to the convention may ominate, shall establish"		A/32/218/Add.1

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mmendations based on the examination of the reports from the States Parties. The Commission shall transmit the report of the Group together with its own comments, to the Economic and

Social Council.

DRAFT CONVENTION	AMENDMENTS	REVISIONS AND NEW PARAGRAPHS	SOURCE
Article 19 (continued)			
international measures likely to contribute to the effective progressive implementation of the present Convention			
Article 20			
1. The present Convention shall enter into force on the thirtieth day after the date of deposit with the Secretary-General of the United Nations of the twentieth instrument of ratification or accession.			
2. For each State ratifying the present Convention or acceding to it after the deposit of the twentieth instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after the date of the deposit of its own instrument of ratification or accession.			
Article 21			
The Secretary-General of the United Nations shall inform States of the following:			
(a) Signatures, ratification and accessions under article 17			
(b) The date of entry into force of the present Convention under; Article 20.			

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DRAFT CONVENTION	AMENDMENTS	REVISIONS AND NEW PARAGRAPHS	SOURCE	
Article 22 The present Convention, the Chinese, English, French, Russian and Spanish texts of which are equally authentic, shall be deposited in the archives of the United Nations. Duly certified copies of the present Convention shall be transmitted to the Governments of the signatory and acceding States. IN WITNESS WHEREOF the undersigned, duly authorized, have signed the present Convention.				
An additional article on reservations 1. The Secretary-General of the United Nations shall receive and circulate to all States which are or may become Parties to the present Convention the text of reservations made by States at the time of ratification or accession. Any State which objects to the reservation shall, within a period of 90 days from the date of the said communication, notify the Secretary-General that it does not accept it.		Article on reservations Kenya Place this article between articles 21 and 22, so that former article 22 continues to be the last article of the Convention.	A/C.3/32/WG.1/CRP.6/Add.2	1661

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DRAFT CONVENTION	AMENDMENTS	REVISIONS AND NEW PARAGRAPHS	SOURCE
(continued)			
2. A reservation incompatible with the object and purpose of the present Convention shall not be permitted, nor shall a reservation the effect of which would inhibit the operation of the ad hoc Group established by the Convention be allowed. A reservation shall be considered incompatible or inhibitive if at least two thirds of the States Parties to the Convention object to it.			
3. Reservations may be with-drawn at any time by notification to this effect addressed to the Secretary-General. Such notification shall take effect on the date on which it is received.			