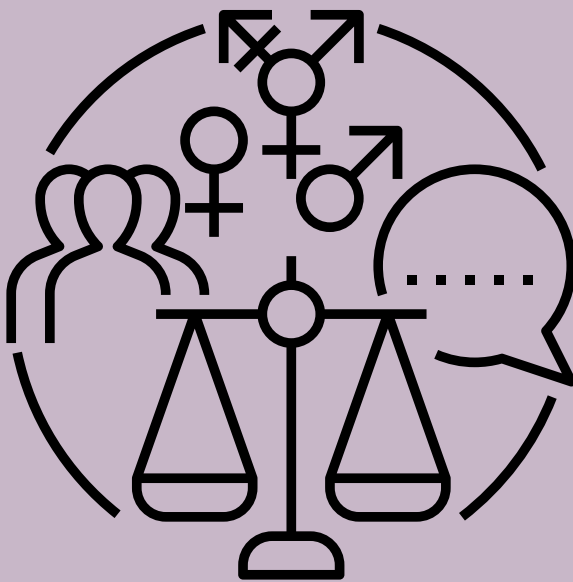


UN CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW)

THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW) IS OFTEN REFERRED TO AS THE "WOMEN'S BILL OF RIGHTS"

CEDAW, officially known as the Convention on the Elimination of All Forms of Discrimination against Women, is a set of guidelines aimed at ensuring that women and girls globally have the same rights and freedoms as men. The UK Government agreed to follow these guidelines in 1986.



The main goal of CEDAW is to put an end to any form of discrimination against women and promote gender equality as a basic human right. It seeks to empower women, challenge stereotypes, and change societal norms.

WHO HAS RIGHTS UNDER CEDAW?

Under CEDAW, all women and girls have rights. These rights protect them from discrimination based on their gender. Whether young or old, regardless of their background, CEDAW ensures that women and girls have equal opportunities and freedoms.



WHAT DOES CEDAW DO?

CEDAW acts as a blueprint for state action to secure women's rights across various spheres of life, including public and political participation, family life, education, employment, and health. It mandates that women should enjoy these rights without discrimination, defined as any distinction, exclusion, or restriction based on sex that undermines women's human rights.



Additionally, CEDAW requires states to proactively eliminate cultural norms and practices that perpetuate gender inequality. The treaty's broad scope encompasses women's civil, political, social, and economic rights, addressing issues such as reproductive health, care provision, and the impact of cultural factors on gender relations.

UN GUIDANCE ON CEDAW RIGHTS

Every five years, the UN's CEDAW Committee examines the UK's efforts in implementing CEDAW. Civil society organisations can provide evidence for this review, including information specific to CEDAW in Scotland. Engender has organised submissions to the UN across Scotland's women's sector, you can read more about this [here](#). Following the review, the Committee issues a series of recommendations to the UK.



WHAT RIGHTS ARE IN THE CEDAW?

CEDAW's 30 articles include:

- Article 7: This article guarantees women's right to vote, hold public office, and exercise public functions, ensuring their **participation in political life** on an equal basis with men.
- Article 8: Equal opportunities for women to represent their countries at the **international level**.
- Article 9: Affirms women's **nationality rights**, ensuring they have equal rights with men to acquire, change, or retain nationality, regardless of marital status.
- Article 10: Ensures women's equal access to **education without discrimination**, emphasising the elimination of gender disparities at all levels of education.
- Article 11: Guarantees women's **right to work** and access to employment opportunities without discrimination, including equal pay for equal work.
- Article 13: Ensures women's access to **economic and social benefits**, such as credit, loans, and participation in recreational activities, on an equal basis with men.
- Article 14: Recognises the importance of **rural women's participation** in development and planning.
- Article 15: Affirms women's legal equality with men, ensuring they have **equal rights before the law**, including in areas such as legal capacity, freedom of movement, and choice of residence.
- Article 16: Upholds **equality in marriage and family relations**, ensuring women's equal rights and responsibilities in areas such as choice of spouse, parenthood, family name, profession, and property ownership.

MAKING THINGS MORE EQUAL

CEDAW aims for the "substantive equality" of women, which basically means equality of outcomes for women. This recognises that women have been historically disadvantaged and that there is gender inequality embedded into our systems and structures.

CEDAW insists that states recognise that women's lived experiences are different to men, and that states must deliberately tackle the root causes of women's inequality and address structural injustice.

Notably, this "substantive equality" approach of CEDAW goes far beyond the "formal equality" approach that is taken across much of the UK's approach to equal opportunities law and policy.

Read more detail about CEDAW in this [Consortium briefing](#), by Professor Nicole Busby

WHAT ABOUT CEDAW RIGHTS IN SCOTLAND?

It is the UK as a whole who signed up to CEDAW, so the primary responsibility for implementing the Convention rights lies with the UK Government. BUT, Scottish Ministers are required to observe and implement international agreements, so they need to implement CEDAW too.

While there are limitations due to most of equality and employment being reserved to Westminster and the UK Government, many areas relevant to achieving women's equality are within Scottish Ministers' remit, such as education and health.

Now, the Scottish Government has committed to integrating CEDAW into Scots law. **A new Human Rights Bill will be introduced by June 2024.** It is not yet clear what provisions will be included in the Bill. However, we anticipate that it will mandate government and public bodies to take CEDAW into account in their decision-making. The Consortium, women's organisations, and various sectors of civil society are advocating for women's and girls' rights to be as robust as possible in the Bill.

There is huge civil society support for the Scottish Human Rights Bill. Find out more about the Bill [here](#).

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