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WORKING GROUP ON A NEW INSTRUMENT OR
INSTRUMENTS OF INTERNATIONAL LAW TO
ELIMINATE DISCRIMINATION AGAINST WOMEN
Item 4 of the agenda

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

Articles considered by the Working Group at its
fifth meeting on 9 January 1974

Working Paper by the Secretariat

Article 10

1. States parties shall grant women the same rights as men to acquire, change or retain their nationality and require, in particular, that neither marriage of a woman to, nor the dissolution of her marriage from an alien nor the change of nationality by her alien husband during marriage automatically change her nationality, render her stateless or force upon her the nationality of her husband.
2. Each State party agrees that a woman of foreign nationality who is married to a national of its country may, at her request, acquire her husband's nationality through specially privileged naturalization procedures; the grant of such nationality may be subject to limitations as may be imposed in the interests of national security or public policy.

Suggested alternative text:

1. Each State party agrees that the alien husband or wife of one of its nationals may, at his or her request, acquire the nationality of his or her spouse through specially privileged naturalization procedures; the grant of such nationality may be subject to such limitations as may be imposed in the interests of national security or public policy.
2. Each State party agrees that the present Convention shall not be construed as affecting any legislation or judicial practice by which the alien husband or wife of one of its nationals may, at his/her request, acquire his/her spouse's nationality as a matter of right.

3. States parties agree to grant women equal rights with men to transmit their nationality to their children.

SOCIAL AND ECONOMIC RIGHTS

Article 11

1. Each State party agrees to take all appropriate measures to ensure women, married or unmarried, equal rights with men in the field of education, which education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms, and in particular:

- (a) Equal conditions of access to, and study in educational institutions of all types, including universities and vocational, technical and professional schools;
- (b) The same choice of curricula, the same examinations, teaching staff with qualifications of the same standard, and school premises and equipment of the same quality, whether the institutions are co-educational or not;
- (c) Equal opportunities to benefit from scholarships and other study grants;
- (d) Equal opportunity for access to programmes of continuing education, including adult literacy programmes;
- (e) Access to educational information to help in ensuring the health and well-being of families, this to include educational information on family planning.

Note:

It was agreed that provisions on pre-school education and on rural education would be added.

Article 12

1. The States Parties shall adopt all necessary measures to ensure to women, married or unmarried, the same rights and opportunities as men in the field of employment and other social and economic activity, and in particular:

- (a) The right to work, which includes the right of all persons to an opportunity to earn their livelihood by work which they freely choose or to which they freely consent and the right to be employed in their field of specialization in accordance with their level of qualifications;
- (b) The right to take employment and to continue their activity in the labour force and in professions irrespective of marital status or of spouse's consent;

/...

(c) The right to equal remuneration with men for work of equal value as defined by the relevant ILO Convention on the subject;

(d) The right, without discrimination on grounds of sex, to receive equal vocational training and advanced training in the event of changes in the conditions of production or technical advances and, where necessary, free retraining and restoration of levels of qualification after an enforced interruption resulting from the fulfilment by women of their maternal obligations.

Suggested alternative texts:

1. Replace "free retraining" by "opportunity for retraining". (USA)
2. The right, without discrimination on grounds of sex to receive equal initial or basic vocational training for preparation for employment and advanced training, on an equal footing with men, for promotion and in the event of ... etc. (ILO)

(e) An equal right to paid annual leave and to material security in case of unemployment, sickness, disability, old age or other incapacity to work; an equal right to old-age pension coverage, /a lower pensionable age and a shorter period of employment for the award of a pension being established in the case of women/;

/Egypt: Insert between the words "pension coverage" and "a lower pensionable age" the words "option for";/

(f) The right to receive family allowance on equal terms with men;

(g) /The retention by women who are employed for an incomplete working day or an incomplete working week, and who receive payment in proportion to the time worked or on the basis of output, of all rights, privileges and benefits established for those employed for a full working day./

Suggested alternative text:

Egypt: /The entitlement of women who are employed for an incomplete working day or an incomplete working week, and who receive payment in proportion to the time worked or on the basis of output, of rights, privileges and benefits on the same basis as those granted to full-time workers./