

Rights within Marriage and the Family

Government Duties to Ensure Women's Equality

A woman's rights within marriage have enormous implications for her ability to participate fully in society and make autonomous decisions about reproduction. When women are betrothed as young girls, forced into marriage roles based on gender stereotypes, and deterred from fleeing violent relationships, they have little opportunity to pursue opportunities outside of the home. Their resulting subordination makes them vulnerable to abuse and exploitation, the impact of which is often invisible to the outside world. International law offers longstanding protections against these abuses within marriage. One of the basic principles governing marriage under human rights law is that no one may be forced to enter into a marriage against his or her will. Moreover, men and women have equal rights upon entry into marriage, during marriage, and at its dissolution.

This briefing paper takes an in-depth look at the standards developed by six United Nations (UN) "treaty monitoring bodies," or committees, in the area of marriage and family life. Following a brief overview of the origin and work of the committees, the briefing paper reviews standards each body has adopted as it has monitored governments' compliance with their duties under international human rights law. The committees have made it clear that, in the context of marriage and private life, governments are bound to protect women's health and lives.

Background

Treaty Monitoring Bodies and their Role in Developing International Law

The UN treaty monitoring system was created to ensure governments' compliance with their treaty obligations.¹ Each of the major international human rights treaties provides for the establishment of a committee whose primary mandate is to monitor governmental progress in implementing the treaty. Monitoring is achieved primarily through a "country reporting" process, which requires states to report periodically on their efforts to respect, protect, and fulfill the human rights enshrined in a particular treaty.² Following in-person dialogues with government representatives, committee members issue concluding observations to the reporting government. Every year, these observations are compiled in a report and sent to the General Assembly of the UN.³

In addition to the concluding observations, committees have the authority to issue "general comments" or "general recommendations." These documents elaborate on a treaty's broadly worded human rights guarantees in order to guide government efforts to implement the treaty, providing a working interpretation of the rights in each of the major treaties.⁴ Some committees also have a mandate to examine individual complaints of human rights violations, in which cases they issue written decisions.⁵

Key Human Rights Treaties and their Monitoring Committees	
HUMAN RIGHTS TREATY	COMMITTEE
Convention on the Elimination of All Forms of Discrimination against Women (<i>CEDAW</i>)	Committee on the Elimination of Discrimination against Women (<i>CEDAW Committee</i>)
Convention on the Rights of the Child (<i>Children's Rights Convention</i>)	Committee on the Rights of the Child (<i>CRC</i>)
International Covenant on Civil and Political Rights (<i>Civil and Political Rights Covenant</i>)	Human Rights Committee (<i>HRC</i>)
International Covenant on Economic, Social and Cultural Rights (<i>Economic, Social and Cultural Rights Covenant</i>)	Committee on Economic, Social and Cultural Rights (<i>CESCR</i>)
International Convention on the Elimination of All Forms of Racial Discrimination (<i>Convention against Racial Discrimination</i>)	Committee on the Elimination of Racial Discrimination (<i>CERD</i>)
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment (<i>Convention against Torture</i>)	Committee against Torture (<i>CAT</i>)

Taken together, the concluding observations, general comments, and case decisions of the committees guide governments and advocates in further promoting human rights. They are also a crucial tool for holding governments accountable under international human rights law. The standards elaborated upon by the committees, summarized in this briefing paper, can and should be used to measure government compliance with human rights treaty obligations. Materials cited in this paper can be used to support legal challenges in national, regional, and international human rights institutions. They can also be used to support law reform efforts aimed at ensuring women's equality within marriage and the family.

What follows is a discussion of the statements relating to marriage and the family made by six committees: the Committee on the Elimination of Discrimination against Women (CEDAW Committee); the Committee on the Rights of the Child; the Human Rights Committee; the Committee on Economic, Social and Cultural Rights; the Committee on the Elimination of Racial Discrimination; and the Committee against Torture.⁶

1.

Committee on the Elimination of Discrimination against Women

General Recommendations

General Recommendation 21: Equality in Marriage and Family Relations⁷

In its General Recommendation 21, the CEDAW Committee clarifies states parties' obligations and provides guidelines on the Committee's understanding of equality in marriage. The Committee emphasizes that equal treatment should be accorded to women, who traditionally perform their roles in the private or domestic sphere.⁸ The Committee also notes that regardless of the legal system, religion, custom or tradition applicable to a particular country or region, all states parties must apply the principles of equality and justice.⁹ The Committee expresses concern that custom, tradition, and the failure to enforce national constitutions and laws have resulted in instances of polygamous marriage¹⁰ and forced or arranged marriages.¹¹ It has identified 18 as the appropriate legal age of marriage for both men and women.¹² The Committee rejects arguments in support of an earlier age of marriage for girls because of the associated health risks.¹³

In shedding light on Article 16(1)(e) of CEDAW, the CEDAW Committee notes that bearing and raising children impose an inequitable burden of work on women, with consequences for their physical and mental health and for that of their children. The Committee therefore stresses that women are entitled to make decisions regarding the number and spacing of their children.¹⁴

RELEVANT PROVISIONS OF CEDAW

Article 5 *requires states parties to take all appropriate measures to eliminate social and cultural patterns and practices that perpetuate notions of women's inferiority.*

Article 11(2) *protects women's rights to work regardless of pregnancy or marital status.*

RELEVANT PROVISIONS OF CEDAW

Article 16 *requires states parties to eliminate discrimination against women in all matters regarding marriage and family relations.*

Noting reports of forced pregnancies, abortions, and sterilizations, the Committee states that “[d]ecisions to have children or not, while preferably made in consultation with spouse or partner, must not nevertheless be limited by spouse, parent, partner or Government. In order to make an informed decision about safe and reliable contraceptive measures, women must have information about contraceptive measures and their use, and guaranteed access to sex education and family planning services.”¹⁵

The CEDAW Committee also emphasizes that reservations to Article 16 are inconsistent with the principles upon which CEDAW is based, noting with alarm the number of countries that have entered reservations to Article 16, in whole or in part.¹⁶

General Recommendation 24: Women and Health¹⁷

In its General Recommendation 24, the CEDAW Committee emphasizes that the equal rights of women and men to decide freely and responsibly on the number and spacing of children are fundamental to women’s rights in marriage.¹⁸

The Committee also highlights the need to eliminate discrimination against women at all stages of the life cycle, particularly in the areas of family planning, pregnancy, and the postnatal period.¹⁹

General Recommendation 19: Violence against Women²⁰

In its General Recommendation 19, the CEDAW Committee defines forced marriage as a form of violence that poses an actual threat to women and perpetuates their subordinate role in society. Family violence and abuse, forced marriage, dowry deaths, acid attacks, and female genital mutilation are also linked with traditional attitudes, stereotypes, and harmful practices that threaten women’s right to social and economic equality.²¹

Concluding Observations

Rights within Marriage

The CEDAW Committee has taken a strong stance against women’s inequality within marriage. The Committee has been particularly critical of traditional patriarchal gender stereotypes in the family and attitudes toward women’s roles and responsibilities.²² It has linked harmful cultural practices to women’s unequal status in marriage and family relations, and in one instance it has urged systematic and sustained action to eliminate stereotypes and negative cultural practices.²³ The Committee has suggested several specific measures for eradicating sex-role stereotypes in the family, including using local media to promote change,²⁴ starting awareness-raising campaigns,²⁵ undertaking a revision of curricula and textbooks,²⁶ and implementing programs targeted at both men and women.²⁷ The Committee has recommended the use of special temporary measures under article 4.1 of CEDAW,

such as instituting numerical goals and targets, to improve women's access in such areas as higher education, decision-making positions, and legislative bodies at the national and local levels.²⁸ The Committee also has recommended that states parties monitor and assess the measures that are implemented with adjustments to improve the states parties' progress towards the achievement of stated goals.²⁹

Reforming laws is another crucial strategy. The Committee has recommended enacting new legislation,³⁰ reviewing existing laws, and amending discriminatory provisions,³¹ including laws discriminating against noncitizen spouses and their families³² and laws prohibiting women from passing on their nationality to their children.³³ The Committee urged one state party to enforce its existing laws to protect women's equal rights in marriage and to provide legal protections for women and children in *de facto* unions.³⁴ The Committee has also expressed serious concern over laws that mitigate or eliminate punishment for rape, where perpetrators marry their victims,³⁵ and has urged at least one state party to criminalize marital rape.³⁶

Child and Forced Marriage

The CEDAW Committee has discussed child and forced marriage and applied the relevant language from General Recommendation 21 in numerous concluding observations.³⁷ While the Committee frequently has recommended that legislation be implemented,³⁸ or reviewed and amended,³⁹ or enforced⁴⁰ to eliminate child and forced marriage, it has recognized that legal changes alone will not end the practice. In a number of instances, the Committee has expressed concern that traditional and cultural factors may prevent women from entering into marriage with free and full consent.⁴¹ It has recommended implementing public awareness campaigns designed specifically to change attitudes toward women and girls⁴² and point out the negative effects of early marriage on women's enjoyment of their human rights, especially the rights to health and education.⁴³ In one instance, the Committee recommended training judiciary and law enforcement officials as part of a strategy to eliminate child marriage.⁴⁴ The Committee has also suggested improving marriage registry systems,⁴⁵ since many child and forced marriages go unrecorded. In several instances, the Committee has recommended that states parties review their laws on marriage and include information in the next periodic reports on the progress made with regard to reforming their laws.⁴⁶ Consistent with its comments in General Recommendation 19, in a number of instances, the Committee has discussed forced marriage in the context of violence.⁴⁷

Polygamy

The CEDAW Committee views polygamy as a harmful traditional practice⁴⁸ and has encouraged states parties to reconsider laws permitting polygamy⁴⁹ and to analyze traditions and stereotypes of women's role in the family that contribute to perpetuation of its practice.⁵⁰ The Committee has suggested that states parties take comprehensive measures to eliminate the practice of polygamy,

including effective law enforcement and the implementation of legal and social sanctions in situations where the practice is illegal;⁵¹ public awareness-raising campaigns;⁵² and, in some instances, training for judicial and law enforcement officials.⁵³ The Committee has also expressed concern where polygamy is legally prohibited yet persists in practice.⁵⁴ The Committee has referred states parties to General Recommendation 21,⁵⁵ which briefly discusses the harmful impact of polygamy on women, including financial and emotional hardship. The Committee has commended one state party for establishing monogamy as the legal form of marital union.⁵⁶

Divorce and Child Custody

Both CEDAW and General Recommendation 21 include provisions on women's rights in relation to divorce and child custody.⁵⁷ Increasingly, the CEDAW Committee has been provided with evidence of restrictive or discriminatory divorce laws, including financial discrimination, and has expressed concern in those cases.⁵⁸ The Committee has asked governments to adopt or amend laws to protect women's rights in all matters related to divorce, custody, alimony, and property inheritance.⁵⁹ It has recommended educating communities, law enforcement, and the judiciary about existing formal laws that protect women's rights in marriage and inheritance where customary law formerly prevailed,⁶⁰ and it has recommended that where customary law persists, decisions be made appealable in formal state courts.⁶¹

Individual Case

In *A.T. v. Hungary*, the CEDAW Committee found that the absence of effective legal or law enforcement measures and/or social services to protect a battered wife and her family under threat from an abusive husband amounted to violations of a woman's right to personal security with respect to Articles 2, 5, and 16 of CEDAW.⁶² These articles require states parties to take all appropriate policy measures to eliminate practices that perpetuate women's inferiority and discriminate against women with regard to marriage and family relations.⁶³ The Committee found the lack of effective interim measures to protect A.T.'s security while proceedings were pending unsatisfactory.⁶⁴ It held that the state party should take immediate and effective measures to guarantee A.T. and her family's physical and mental integrity, and to ensure they received a safe home, child support, legal assistance, and reparations.⁶⁵ Additionally, it held that the state party should implement legislative, policy, and training measures to ensure domestic violence victims are provided shelter, protection of the law, and prompt access to justice.⁶⁶

2.

Committee on the Rights of the Child

General Comments

RELEVANT PROVISIONS OF THE CHILDREN'S RIGHTS CONVENTION

Article 3(2) provides that states parties must ensure protection and care for children while taking into account the rights and duties of their parents or legal guardians.

Article 16 protects children from arbitrary or unlawful interference with their family or private life.

Article 24 guarantees children's right to the highest standard of health and places responsibility on states parties to ensure proper health care for mothers, children, and families.

Article 24(3) requires states parties to take measures to abolish traditional practices that are harmful to children's health.

General Comment 4: Adolescent Health and Development⁶⁷

In its General Comment 4, the Committee on the Rights of the Child elaborates on the health and development provisions in articles 6 and 24 of the Children's Rights Convention, as they apply to adolescents up to the age of 18.⁶⁸ In this general comment, the Committee identifies early marriage as a harmful traditional practice and requires states parties to take all appropriate legislative, administrative, and other measures for protecting adolescents from early marriage.⁶⁹

The Committee joins the CEDAW Committee in identifying 18 as the appropriate legal age of marriage for both men and women.⁷⁰ The Committee affirms that states parties should increase the minimum age for marriage with and without parental consent to 18.⁷¹

The Committee also recognizes that adolescent access to information that promotes social, spiritual, and moral well-being and physical and mental health is crucial to protect adolescents from harmful traditional practices, including early marriage.⁷² The Committee recommends that states parties facilitate the establishment of multidisciplinary information and advice centers regarding the harmful aspects of early marriage and other traditional practices.⁷³

General Comment 7: Implementing Child Rights in Early Childhood⁷⁴

In its General Comment 7, the Committee on the Rights of the Child recognizes both fathers and mothers as equal caregivers and notes that shifting attitudes in some countries toward family, marriage, and parenting are affecting young children's early childhood experiences, particularly following family separations and reformations.⁷⁵ The Committee is concerned that states parties take insufficient account of the resources, skills, and personal commitment required of parents, especially in societies where early marriage is still sanctioned and in societies with a prevalence of young, single parents.⁷⁶

Concluding Observations

Rights within Marriage

The Committee on the Rights of the Child has issued concluding observations condemning laws that discriminate against married women, such as laws that prevent a woman from passing on her nationality to her children;⁷⁷ laws that treat married women as minors;⁷⁸ laws that prevent married underage women from enjoying the rights enshrined in the Children's Rights Convention, including

the right to education;⁷⁹ or laws that prevent married women from inheriting property.⁸⁰ In such cases, the Committee has recommended legal reform and has observed that such persistent discrimination against women severely curtails children's—particularly girls'—rights.⁸¹ The Committee has also commented on the role of gender stereotypes and harmful traditional practices in the perpetuation of gender inequality in marriage, child custody, and divorce⁸² and has recommended ways to combat discriminatory attitudes, such as taking legislative and other measures to ensure that the best interests of the child are of primary consideration in cases of divorce.⁸³ In addition, the Committee has commented on the principle that both parents are responsible for the upbringing and development of the child and has recommended developing laws, policies, and educational programs that support and promote the idea of joint parental responsibility.⁸⁴

The Committee has also noted positive developments, welcoming one state party's adoption of a law permitting a woman citizen married to a foreigner to transmit her nationality to her children.⁸⁵

Child and Forced Marriage

Having stated that the internationally acceptable minimum legal age of marriage for men and women is 18, the Committee on the Rights of the Child has welcomed the passage and/or encouraged the proposal of laws establishing 18 as the minimum legal age of marriage for men and women.⁸⁶ The Committee has expressed concern about the lack of a legal⁸⁷ and nationally consistent⁸⁸ minimum age for marriage, the existence of a minimum age for marriage that is lower than international standards,⁸⁹ and disparities between the legal minimum age for marriage for men and women.⁹⁰

The Children's Rights Convention is the only human rights treaty that explicitly discourages harmful traditional practices,⁹¹ and the Committee has determined that child and forced marriage are harmful traditional practices and forms of gender discrimination.⁹² The Committee has repeatedly recognized that these harmful practices often result from tradition and customary law and has called for measures to eliminate customary laws that conflict with the Children's Rights Convention.⁹³ The Committee has recommended that states parties campaign to raise awareness, change prevailing attitudes, and address gender roles and stereotypes that contribute to the practices of child and forced marriage.⁹⁴ The Committee has also recommended requiring marriage registries⁹⁵ and official documentation stating proof of age⁹⁶ to combat child and forced marriage. The Committee has welcomed one state's adoption of a law regarding nonrecognition of early and forced marriages.⁹⁷

The Committee has alluded to the underlying lack of empowerment of girl children as a cause of child and forced marriage and has recommended that states parties prohibit marriage entered into without free consent of both spouses.⁹⁸ The Committee has recognized that large age differences between spouses tend to reinforce gender stereotypes⁹⁹ and has stated that a lower marriageable age for girls constitutes gender discrimination.¹⁰⁰ The Committee has not yet explicitly addressed the

question of whether children, as defined by Article 1 of the Children’s Rights Convention, are capable of consenting to child marriage.

The Committee has made important links between child and forced marriage and the ability of girl children to exercise the right to health.¹⁰¹ Notably, the Committee has commented specifically on the connection between child and forced marriage and high maternal and infant mortality rates.¹⁰² The Committee has also expressed concerns about the connection between child and forced marriage and high dropout rates, especially among girls, and the infringement on the right to education.¹⁰³ The Committee has further addressed the connection between sexual abuse and forced marriage.¹⁰⁴

It is not clear whether the Committee considers child and forced marriage to be a form of violence against girl children. While it has stressed the need for legislation prohibiting harmful traditional practices such as forced marriage and “any other form of violence against girls” in a session report,¹⁰⁵ the Committee has not taken this approach in its concluding observations. Similarly, the Committee has yet to frame the issue of child and forced marriage as a threat to girls’ rights to life, to security of the person, and to freedom from cruel or degrading treatment.

Polygamy

The Committee on the Rights of the Child has expressed concern about the impact of polygamy on children and has recommended the review of legislation, policies, and programs to discourage the practice.¹⁰⁶

Divorce and Child Custody

The Committee on the Rights of the Child has not yet fully developed a comprehensive interpretation of children’s rights relating to divorce and child custody. The Committee has expressed concern that discrimination against the mother in child custody laws and proceedings infringes upon children’s rights under Article 2 of the Children’s Rights Convention.¹⁰⁷ The Committee has emphasized that the child’s best interests must be the primary consideration of all custody decisions and that such decisions should be made with the child’s participation and with consideration for the child’s emotional needs.¹⁰⁸ The Committee has also urged states parties to ensure that women and children are empowered to claim maintenance payments upon divorce and to strengthen legal instruments for the enforcement of child maintenance orders.¹⁰⁹

3.

RELEVANT PROVISIONS OF THE CIVIL AND POLITICAL RIGHTS COVENANT

Article 3 ensures the equal right of women and men to enjoy all civil and political rights set forth in the Covenant.

Article 17 establishes the right to be free from arbitrary or unlawful interference in one's privacy, family, home, and correspondence.

Article 23 provides that the family is entitled to protection by society and the state. It upholds the right of men and women of marriageable age to marry and found a family, and ensures that no marriage shall be entered into without the free and full consent of the intending spouses. States must take steps to ensure the equality of rights and responsibilities of spouses during marriage and at its dissolution, and must provide necessary protection to children when a marriage is dissolved.

Human Rights Committee

General Comments

General Comment 28: Equality of Rights Between Men and Women¹¹⁰

General Comment 28 specifically addresses inequality in marriage by underscoring women's right to free and informed choice in marriage; recognizing that third-party authorization requirements for marriage hinder women's free decision making; and calling for the same minimum age of marriage for both men and women.¹¹¹ It states that rights upon the dissolution of marriage must be equal, specifically providing that women should have the same grounds for divorce as men, and that decisions regarding the distribution of property and custody of children should be made on an equal basis.¹¹²

Concluding Observations

Rights within Marriage

The Human Rights Committee has expressed general concern over inequality within marriage on numerous occasions,¹¹³ with a particular emphasis on legislative provisions that do not treat men and women equally in cases of adultery,¹¹⁴ inheritance,¹¹⁵ and land ownership.¹¹⁶ It has discussed the need to overcome stereotypical attitudes toward women's roles in the family.¹¹⁷ In two cases, the Committee recommended special training programs for women and awareness campaigns as a means of eliminating such stereotypes.¹¹⁸

In one case, the Committee has expressed concern with the prohibition of marriage between women of the Muslim faith and men from other religions.¹¹⁹ In another case, the Committee was concerned with the potential detriments to the rights of Muslim women due to the inapplicability of the general law of a state party to the Muslim minority with regard to marriage and inheritance.¹²⁰ The Committee has also condemned laws that prevent women from passing on their nationality to their children.¹²¹

Child and Forced Marriage

The Human Rights Committee has discussed the problem of child and forced marriage several times, expressing general concern about the practice¹²² and recommending specific measures to eliminate it, including educational measures to combat and change attitudes toward the practice¹²³ as well as legal reform.¹²⁴

Polygamy

The Human Rights Committee has discussed polygamy in several concluding observations, recommending that states parties take steps to abolish and prevent the practice,¹²⁵ and finding that

RELEVANT PROVISIONS OF THE CIVIL AND POLITICAL RIGHTS COVENANT

Article 26 recognizes that all persons, regardless of marital status, religion, sex, race, or social origin, are equal before the law, and are entitled to equal protection under the law and equal and effective protection against discrimination on any grounds.

it violates women's dignity.¹²⁶ These concluding observations constitute a clear condemnation of the practice in accordance with General Comment 28.¹²⁷ In one case, although the state party had passed a law abolishing polygamy, the Committee recommended that the state party provide greater legal protection to women who are in polygamous unions when such unions no longer have any legal standing.¹²⁸ The Committee criticized another state party for the persistence of polygamy despite legislation prohibiting it and urged the state party to enforce existing laws.¹²⁹

Divorce and Child Custody

The Human Rights Committee has commended the passage of laws permitting divorce.¹³⁰ While specific discriminatory divorce laws have been mentioned in several concluding observations,¹³¹ the Committee has not addressed in depth discrimination related to divorce and child custody, which results in the violation of women's economic, social, and cultural rights.

In one case, the Committee criticized disparate treatment of citizens and noncitizens where foreign spouses of foreigners with residence permits were subject to deportation in the event of discontinuation of cohabitation, which could force people to live in abusive relationships.¹³² In another case, the Committee expressed concern over the imprisonment of women who do not return their dowries upon separating from their husbands.¹³³ The Committee also urged one state party to amend its laws to ensure attribution of housing for divorced women and equality in child custody.¹³⁴ The Committee has noted its concern that children born out of wedlock do not have the same rights as those born within wedlock.¹³⁵

Individual Cases

In *Aumeeruddy-Cziffra et. al v. Mauritius*,¹³⁶ the Human Rights Committee determined that the 1977 Immigration and Deportation Act of Mauritius, under which alien husbands of Mauritian women lost their residence status, violated articles 2(1), 3, and 26.¹³⁷ However, the Committee stated that it need not determine whether the restrictions on foreign spouses in fact breached articles 17(1) and 23(1), which safeguard the family from "arbitrary or unlawful interference."¹³⁸ Instead, the Committee stated the following:

*[W]henever restrictions are placed on a right guaranteed by the Covenant, this has to be done without discrimination on the ground of sex. Whether the restriction in itself would be in breach of that right regarded in isolation, is not decisive in this respect. It is the enjoyment of the rights which must be secured without discrimination. Here it is sufficient, therefore, to note that in the present position an adverse distinction based on sex is made, affecting the alleged victims in their enjoyment of one of their rights. No sufficient justification for this difference has been given.*¹³⁹

In *F.H. Zwaan-de Vries v. the Netherlands*,¹⁴⁰ the Human Rights Committee found that the provisions of the Netherlands Unemployment Benefits Act, which denied unemployment benefits to married women who were neither breadwinners nor separated from their husbands (but which did not deny benefits to married men in similar situations), violated Article 26 of the Civil and Political Rights Covenant, which provides for “equal protection of the law.” It found that the denial of social security benefits to women on equal footing with men was “not reasonable” and therefore violated Article 26 of the Civil and Political Rights Covenant.¹⁴¹

In *S.W.M. Brooks v. the Netherlands*,¹⁴² the Human Rights Committee found that the discontinuance of unemployment payments under the Netherlands Unemployment Benefits Act because the petitioner was a married woman violated Article 26 of the Civil and Political Rights Covenant.¹⁴³

In *Dietmar Pauer v. Austria*,¹⁴⁴ the Human Rights Committee found that the Austrian Pension Act, which provided for a reduced widower’s pension but full widow’s pension, constituted unlawful discrimination on the grounds of sex in violation of Article 26 of the Civil and Political Rights Covenant.¹⁴⁵

In *Hendrika S. Vos v. the Netherlands*,¹⁴⁶ the Human Rights Committee found that discontinuing a woman’s disability benefits when she becomes eligible for a lesser widow’s pension, when a similarly situated man would remain eligible for disability benefits, was “objective” and “reasonable” to avoid overlapping in the allocation of social security benefits and therefore did not violate Article 26.¹⁴⁷

4.

Committee on Economic, Social and Cultural Rights

General Comments

General Comment 14: The Right to the Highest Attainable Standard of Health¹⁴⁸

In its General Comment 14, the Committee on Economic, Social and Cultural Rights discusses children’s right to health, acknowledging that child marriage is a harmful traditional practice that affects girls’ health and calling on states parties to eliminate it.¹⁴⁹

General Comment 16: The Equal Right of Men and Women to the Enjoyment of All Economic, Social, and Cultural Rights¹⁵⁰

In its General Comment 16, the Committee on Economic, Social and Cultural Rights discusses the equal right of men and women to the enjoyment of economic, social, and cultural rights and calls on

RELEVANT PROVISIONS OF THE ECONOMIC, SOCIAL AND CULTURAL RIGHTS COVENANT

Article 3 protects the equal right of men and women to the enjoyment of all economic, social, and cultural rights.

RELEVANT PROVISIONS OF THE ECONOMIC, SOCIAL AND CULTURAL RIGHTS COVENANT

Article 10(1) *protects the right to enter into marriage with free consent and accords special protection to the family.*

Article 10(2) *requires states parties to protect mothers during a reasonable period before and after giving birth.*

Article 12 *protects the right to the highest attainable standard of physical and mental health.*

states parties to promote the sharing of responsibilities in family, community, and public life.¹⁵¹ The Committee emphasizes that under Article 10, the widest possible protection and assistance should be accorded to the family.¹⁵² The Committee affirms that both men and women have an equal right to freely consent to marriage and recommends the establishment of the same legal age of marriage for men and for women.¹⁵³ The Committee further recommends that a woman have equal access to marital property and inheritance upon her husband's death.¹⁵⁴

Concluding Observations

Rights within Marriage

The Committee on Economic, Social and Cultural Rights has expressed concern about discriminatory laws or practices that contribute to women's inequality within marriage,¹⁵⁵ including those that restrict women's inheritance rights¹⁵⁶ or women's ability to pass on their nationality to their children.¹⁵⁷ In its concluding observations to one state party, the Committee made important links between the issue of equal legal capacity in marriage and the types of economic and social rights violations that result from the lack of legal recognition of common-law marriages.¹⁵⁸ In a few instances, the Committee has commented on discriminatory laws that punish adultery more harshly for women than for men.¹⁵⁹

Child and Forced Marriage

On the few occasions in which the Committee on Economic, Social and Cultural Rights has addressed the issue of child and forced marriage, it has condemned the practice and urged states parties to address discriminatory beliefs that encourage its continuation.¹⁶⁰ While it has welcomed legislation prohibiting child marriage,¹⁶¹ the Committee remains concerned at the continued prevalence of the practice, and has urged states parties to enforce laws prohibiting it and provide information regarding child marriage and efforts taken to eradicate it.¹⁶² The Committee has commended states parties for raising the legal minimum age of marriage to 18 for both men and women.¹⁶³

The Committee has expressed concern to one state party about the persistence of marital rape in the context of forced marriage.¹⁶⁴

Polygamy

The Committee on Economic, Social and Cultural Rights has condemned polygamy as incompatible with the rights protected under the Economic, Social and Cultural Rights Covenant,¹⁶⁵ and has welcomed legislation prohibiting polygamy.¹⁶⁶ The Committee has not yet discussed how the harms associated with the practice affect women's ability to exercise other rights protected by the Economic, Social and Cultural Rights Covenant.

Divorce and Child Custody

The Committee on Economic, Social and Cultural Rights has in its concluding observations expressed concern to a number of states parties regarding discriminatory divorce laws and has recommended the removal of all provisions that discriminate against women or put them at a disadvantage.¹⁶⁷ It has also welcomed the passage of laws increasing women's rights in divorce and land ownership.¹⁶⁸

5.

Committee on the Elimination of Racial Discrimination

General Recommendations

RELEVANT PROVISIONS OF THE CONVENTION AGAINST RACIAL DISCRIMINATION

Article 5(d) *links the right to be free from racial discrimination to the enjoyment of a number of civil rights, including the right to marry and choose a spouse, the right to inherit, and the right to own property.*

Article 5(e) *links the right to be free from racial discrimination to the enjoyment of a number of economic, social, and cultural rights, including the right to health.*

General Recommendation 25: Gender-Related Dimensions of Racial Discrimination¹⁶⁹

In its General Recommendation 25, the Committee on the Elimination of Racial Discrimination recognizes that some forms of racial discrimination may be directed toward women because of their gender or may affect women differently because of their gender. While it does not make specific reference to the rights of women in marriage and private life, certain practices affecting the rights of women in marriage could be interpreted as ethnically or culturally based and would fall within the committee's mandate.

General Recommendation 29: Article 1, Paragraph 1 of the Convention (Descent)¹⁷⁰

In its General Recommendation 29, the Committee on the Elimination of Racial Discrimination recognizes the need to eliminate multiple layers of discrimination against women members of descent-based communities, particularly in the areas of sexual exploitation, personal security, employment, and education.¹⁷¹ The Committee recommends that states parties take resolute measures to secure rights of marriage for members of descent-based communities who wish to marry outside the community.¹⁷²

General Recommendation 30: Discrimination against Noncitizens¹⁷³

In its General Recommendation 30, the Committee on the Elimination of Racial Discrimination recommends that states parties pay particular attention to the issue of discrimination against the children and spouses of noncitizen workers, and refrain from applying different standards of treatment to females and males who are noncitizen spouses of citizens.¹⁷⁴ The Committee also encourages states parties to allow both parents to transmit their citizenship to their children.¹⁷⁵

Concluding Observations

The Committee on the Elimination of Racial Discrimination has addressed the unequal rights of men and women to naturalize or pass on their nationality to their children¹⁷⁶ or to their spouses.¹⁷⁷ It has expressed concern over government approval requirements for marriage.¹⁷⁸ It also recommended that one state take steps to ensure that immigrant women who are victims of domestic violence are not deterred from seeking a divorce, for fear of deportation.¹⁷⁹

The Committee has also expressed concern over the effect of racial and ethnic discrimination on marriage rights¹⁸⁰ and over certain traditional practices that result in discrimination against people in interracial, interethnic, or intercaste marriages.¹⁸¹ In its concluding observations to one state party, the Committee commended efforts to remove legal restrictions on marriages between people of different religious and ethnic backgrounds.¹⁸² The Committee has also expressed concern over the degrading treatment of widows¹⁸³ and the continuing practices of dowry and child marriage.¹⁸⁴ More generally, the Committee has commented that states parties need to address the unique problems of multiple dimensions of discrimination faced by minority women.¹⁸⁵

6.

Committee against Torture

General Comments

General Comment 1: Implementation of Article 3 of the Convention against Torture in the Context of Article 22¹⁸⁶

In its General Comment 1, the Committee against Torture discusses the use of the individual complaint mechanism of Article 22 of the Convention against Torture to enforce states parties' obligations to individuals who would be at risk of torture if returned to their country of origin.

Concluding Observations

While the Committee against Torture has not directly addressed rights within marriage and the family, it has commented on domestic violence,¹⁸⁷ including marital rape.¹⁸⁸ For additional information, see *Bringing Rights to Bear: Freedom from Violence is a Human Right* (2007).

RELEVANT PROVISIONS OF THE CONVENTION AGAINST TORTURE

Article 1 defines torture as any intentional act, inflicted for reasons based on discrimination of any kind, which causes severe physical or mental suffering and is committed with the consent or acquiescence of a public official.

RELEVANT PROVISIONS OF THE CONVENTION AGAINST TORTURE

Article 2 calls on states parties to implement effective legislative, administrative, judicial, or other measures to ensure that acts of torture, regardless of political instability or emergency, are prevented.

Article 3 prohibits states parties from returning or expelling a person to another state where that person would be in danger of suffering torture.

Article 12 calls on states parties to ensure prompt and impartial investigation where there are reasonable grounds to believe that an act of torture has occurred.

Article 16 obligates states parties to implement measures to prevent other acts of cruel, inhuman, and degrading treatment, which do not amount to torture, when such acts are committed with the acquiescence of a public official acting in an official capacity.

Individual Case

In *A.S. v. Sweden*,¹⁸⁹ the Committee against Torture found that an Iranian woman residing in Sweden who had been forced to marry and was sentenced to death for adultery after she fled Iran, ran a substantial risk of being subjected to torture if returned to Iran.¹⁹⁰ The Committee therefore asked Sweden to make sufficient efforts to determine whether she would be in danger of being tortured in order to uphold Article 3 of the Convention against Torture.¹⁹¹

KEY CONCLUDING OBSERVATIONS ON RIGHTS WITHIN MARRIAGE

“The Committee is concerned about the discriminatory provisions in the Marriage Act of 1974, which perpetuate stereotypes by providing that men are the heads of households and women are relegated to domestic roles, allow polygamy and set a legal minimum age of marriage of 16 for girls. The Committee is also concerned about the lack of progress in the law reform process with respect to marriage and family law, which allows the persistence of discriminatory provisions that deny women equal rights with men. In particular, it expresses concern that amendments to the Marriage Act of 1974 have not yet been completed, although the Committee expressed concerns about the discriminatory provisions in this Act in its previous concluding comments.

“The Committee requests the State party to take immediate steps to revise the Marriage Act of 1974 in accordance with its obligations under the Convention and with the Committee’s general recommendation 21, the Convention on the Rights of the Child and the State party’s expressed intention to amend the law without delay. It further urges the State party to put in place an effective strategy with clear priorities and timetables to eliminate discrimination against women in the areas of marriage and family relations.” *Concluding Observations of the Committee on the Elimination of Discrimination against Women: Indonesia*, ¶¶ 18-19, U.N. Doc. CEDAW/C/IDN/CO/5 (2007).

“The Committee notes that the prevalence of customary law—certain traditions, customs and cultural practices—leads to substantial discrimination against girls and women, in particular widows, thereby preventing them from fully exercising their rights under the Covenant.”

“The Committee is concerned that article 23 (4) of the current Constitution of the State party provides for exclusions and exceptions to the prohibition against discrimination, including with respect to adoption, marriage, divorce, burial, devolution of property on death, and other matters of personal law, and to the application of customary law.” *Concluding Observations of the Committee on Economic, Social and Cultural Rights: Zambia*, ¶¶ 14-15, U.N. Doc. E/C.12/1/Add.106 (2005).

Summary Assessment

While the committees' work demonstrates concern for issues of women's rights within marriage, child and forced marriage, polygamy, and divorce, the committees have not always addressed these issues systematically.

The **CEDAW Committee** and the **Human Rights Committee** have both developed an excellent general comment or recommendation that thoroughly addresses the issue of rights within marriage. The **CEDAW Committee** and the **Committee on the Rights of the Child** have made recommendations to states parties indicating a nuanced understanding of the causes of child and forced marriage. The **Committee on Economic, Social and Cultural Rights** has made recommendations to states parties to prevent and eradicate child marriage where it is still prevalent. The other committees have not systematically attended to the issue in countries where these practices occur.

Polygamy has been discussed frequently in the concluding observations of the **CEDAW Committee**, though much less frequently by the **Committee on the Rights of the Child**, the **Human Rights Committee**, and the **Committee on Economic, Social and Cultural Rights**. Neither the **Committee on the Elimination of Racial Discrimination** nor the **Committee against Torture** has broached the issue at all. Although the committees that have discussed polygamy have condemned the practice, the issue has not been examined comprehensively. None of the committees have discussed the financial and emotional hardships associated with the practice.

The **Committee on the Elimination of Racial Discrimination** has noted the intersection between race, ethnicity, and gender discrimination in the context of marriage. It has discussed some types of discrimination in marriage and private life experienced by particular groups of women, including migrant and indigenous women.

Overall, the issue of divorce and child custody is receiving increasing attention from the committees. It has been discussed on numerous occasions by the **CEDAW Committee** and increasingly by the **Committee on the Rights of the Child** and the **Committee on Economic, Social and Cultural Rights**, though not consistently or thoroughly by the **Human Rights Committee** and not in any of the concluding observations of the **Committee on the Elimination of Racial Discrimination** or the **Committee against Torture**. Furthermore, the committees all have yet to engage in a deeper analysis of how women's ability to exercise their economic, social, and cultural rights is affected by divorce.

Conclusions

- The committees have frequently rejected cultural arguments as justification for discriminatory practices. They could go a step further by issuing stronger concluding observations to governments, recommending that they deny all legal force to religious or customary laws that conflict with guarantees of non-discrimination within marriage and the family under international law.
- The committees have recognized many of the discriminatory aspects of child and forced marriage and in many cases have recommended that the age of marriage be the same for both boys and girls.¹⁹² The vital next step would be to follow the initiative of the **CEDAW Committee** and the **Committee on the Rights of the Child** and recommend that states parties establish 18 as the appropriate legal age of marriage. The committees could also recommend that states parties enact specific legislation prohibiting marriage of children below the age of 18.
- While some committees have recognized a correlation between child and forced marriages and high maternal mortality rates,¹⁹³ further discussion of the health-related problems and many other harms associated with the practice is warranted. Child and forced marriage could be discussed in terms of a woman's rights to life, to liberty and security of person, and to health. The committees would benefit from incorporating studies and data on the effects of child and forced marriage available through UNICEF, UNFPA,¹⁹⁴ and other UN agencies
- The **Committee on the Rights of the Child** should pay special attention to the rights of minors under the age of 18 who do marry.¹⁹⁵ This would include explicit recommendations with respect to granting adolescent girls and boys equal legal capacity in marriage, including property and inheritance rights, which are protected by Article 27 of the Children's Rights Convention.
- Married women's rights to access contraception and family planning services should be of serious concern to the committees. In general, the committees should ensure women's right to make decisions about childbearing. For example, the committees could examine existing legislation and customs in many countries that require a husband's authorization for a woman to obtain contraception or undergo an abortion. Such legislation and customs could be discussed in terms of violations of women's rights to health, non-discrimination, privacy, and autonomy.
- The committees have not explored sufficiently women's equal right to divorce at will, including the legal bases for this right. Concluding observations could address whether states parties' divorce laws enable women of limited economic resources to divorce their husbands or receive

alimony. The **Committee on Economic, Social and Cultural Rights** is well positioned to make recommendations concerning the relationship between a woman's economic situation and her ability to divorce at will. The Committee also could issue recommendations to ensure equal property distribution at dissolution of marriage and women's inheritance rights.

- The **Committee on the Elimination of Racial Discrimination** is well situated to explore how gender and racial discrimination result in inequality in marriage and perpetuate both economic inequality and violence against women. The Convention against Racial Discrimination and the reporting mechanism could be used to highlight the intersection of gender and race discrimination in greater detail, particularly in the context of the right to marry and found a family. The Committee could take these opportunities to demonstrate the multiple, interlocking types of oppression faced by minority women. Such a systematic gender analysis would begin with the collection of information and data on rights violations—disaggregated by race or ethnicity and gender—from states parties, UN agencies, and non-governmental organizations.

Endnotes:

- ¹ See OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS, THE UNITED NATIONS HUMAN RIGHTS TREATY SYSTEM: AN INTRODUCTION TO THE CORE HUMAN RIGHTS TREATIES AND THE TREATY BODIES 7, <http://www.ohchr.org/english/bodies/docs/OHCHR-FactSheet30.pdf>.
- ² A particular provision of each treaty establishes the treaty body and provides for its oversight mandate. See Convention on the Elimination of All Forms of Discrimination against Women, *adopted* Dec. 18, 1979, G.A. Res. 34/180, U.N. GAOR, 34th Sess., Supp. No. 46, at 193, art. 17, U.N. Doc. A/34/46, (1979) (*entered into force* Sept. 3, 1981); Convention on the Rights of the Child, *adopted* Nov. 20, 1989, G.A. Res. 44/25, annex, U.N. GAOR, 44th Sess., Supp. No. 49, at 166, art. 43, U.N. Doc. A/44/49 (1989), *reprinted in* 28 I.L.M. 1448 (*entered into force* Sept. 2, 1990); International Covenant on Civil and Political Rights, *adopted* Dec. 16, 1966, G.A. Res. 2200A (XXI), U.N. GAOR, 21st Sess., Supp. No. 16, at 52, art. 28, U.N. Doc. A/6316 (1966), 999 U.N.T.S. 171 (*entered into force* Mar. 23, 1976); International Convention on the Elimination of All Forms of Racial Discrimination, *adopted* Dec. 21, 1965, G.A. Res. 2106 (XX), art. 8, 660 U.N.T.S. 195 (*entered into force* Jan. 4, 1969); Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, *adopted* Dec. 10, 1984, G.A. Res. 39/46, UN GAOR, 39th Sess., Supp. No. 51, at 197, art. 17, U.N. Doc. A/39/51 (1984), 1465 U.N.T.S. 85 (*entered into force* June 26, 1987). The International Covenant on Economic, Social and Cultural Rights *adopted* Dec. 16, 1966, G.A. Res. 2200A (XXI), U.N. GAOR, 21st Sess., Supp. No. 16, at 49, U.N. Doc. A/6316 (1966), 993 U.N.T.S. 3 (*entered into force* Jan. 3, 1976), does not actually provide for the establishment of the committee. The Economic and Social Council established the committee in 1985. ESC Res. 1985/17, U.N. ESCOR, 1985, Supp. No.1, at 15, U.N. Doc. No. E/1985/85 (1985).
- ³ For a fuller explanation of the work of the committees, see CENTER FOR REPRODUCTIVE RIGHTS, BRINGING RIGHTS TO BEAR 21-34 (2002).
- ⁴ Andrew Byrnes, *Toward More Effective Enforcement of Women's Human Rights Through the Use of International Human Rights Law and Procedures*, in HUMAN RIGHTS OF WOMEN 218 (Rebecca Cook ed., 1994).
- ⁵ The following treaties have either an additional optional protocol empowering the treaty monitoring body to hear individual complaints, or a similar mechanism found in the treaty itself: Convention on the Elimination of All Forms of Discrimination against Women, International Covenant on Civil and Political Rights, International Convention on the Elimination of All Forms of Racial Discrimination, and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
- ⁶ This briefing paper covers materials available in the United Nations Treaty Body Database from 1993 through June 2007.
- ⁷ Committee on the Elimination of Discrimination against Women, *General Recommendation 21: Equality in Marriage and Family Relations*, U.N. Doc. HRI/GEN/1/Rev.5 (2001).
- ⁸ Committee on the Elimination of Discrimination against Women, *General Recommendation 21: Equality in Marriage and Family*, ¶ 11, U.N. Doc. HRI/GEN/1/Rev.5 (2001).
- ⁹ Committee on the Elimination of Discrimination against Women, *General Recommendation 21: Equality in Marriage and Family Relations*, ¶ 13, U.N. Doc. HRI/GEN/1/Rev.5 (2001).
- ¹⁰ Committee on the Elimination of Discrimination against Women, *General Recommendation 21: Equality in Marriage and Family Relations*, ¶ 14, U.N. Doc. HRI/GEN/1/Rev.5 (2001).
- ¹¹ Committee on the Elimination of Discrimination against Women, *General Recommendation 21: Equality in Marriage and Family Relations*, ¶ 16, U.N. Doc. HRI/GEN/1/Rev.5 (2001).
- ¹² Committee on the Elimination of Discrimination against Women, *General Recommendation 21: Equality in Marriage and Family Relations*, ¶ 36, U.N. Doc. HRI/GEN/1/Rev.5 (2001).
- ¹³ Committee on the Elimination of Discrimination against Women, *General Recommendation 21: Equality in Marriage and Family Relations*, ¶ 36, U.N. Doc. HRI/GEN/1/Rev.5 (2001).

- ¹⁴ Committee on the Elimination of Discrimination against Women, *General Recommendation 21: Equality in Marriage and Family Relations*, ¶ 21, U.N. Doc. HRI/GEN/1/Rev.5 (2001).
- ¹⁵ Committee on the Elimination of Discrimination against Women, *General Recommendation 21: Equality in Marriage and Family Relations*, ¶ 22, U.N. Doc. HRI/GEN/1/Rev.5 (2001).
- ¹⁶ Committee on the Elimination of Discrimination against Women, *General Recommendation 21: Equality in Marriage and Family Relations*, ¶ 41, U.N. Doc. HRI/GEN/1/Rev.5 (2001).
- ¹⁷ Committee on the Elimination of Discrimination against Women, *General Recommendation 24: Women and Health*, U.N. Doc. HRI/GEN/1/Rev.5 (2001). For a more comprehensive discussion of this General Recommendation, see Ch. IV, § B, *Maternal Mortality: CEDAW*.
- ¹⁸ Committee on the Elimination of Discrimination against Women, *General Recommendation 24: Women and Health*, ¶ 28, U.N. Doc. HRI/GEN/1/Rev.5 (2001).
- ¹⁹ Committee on the Elimination of Discrimination against Women, *General Recommendation 24: Women and Health*, ¶ 2, U.N. Doc. HRI/GEN/1/Rev.5 (2001).
- ²⁰ Committee on the Elimination of Discrimination against Women, *General Recommendation 24: Women and Health*, ¶ 28, U.N. Doc. HRI/GEN/1/Rev.5 (2001).
- ²¹ Committee on the Elimination of Discrimination against Women, *General Recommendation 19: Violence against Women* (11th Sess., 1992), in *Compilation of General Comments and General Recommendations by Human Rights Treaty Bodies*, at 216, ¶ 11, U.N. Doc. HRI/GEN/1/Rev.5 (2001).
- ²² See, e.g., **Albania**, ¶ 69, U.N. Doc. A/58/38, Part I (2003); **Andorra**, ¶¶ 38–39, U.N. Doc. A/56/38, (2001); **Armenia**, ¶¶ 54–55, U.N. Doc. A/57/38 (2002); **Austria**, ¶ 224, U.N. Doc. A/55/38 (2000); **Azerbaijan**, ¶16, U.N. Doc. CEDAW/C/AZE/CO/3, (2007); **Burkina Faso**, ¶¶ 341–342, U.N. Doc. A/60/38, (2005); **Cambodia**, ¶ 18, U.N. Doc. CEDAW/C/KHM/CO/3 (2006); **Chile**, ¶ 154, U.N. Doc. A/50/38 (1999); **China**, ¶¶ 17–18, U.N. Doc. CEDAW/C/CHN/CO/6 (2006); **Congo**, ¶¶ 352–353, U.N. Doc. CEDAW/C/COD/CO/5 (2006); **Cuba**, ¶¶ 17–18, U.N. Doc. CEDAW/C/ CUB/CO/6 (2006); **Cyprus**, ¶ 17, U.N. Doc. CEDAW/C/CYP/CO/5 (2006); **Czech Republic**, ¶¶ 13–14, U.N. Doc. CEDAW/C/CZE/CO/3 (2006); **Democratic People's Republic of Korea**, ¶¶ 53–54, U.N. Doc. A/60/38 (2005); **Democratic Republic of the Congo**, ¶ 215, U.N. Doc. A/52/38 (2000); **Denmark**, ¶¶ 333–334, U.N. Doc. A/57/38 (2002); **Dominican Republic**, ¶¶ 292–293, U.N. Doc. A/59/38 (2004); **El Salvador**, ¶¶ 265–266, U.N. Doc. A/58/38, Part I (2002); **Equatorial Guinea**, ¶ 195, U.N. Doc. A/59/38 (2004); **Eritrea**, ¶¶ 14–15, U.N. Doc. CEDAW/C/ERI/CO/3 (2006); **Ethiopia**, ¶¶ 251–252, U.N. Doc. A/59/38 (2004); **Fiji**, ¶¶ 44, 54–55, U.N. Doc. A/57/38, Part I (2002); **France**, ¶¶ 269–270, U.N. Doc. A/58/38 (2003); **Gambia**, ¶¶ 191–192, U.N. Doc. A/60/38 (2005); **Hungary**, ¶¶ 319–320, U.N. Doc. A/57/38 (2002); **Iceland**, ¶ 95, U.N. Doc. A/51/38 (1996); **Indonesia**, ¶ 18, U.N. Doc. CEDAW/C/IDN/CO/5 (2007); **Ireland**, ¶¶ 382–383, U.N. Doc. A/60/38 (2005); **Italy**, ¶ 356, U.N. Doc. A/52/38 Rev.1, Part II (1997); **Italy**, ¶¶ 322–323, U.N. Doc. A/60/38 (2005); **Jordan**, ¶¶ 166–167, U.N. Doc. A/55/38 (2000); **Kyrgyzstan**, ¶¶ 167–168, U.N. Doc. A/59/38 (2004); **Latvia**, ¶¶ 53–54, U.N. Doc. A/59/38 (2004); **Lebanon**, ¶¶ 105–106, U.N. Doc. A/60/38 (2005); **Luxembourg**, ¶¶ 308–309, U. N. Doc. A/58/38, Part I (2002); **Malaysia**, ¶¶ 15–16, U. N. Doc. CEDAW/C/MYS/CO/2 (2006); **Malta**, ¶ 105, U.N. Doc. A/59/38 (2004); **Mauritius**, ¶¶ 16–17, U. N. Doc. CEDAW/C/MAR/CO/5 (2006); **Mongolia**, ¶ 260, U.N. Doc. A/56/38 (2001); **Morocco**, ¶ 64, U.N. Doc. A/52/38/Rev.1 (1997); **Nepal**, ¶¶ 206–207, U.N. Doc. A/59/38 (2004); **Netherlands**, ¶¶ 15–16, U.N. Doc. CEDAW/C/NLD/CO/4 (2007); **Nicaragua**, ¶¶ 294–295, U.N. Doc. A/56/38 (2001); **Norway**, ¶¶ 411–412, U.N. Doc. A/58/38, Part I (2002); **Peru**, ¶ 492, U.N. Doc. A/57/38 (2002); **Philippines**, ¶¶ 17–18, U.N. Doc. CEDAW/C/PHI/CO/6 (2006); **Poland**, ¶ 16, U.N. Doc. CEDAW/C/POL/CO/6 (2007); **Romania**, ¶ 301, U.N. Doc. A/55/38 (2000); **Russian Federation**, ¶¶ 379–380, U.N. Doc. A/57/38, Part I (2002); **Saint Lucia**, ¶¶ 17–18, U.N. Doc. CEDAW/C/LCA/CO/6 (2006); **Spain**, ¶¶ 332–333, U.N. Doc. A/59/38 (2004); **Sri Lanka**, ¶¶ 271, 288–289, U.N. Doc. A/57/38, Part I (2002); **Suriname**, ¶¶ 17–18, U.N. Doc. CEDAW/C/SUR/CO/3 (2007); **Switzerland**, ¶¶ 114–115, U.N. Doc. A/58/38, Part I (2003); **Thailand**, ¶ 25, U.N. Doc. CEDAW/C/THA/CO/5 (2006); **The Former Yugoslav Republic of Macedonia**, ¶¶ 19–20, U.N. Doc. CEDAW/C/MKD/CO/3 (2006); **Trinidad and Tobago**, ¶¶ 138, 147–148, U.N. Doc. A/57/38, Part I (2002); **Turkey**,

¶¶ 367-368, U.N. Doc. A/60/38 (2005); **Uganda**, ¶¶ 133-134, U.N. Doc. A/57/38 (2002); **Vietnam**, ¶¶ 250-252, U.N. Doc. A/56/38 (2001); **Viet Nam**, ¶¶ 12-13, U.N. Doc. CEDAW/C/VNM/CO/6 (2007); **Zimbabwe**, ¶ 139, U.N. Doc. A/53/38 (1998).

²³ See **Vanuatu**, ¶¶ 22-23, U.N. Doc. CEDAW/C/VUT/CO/3 (2007).

²⁴ See, e.g., **Albania**, ¶ 69, U.N. Doc. A/58/38, Part I (2003); **Andorra**, ¶ 38, U.N. Doc. A/56/38 (2001); **Armenia**, ¶ 65, U.N. Doc. A/52/38/Rev.1, Part II (1997); **Austria**, ¶ 18, U.N. Doc. CEDAW/C/AUT/CO/6 (2007); **Azerbaijan**, ¶ 16, U.N. Doc. CEDAW/C/AZE/CO/3 (2007); **Belarus**, ¶ 340, U.N. Doc. A/59/38 (2004); **Bhutan**, ¶ 116, U.N. Doc. A/59/38 (2004); **Bolivarian Republic of Venezuela**, ¶ 24, U.N. Doc. CEDAW/C/VEN/CO/6 (2006); **Bosnia and Herzegovina**, ¶ 24, U.N. Doc. CEDAW/C/BIH/CO/3 (2006); **Brazil**, ¶ 109, U.N. Doc. A/58/38 (2003); **Cape Verde**, ¶ 18, U.N. Doc. CEDAW/C/CPV/CO/6 (2006); **China**, ¶ 18, U.N. Doc. CEDAW/C/CHN/CO/6 (2006); **Cuba**, ¶ 18, U.N. Doc. CEDAW/C/CUB/CO/6 (2006); **Czech Republic**, ¶ 14, U.N. Doc. CEDAW/C/CZE/CO/3 (2006); **Dominican Republic**, ¶ 293, U.N. Doc. A/59/38 (2004); **Ecuador**, ¶ 326, U.N. Doc. A/58/38 (2003); **Estonia**, ¶ 96, U.N. Doc. A/57/38, Part I (2002); **Gambia**, ¶ 192, U.N. Doc. A/60/38 (2005); **Germany**, ¶ 385, U.N. Doc. A/59/38 (2004); **Guatemala**, ¶ 189, U.N. Doc. A/57/38 (2002); **Ireland**, ¶ 383, U.N. Doc. A/60/38 (2005); **Italy**, ¶ 323, U.N. Doc. A/60/38 (2005); **Japan**, ¶ 360, U.N. Doc. A/58/38 (2003); **Kazakhstan**, ¶ 92, U.N. Doc. A/56/38 (2001); **Kazakhstan**, ¶ 14, U.N. Doc. CEDAW/C/KAZ/CO/2 (2007); **Kenya**, ¶ 210, U.N. Doc. A/58/38, Part I (2002); **Kyrgyzstan**, ¶ 168, U.N. Doc. A/59/38 (2004); **Latvia**, ¶ 54, U.N. Doc. A/59/38 (2004); **Luxembourg**, ¶ 309, A/58/38, Part I (2002); **Maldives**, ¶ 18, U.N. Doc. CEDAW/C/MDV/CO/3 (2007); **Malta**, ¶ 106, U.N. Doc. A/59/38 (2004); **Morocco**, ¶ 167, U.N. A/58/38 (2003); **Nicaragua**, ¶ 294, U.N. Doc. A/48/38 (2001); **Peru**, ¶ 493, U.N. Doc. A/57/38 (2002); **Poland**, ¶ 17, U.N. Doc. CEDAW/C/POL/CO/6 (2007); **Portugal**, ¶ 330, U.N. Doc. A/57/38, Part I (2002); **Republic of Moldova**, ¶ 19, U.N. Doc. CEDAW/C/MDA/CO/6 (2006); **Slovenia**, ¶ 217, U.N. Doc. A/58/38 (2003); **Spain**, ¶ 333, U.N. Doc. A/59/38 (2004); **Sri Lanka**, ¶ 289, U.N. Doc. A/57/38, Part I (2002); **Suriname**, ¶ 48, U.N. Doc. A/57/38 (2002); **Switzerland**, ¶ 115, U.N. Doc. A/58/38, Part I (2003); **Tajikistan**, ¶ 20, U.N. Doc. CEDAW/C/TJK/CO/3 (2007); **The Former Yugoslav Republic of Macedonia**, ¶ 20, U.N. Doc. CEDAW/C/MKD/CO/3 (2006); **Turkey**, ¶ 368, U.N.

Doc. A/60/38 (2005); **Uganda**, ¶ 134, U.N. Doc. A/57/38 (2002); **Ukraine**, ¶ 296, U.N. Doc. A/57/38 (2002); **Uzbekistan**, ¶ 168, U.N. Doc. A/56/38 (2001); **Vanuatu**, ¶ 23, U.N. Doc. CEDAW/C/VUT/CO/3 (2007).

²⁵ See, e.g., **Albania**, ¶ 69, U.N. Doc. A/58/38, Part I (2003); **Austria**, ¶ 18, U.N. Doc. CEDAW/C/AUT/CO/6 (2007); **Azerbaijan**, ¶ 16, U.N. Doc. CEDAW/C/AZE/CO/3 (2007); **Bangladesh**, ¶ 246, U.N. Doc. A/59/38 (2004); **Barbados**, ¶ 234, U.N. Doc. A/57/38 (2002); **Belarus**, ¶ 340, U.N. Doc. A/59/38 (2004); **Benin**, ¶ 148, U.N. Doc. A/60/38 (2005); **Bolivarian Republic of Venezuela**, ¶ 24, U.N. Doc. CEDAW/C/VEN/CO/6 (2006); **Bosnia and Herzegovina**, ¶ 24, U.N. Doc. CEDAW/C/BIH/CO/3 (2006); **Burkina Faso**, ¶¶ 341-342, U.N. Doc. A/60/38 (2005); **Cape Verde**, ¶ 18, U.N. Doc. CEDAW/C/CPV/CO/6 (2006); **China**, ¶ 18, U.N. Doc. CEDAW/C/CHN/CO/6 (2006); **Congo**, ¶ 353, U.N. Doc. CEDAW/C/COD/CO/5 (2006); **Cyprus**, ¶ 18, U.N. Doc. CEDAW/C/CYP/CO/5 (2006); **Czech Republic**, ¶ 14, U.N. Doc. CEDAW/C/CZE/CO/3 (2006); **Denmark**, ¶ 334, U.N. A/57/38 (2002); **Equatorial Guinea**, ¶ 196, U.N. Doc. A/59/38 (2004); **Eritrea**, ¶ 15, U.N. Doc. CEDAW/C/ERI/CO/3 (2006); **Ethiopia**, ¶ 252, U.N. Doc. A/59/38 (2004); **Fiji**, ¶ 55, U.N. Doc. A/57/38, Part I (2002); **Gambia**, ¶ 192, U.N. Doc. A/60/38 (2005); **Georgia**, ¶ 18, U.N. Doc. CEDAW/C/GEO/CO/3 (2006); **Germany**, ¶ 385, U.N. Doc. A/59/38 (2004); **Guatemala**, ¶ 189, U.N. Doc. A/57/38 (2002); **Hungary**, ¶ 320, U.N. Doc. A/57/38 (2002); **Ireland**, ¶ 383, U.N. Doc. A/60/38 (2005); **Italy**, ¶ 323, U.N. Doc. A/60/38 (2005); **Japan**, ¶ 360, U.N. Doc. A/58/38 (2003); **Kazakhstan**, ¶ 14, U.N. Doc. CEDAW/C/KAZ/CO/2 (2007); **Kyrgyzstan**, ¶ 168, U.N. Doc. A/59/38 (2004); **Lao People's Democratic Republic**, ¶ 99, U.N. Doc. A/60/38 (2005); **Lebanon**, ¶ 106, U.N. Doc. A/60/38 (2005); **Luxembourg**, ¶ 309, U.N. Doc. A/58/38 (2002); **Malawi**, ¶ 20, U.N. Doc. CEDAW/C/MWI/CO/5 (2006); **Malaysia**, ¶ 16, U.N. Doc. CEDAW/C/MYS/CO/2 (2006); **Mali**, ¶ 18, U.N. Doc. CEDAW/C/MLI/CO/5 (2006); **Malta**, ¶ 106, U.N. Doc. A/59/38 (2004); **Mauritius**, ¶ 17, U.N. Doc. CEDAW/C/MAR/CO/5 (2006); **Morocco**, ¶ 167, U.N. A/58/38 (2003); **Namibia**, ¶ 17, U.N. Doc. CEDAW/C/NAM/CO/3 (2007); **Netherlands**, ¶ 16, U.N. Doc. CEDAW/C/NLD/CO/4 (2007); **Norway**, ¶ 412, U.N. Doc. A/58/38, Part I (2002); **Peru**, ¶ 493, U.N. Doc. A/57/38 (2002); **Philippines**, ¶ 18, U.N. Doc. CEDAW/C/PHI/CO/6 (2006); **Portugal**, ¶ 330, U.N. Doc. A/57/38, Part I (2002); **Republic of Moldova**, ¶ 19, U.N. Doc. CEDAW/C/MDA/CO/6 (2006); **Russian Federation**, ¶ 380, U.N. Doc. A/57/38, Part I (2002); **Saint Lucia**,

- ¶ 18, U.N. Doc. CEDAW/C/LCA/CO/6 (2006); **Spain**, ¶ 333, U.N. Doc. A/59/38 (2004); **Sri Lanka**, ¶¶ 271, 289, U.N. Doc. A/57/38, Part I (2002); **Suriname**, ¶ 18, U.N. Doc. CEDAW/C/SUR/CO/3 (2007); **Switzerland**, ¶ 115, U.N. Doc. A/58/38, Part I (2003); **Tajikistan**, ¶ 20, U.N. Doc. CEDAW/C/TJK/CO/3 (2007); **Thailand**, ¶ 26, U.N. Doc. CEDAW/C/THA/CO/5 (2006); **The Former Yugoslav Republic of Macedonia**, ¶ 20, U.N. Doc. CEDAW/C/MKD/CO/3 (2006); **Togo**, ¶ 15, U.N. Doc. CEDAW/C/TGO/CO/5 (2006); **Turkey**, ¶ 368, U.N. Doc. A/60/38 (2005); **Turkmenistan**, ¶ 15, U.N. Doc. CEDAW/C/TKM/CO/2 (2006); **Uganda**, ¶ 134, U.N. Doc. A/57/38 (2002); **Uruguay**, ¶ 193, U.N. Doc. A/57/38, Part I (2002); **Uzbekistan**, ¶ 20, U.N. Doc. CEDAW/C/UZB/CO/3 (2006); **Yemen**, ¶ 389, U.N. Doc. A/57/38 (2002).
- ²⁶ See, e.g., **Albania**, ¶ 69, U.N. Doc. A/58/38, Part I (2003); **Armenia**, ¶ 55, U.N. Doc. A/57/38 (2002); **Azerbaijan**, ¶ 16, U.N. Doc. CEDAW/C/AZE/CO/3 (2007); **Barbados**, ¶ 234, U.N. Doc. A/57/38 (2002); **Belarus**, ¶ 340, U.N. Doc. A/59/38 (2004); **Benin**, ¶ 148, U.N. Doc. A/60/38 (2005); **Bolivarian Republic of Venezuela**, ¶ 24, U.N. Doc. CEDAW/C/VEN/CO/6 (2006); **Bosnia and Herzegovina**, ¶ 24, U.N. Doc. CEDAW/C/BIH/CO/3 (2006); **Cape Verde**, ¶ 18, U.N. Doc. CEDAW/C/CPV/CO/6 (2006); **China**, ¶ 18, U.N. Doc. CEDAW/C/CHN/CO/6 (2006); **Eritrea**, ¶ 15, U.N. Doc. CEDAW/C/ERI/CO/3 (2006); **Germany**, ¶ 385, U.N. Doc. A/59/38 (2004); **Guatemala**, ¶ 189, U.N. Doc. A/57/38 (2002); **Hungary**, ¶ 320, U.N. Doc. A/57/38 (2002); **Kazakhstan**, ¶ 14, U.N. Doc. CEDAW/C/KAZ/CO/2 (2007); **Kyrgyzstan**, ¶ 168, U.N. Doc. A/59/38 (2004); **Lao People's Democratic Republic**, ¶ 99, U.N. Doc. A/60/38 (2005); **Malawi**, ¶ 20, U.N. Doc. CEDAW/C/MWI/CO/5 (2006); **Malaysia**, ¶ 16, U.N. Doc. CEDAW/C/MYS/CO/2 (2006); **Mali**, ¶ 18, U.N. Doc. CEDAW/C/MLI/CO/5 (2006); **Morocco**, ¶ 167, U.N. Doc. A/58/38 (2003); **Namibia**, ¶ 17, U.N. Doc. CEDAW/C/NAM/CO/3 (2007); **Peru**, ¶ 493, U.N. Doc. A/57/38 (2002); **Saint Lucia**, ¶ 18, U.N. Doc. CEDAW/C/LCA/CO/6 (2006); **Sri Lanka**, ¶¶ 271, 289, U.N. Doc. A/57/38, Part I (2002); **Suriname**, ¶ 48, U.N. Doc. A/57/38 (2002); **Tajikistan**, ¶ 20, U.N. Doc. CEDAW/C/TJK/CO/3 (2007); **Togo**, ¶ 15, U.N. Doc. CEDAW/C/TGO/CO/5 (2006); **Turkey**, ¶ 368, U.N. Doc. A/60/38 (2005); **Turkmenistan**, ¶ 15, U.N. Doc. CEDAW/C/TKM/CO/2 (2006).
- ²⁷ See, e.g., **Bhutan**, ¶ 116, U.N. Doc. A/59/38 (2004); **Brazil**, ¶ 109, U.N. Doc. A/58/38 (2003); **Czech Republic**, ¶ 14, U.N. Doc. CEDAW/C/CZE/CO/3 (2006); **Dominican Republic**, ¶ 293, U.N. Doc. A/59/38 (2004); **Estonia**, ¶ 96, U.N. Doc. A/57/38, Part I (2002); **El Salvador**, ¶ 266, U.N. Doc. A/58/38, Part I (2003); **Guatemala**, ¶ 189, U.N. Doc. A/57/38 (2002); **Ireland**, ¶ 383, U.N. Doc. A/60/38 (2005); **Kenya**, ¶ 210, U.N. Doc. A/58/38, Part I (2002); **Peru**, ¶ 493, U.N. Doc. A/57/38 (2002); **Portugal**, ¶ 330, U.N. Doc. A/57/38, Part I (2002); **Spain**, ¶ 333, U.N. Doc. A/59/38 (2004); **Turkey**, ¶ 368, U.N. Doc. A/60/38 (2005); **Ukraine**, ¶ 296, U.N. Doc. A/57/38 (2002).
- ²⁸ See, e.g., **Chile**, ¶ 225, U.N. Doc. A/50/38 (1999); **Czech Republic**, ¶ 201, U.N. Doc. A/53/38 (1998); **Denmark**, ¶ 267, U.N. Doc. A/52/38/Rev.1 (1997); **Ireland**, ¶ 383, U.N. Doc. A/60/38 (2005); **Italy**, ¶ 323, U.N. Doc. A/60/38 (2005); **Kazakhstan**, ¶¶ 89–90, U.N. Doc. A/56/38 (2001); **Maldives**, ¶ 135–135, U.N. Doc. A/56/38 (2001); **Nepal Republic of Moldova**, ¶ 98, U.N. Doc. A/55/38 (2000); **Romania**, ¶ 302, U.N. Doc. A/55/38 (2000).
- ²⁹ See, e.g., **Bangladesh**, ¶ 246, U.N. Doc. A/59/38 (2004); **Bolivarian Republic of Venezuela**, ¶ 24, U.N. Doc. CEDAW/C/VEN/CO/6 (2006); **Cambodia**, ¶ 18, U.N. Doc. CEDAW/C/KHM/CO/3 (2006); **Congo**, ¶ 165, U.N. Doc. A/58/38 (2003); **Congo**, ¶ 353, U.N. Doc. CEDAW/C/COD/CO/5 (2006); **Equatorial Guinea**, ¶ 196, U.N. Doc. A/59/38 (2004); **Ethiopia**, ¶ 252, U.N. Doc. A/59/38 (2004); **Jamaica**, ¶ 14, U.N. Doc. CEDAW/C/JAM/CO/5 (2006); **Kenya**, ¶ 210, U.N. Doc. A/58/38, Part I (2002); **Malawi**, ¶ 20, U.N. Doc. CEDAW/C/MWI/CO/5 (2006); **Mali**, ¶ 18, U.N. Doc. CEDAW/C/MLI/CO/5 (2006); **Mauritius**, ¶ 17, U.N. Doc. CEDAW/C/MAR/CO/5 (2006); **Namibia**, ¶ 17, U.N. Doc. CEDAW/C/NAM/CO/3 (2007); **Nicaragua**, ¶ 13, U.N. Doc. CEDAW/C/NIC/CO/6 (2007); **Uganda**, ¶ 134, U.N. Doc. A/57/38 (2002); **Uzbekistan**, ¶ 20, U.N. Doc. CEDAW/C/UZB/CO/3 (2006); **Vanuatu**, ¶ 23, U.N. Doc. CEDAW/C/VUT/CO/3 (2007).
- ³⁰ See, e.g., **Estonia**, ¶ 96, U.N. Doc. A/57/38, Part I (2002); **France**, ¶ 270, U.N. Doc. A/58/38 (2003).
- ³¹ See **Albania**, ¶ 69, U.N. Doc. A/58/38, Part I (2003).
- ³² See **Vanuatu**, ¶ 29, U.N. Doc. CEDAW/C/VUT/CO/3 (2007).
- ³³ See, e.g., **Jordan**, ¶ 11, U.N. Doc. CEDAW/C/JOR/CO/4 (2007); **Kenya**, ¶ 11, U.N. Doc. CEDAW/C/KEN/CO/6 (2007).

- ³⁴ See **Mozambique**, ¶ 45, U.N. Doc. CEDAW/C/MOZ/CO/2 (2007).
- ³⁵ See, e.g., **Bolivia**, ¶ 7, CEDAW/C/BOL/CO/4 (2008); **Burundi**, ¶ 23, U.N. Doc. CEDAW/C/BDI/CO/4 (2008); **Morocco**, ¶ 21, U.N. Doc. CEDAW/C/MAR/CO/4 (2008).
- ³⁶ See, e.g., **Morocco**, ¶ 21, U.N. Doc. CEDAW/C/MAR/CO/4 (2008).
- ³⁷ See, e.g., **Albania**, ¶ 61, U.N. Doc. A/58/38, Part I (2003); **Bangladesh**, ¶ 257, U.N. Doc. A/59/38 (2004); **Bhutan**, ¶ 126, U.N. Doc. A/59/38 (2004); **Cambodia**, ¶ 33, U.N. Doc. CEDAW/C/KHM/CO/3 (2006); **Cameroon**, ¶ 54, U.N. Doc. A/55/38 (2000); **Cape Verde**, ¶ 33, U.N. Doc. CEDAW/C/CPV/CO/6 (2006); **Chile**, ¶ 21, U.N. Doc. CEDAW/C/CHI/CO/4 (2006); **Cuba**, ¶¶ 13-14, U.N. Doc. CEDAW/C/CUB/CO/6 (2006); **Egypt**, ¶¶ 352-353, U.N. Doc. A/56/38 (2001); **Equatorial Guinea**, ¶ 192, U.N. Doc. A/59/38 (2004); **Eritrea**, ¶ 28, U.N. Doc. CEDAW/C/ERI/CO/3 (2006); **Ethiopia**, ¶¶ 253-254, U.N. Doc. A/59/38 (2004); **Gambia**, ¶ 209, U.N. Doc. A/60/38 (2005); **Ghana**, ¶ 35, U.N. Doc. CEDAW/C/GHA/CO/5 (2006); **Hungary**, ¶¶ 333-334, U.N. Doc. A/57/38 (2002); **India**, ¶ 56, U.N. Doc. CEDAW/C/IND/CO/3 (2007); **Jamaica**, ¶¶ 39-40, U.N. Doc. CEDAW/C/JAM/CO/5 (2006); **Kazakhstan**, ¶ 29, U.N. Doc. CEDAW/C/KAZ/CO/2 (2007); **Lao People's Democratic Republic**, ¶ 110, U.N. Doc. A/60/38 (2005); **Malawi**, ¶ 19, U.N. Doc. CEDAW/C/MWI/CO/5 (2006); **Nepal**, ¶¶ 208-209, U.N. Doc. A/59/38 (2004); **Peru**, ¶¶ 34-35, U.N. Doc. CEDAW/C/PER/CO/6 (2007); **Republic of Moldova**, ¶ 113, U.N. Doc. A/55/38 (2000); **Republic of Moldova**, ¶¶ 15-16, U.N. Doc. CEDAW/C/MDA/CO/6 (2006); **Romania**, ¶¶ 318-319, U.N. Doc. A/55/38 (2000); **Samoa**, ¶ 60, U.N. Doc. A/60/38 (2005); **Suriname**, ¶ 67, U.N. Doc. A/57/38 (2002); **Tajikistan**, ¶ 36, U.N. Doc. CEDAW/C/TJK/CO/3 (2007); **Trinidad and Tobago**, ¶ 157, U.N. Doc. A/57/38, Part I (2002); **Turkey**, ¶ 368, U.N. Doc. A/60/38 (2005); **Ukraine**, ¶ 293, U.N. Doc. A/51/38 (1996); **Uzbekistan**, ¶ 188, U.N. Doc. A/56/38 (2001); **Viet Nam**, ¶ 26, U.N. Doc. CEDAW/C/VNM/CO/6 (2007); **Yemen**, ¶¶ 394-395, U.N. Doc. A/57/38 (2002).
- ³⁸ See, e.g., **Burundi**, ¶ 56, U.N. Doc. A/56/38 (2001); **Cameroon**, ¶ 54, U.N. Doc. A/55/38 (2000); **Lao People's Democratic Republic**, ¶ 111, U.N. Doc. A/60/38 (2005); **Maldives**, ¶ 136, U.N. Doc. A/56/38 (2001).
- ³⁹ See, e.g., **Albania**, ¶ 61, U.N. Doc. A/58/38, Part I (2003); **Belize**, ¶ 32, U.N. Doc. CEDAW/C/BLZ/CO/4 (2007); **Burundi**, ¶ 56, U.N. Doc. A/56/38 (2001); **Egypt**, ¶ 353, U.N. Doc. A/56/38 (2001); **Morocco**, ¶ 35, U.N. Doc. CEDAW/C/MAR/CO/4 (2008); **Republic of Moldova**, ¶ 114, U.N. Doc. A/55/38 (2000); **Romania**, ¶ 319, U.N. Doc. A/55/38 (2000); **Pakistan**, ¶ 45, U.N. Doc. CEDAW/C/PAK/CO/3 (2007).
- ⁴⁰ See, e.g., **Burundi**, ¶ 56, U.N. Doc. A/56/38 (2001); **Kenya**, ¶ 44, U.N. Doc. CEDAW/C/KEN/CO/6 (2007); **Mozambique**, ¶ 23, U.N. Doc. CEDAW/C/MOZ/CO/2 (2007); **Nepal**, ¶ 209, U.N. Doc. A/59/38 (2004); **Nigeria**, ¶ 299, U.N. Doc. A/59/38 (2004);
- ⁴¹ See, e.g., **Cambodia**, ¶ 33, U.N. Doc. CEDAW/C/KHM/CO/3 (2006); **Cameroon**, ¶ 54, U.N. Doc. A/55/38 (2000); **Equatorial Guinea**, ¶ 195, U.N. Doc. A/59/38 (2004); **Guinea**, ¶ 122, U.N. Doc. A/56/38 (2001); **India**, ¶¶ 57-59, U.N. Doc. CEDAW/C/IND/CO/3 (2007); **Nepal**, ¶ 153, U.N. Doc. A/54/38 (1999); **Nigeria**, ¶ 299, U.N. Doc. A/59/38 (2004); **Thailand**, ¶ 35, U.N. Doc. CEDAW/C/THA/CO/5 (2006); **Turkey**, ¶ 367, U.N. Doc. A/60/38 (2005).
- ⁴² See, e.g., **Benin**, ¶ 148, U.N. Doc. A/60/38 (2005); **Burkina Faso**, ¶ 342, U.N. Doc. A/60/38 (2005); **Cambodia**, ¶ 34, U.N. Doc. CEDAW/C/KHM/CO/3 (2006); **Cameroon**, ¶ 54, U.N. Doc. A/55/38 (2000); **Cape Verde**, ¶ 34, U.N. Doc. CEDAW/C/CPV/CO/6 (2006); **Democratic Republic of the Congo**, ¶ 216, U.N. Doc. A/55/38 (2000); **Eritrea**, ¶ 15, U.N. Doc. CEDAW/C/ERI/CO/3 (2006); **Israel**, ¶ 262, U.N. Doc. A/60/38 (2005); **Mali**, ¶ 18, U.N. Doc. CEDAW/C/MLI/CO/5 (2006); **Malawi**, ¶ 20, U.N. Doc. CEDAW/C/MWI/CO/5 (2006); **Nepal**, ¶ 154, U.N. Doc. A/54/38 (1999); **Samoa**, ¶ 61, U.N. Doc. A/60/38 (2005); **Togo**, ¶ 15, U.N. Doc. CEDAW/C/TGO/CO/5 (2006); **Turkey**, ¶ 368, U.N. Doc. A/60/38 (2005).
- ⁴³ See, e.g., **Gambia**, ¶ 210, U.N. Doc. A/60/38 (2005); **Hungary**, ¶ 334, U.N. Doc. A/57/38 (2002); **Peru**, ¶ 489, U.N. Doc. A/57/38 (2002); **Serbia**, ¶ 36, U.N. Doc. CEDAW/C/SCG/CO/1 (2007); **Yemen**, ¶ 395, U.N. Doc. A/57/38 (2002).
- ⁴⁴ See **Nepal**, ¶ 209, U.N. Doc. A/59/38 (2004).
- ⁴⁵ See, e.g., **India**, ¶ 62, U.N. Doc. A/55/38 (2000); **India**, ¶¶ 58-59, U.N. Doc. CEDAW/C/IND/CO/3 (2007); **Namibia**, ¶

- 29, U.N. Doc. CEDAW/C/NAM/CO/3 (2007); **Tajikistan**, ¶ 36, U.N. Doc. CEDAW/C/TJK/CO/3 (2007).
- ⁴⁶ See, e.g., **Suriname**, ¶ 68, U.N. Doc. A/57/38 (2002); **Lao People's Democratic Republic**, ¶ 111, U.N. Doc. A/60/38 (2005); **Mali**, ¶ 18, U.N. Doc. CEDAW/C/MLI/CO/5 (2006); **Malawi**, ¶ 20, U.N. Doc. CEDAW/C/MWI/CO/5 (2006); **Nepal**, ¶ 209, U.N. Doc. A/59/38 (2004); **Togo**, ¶ 15, U.N. Doc. CEDAW/C/TGO/CO/5 (2006).
- ⁴⁷ See, e.g., **Guinea**, ¶ 134, U.N. Doc. A/56/38 (2001); **Benin**, ¶ 148, U.N. Doc. A/60/38 (2005);
- ⁴⁸ See Committee on the Elimination of Discrimination against Women, *General Recommendation 21: Equality in Marriage and Family Relations* (13th Sess., 1994), in *Compilation of General Comments and General Recommendations by Human Rights Treaty Bodies*, at 222, ¶ 14, U.N. Doc. HRI/GEN/1/Rev.5 (2001). The CEDAW Committee has expressed concern and called for prohibition of the practice in numerous concluding observations. See, e.g., **Bangladesh**, ¶ 245, U.N. Doc. A/59/38 (2004); **Benin**, ¶ 147, U.N. Doc. A/60/38 (2005); **Burkina Faso**, ¶¶ 281–282, U.N. Doc. A/55/38 (2000); **Burkina Faso**, ¶ 340, U.N. Doc. A/60/38 (2005); **Cameroon**, ¶ 54, U.N. Doc. A/55/38 (2000); **Cape Verde**, ¶ 33, U.N. Doc. CEDAW/C/CPV/CO/6 (2006); **Congo**, ¶ 180, U.N. Doc. A/58/38 (2003); **Democratic Republic of the Congo**, ¶¶ 215–216, U.N. Doc. A/55/38 (2000); **Egypt**, ¶¶ 354–355, U.N. Doc. A/56/38 (2001); **Equatorial Guinea**, ¶ 191, U.N. Doc. A/59/38 (2004); **France**, ¶ 265, U.N. Doc. A/58/38 (2003); **Ghana**, ¶ 35, U.N. Doc. CEDAW/C/GHA/CO/5 (2006); **Guinea**, ¶¶ 122–123, U.N. Doc. A/56/38 (2001); **Indonesia**, ¶ 284(a), U.N. Doc. A/53/38 (1998); **Iraq**, ¶ 191, U.N. Doc. A/55/38 (2000); **Israel**, ¶ 163, U.N. Doc. A/52/38 Rev.1, Part II (1997); **Jordan**, ¶¶ 174–175, U.N. Doc. A/55/38 (2000); **Kyrgyzstan**, ¶ 169, U.N. Doc. A/59/38 (2004); **Maldives**, ¶ 35, U.N. Doc. CEDAW/C/MDV/CO/3 (2007); **Mali**, ¶ 11, U.N. Doc. CEDAW/C/MLI/CO/5 (2006); **Namibia**, ¶ 110, U.N. Doc. A/52/38/Rev.1, Part II (1997); **Nepal**, ¶ 208, U.N. Doc. A/59/38 (2004); **Nigeria**, ¶ 153, U.N. Doc. A/53/38/Rev.1 (1998); **Senegal**, ¶ 721, U.N. Doc. A/49/38 (1994); **Tajikistan**, ¶¶ 13, 19, 35, U.N. Doc. CEDAW/C/TJK/CO/3 (2007); **Togo**, ¶ 12, U.N. Doc. CEDAW/C/TGO/CO/5 (2006); **Turkey**, ¶ 367, U.N. Doc. A/60/38 (2005); **Turkmenistan**, ¶ 40, U.N. Doc. CEDAW/C/TKM/CO/2 (2006); **Uganda**, ¶ 153, U.N. Doc. A/57/38 (2002); **United Republic of Tanzania**, ¶ 229, U.N. Doc. A/53/38/Rev.1 (1998); **Uzbekistan**, ¶ 31, U.N. Doc. CEDAW/C/UZB/CO/3 (2006); **Yemen**, ¶ 392, U.N. Doc. A/57/38 (2002); **Zambia**, ¶ 252, U.N. Doc. A/57/38 (2002).
- ⁴⁹ See, e.g., **Jordan**, ¶ 9, U.N. Doc. CEDAW/C/JOR/CO/4 (2007); **Kenya**, ¶ 44, U.N. Doc. CEDAW/C/KEN/CO/6 (2007); **Morocco**, ¶ 37, U.N. Doc. CEDAW/C/MAR/CO/4 (2008).
- ⁵⁰ See, e.g., **Bhutan**, ¶ 116, U.N. Doc. A/59/38 (2004); **Burkina Faso**, ¶ 342, U.N. Doc. A/60/38 (2005); **Equatorial Guinea**, ¶ 192, U.N. Doc. A/59/38 (2004); **Guinea**, ¶¶ 122–123, U.N. Doc. A/56/38 (2001); **Iraq**, ¶¶ 191–192, U.N. Doc. A/55/38 (2000); **Israel**, ¶ 262, U.N. Doc. A/60/38 (2005); **Mali**, ¶ 12, U.N. Doc. CEDAW/C/MLI/CO/5 (2006).
- ⁵¹ See, e.g., **Benin**, ¶ 148, U.N. Doc. A/60/38 (2005); **Tajikistan**, ¶¶ 14, 36, U.N. Doc. CEDAW/C/TJK/CO/3 (2007); **Turkmenistan**, ¶ 40, U.N. Doc. CEDAW/C/TKM/CO/2 (2006).
- ⁵² See, e.g., **Benin**, ¶ 148, U.N. Doc. A/60/38 (2005); **Cameroon**, ¶ 54, U.N. Doc. A/55/38 (2000); **Kyrgyzstan**, ¶ 170, U.N. Doc. A/59/38 (2004); **Togo**, ¶ 13, U.N. Doc. CEDAW/C/TGO/CO/5 (2006); **Uganda**, ¶ 154, U.N. Doc. A/57/38 (2002); **Zambia**, ¶ 253, U.N. Doc. A/57/38 (2002).
- ⁵³ See, e.g., **Kyrgyzstan**, ¶ 170, U.N. Doc. A/59/38 (2004); **Mozambique**, ¶ 23, U.N. Doc. CEDAW/C/MOZ/CO/2 (2007); **Nepal**, ¶ 209, U.N. Doc. A/59/38 (2004); **Zambia**, ¶ 253, U.N. Doc. A/57/38 (2002).
- ⁵⁴ See, e.g., **Mozambique**, ¶¶ 22–23, U.N. Doc. CEDAW/C/MOZ/CO/2 (2007).
- ⁵⁵ See, e.g., **Bhutan**, ¶ 116, U.N. Doc. A/59/38 (2004); **Cape Verde**, ¶ 34, U.N. Doc. CEDAW/C/CPV/CO/6 (2006); **Congo**, ¶ 180, A/58/38 (2003); **Egypt**, ¶ 355, U.N. Doc. A/56/38 (2001); **Ghana**, ¶ 36, U.N. Doc. CEDAW/C/GHA/CO/5 (2006); **Iraq**, ¶ 192, U.N. Doc. A/55/38 (2000); **Nepal**, ¶ 209, U.N. Doc. A/59/38 (2004); **Turkmenistan**, ¶ 41, U.N. Doc. CEDAW/C/TKM/CO/2 (2006).
- ⁵⁶ See **Burkina Faso**, ¶ 256, U.N. Doc. A/55/38 (2000).
- ⁵⁷ Article 16(1)(c) of CEDAW makes a specific reference to women's rights at termination of marriage. See Convention

- on the Elimination of All Forms of Discrimination against Women, *adopted* Dec. 18, 1979, G.A. Res. 34/180, U.N. GAOR, 34th Sess., Supp. No. 46, at 193, art. 16.1(c), U.N. Doc. A/34/46 (1979), 1249 U.N.T.S. 13 (*entered into force* Sept. 3, 1981). General Recommendation 21 expands on this by discussing women's rights in the context of distribution of marital property at the dissolution of marriage. See Committee on the Elimination of Discrimination against Women, *General Recommendation 21: Equality in Marriage and Family Relations* (13th Sess., 1994), in *Compilation of General Comments and General Recommendations by Human Rights Treaty Bodies*, at 222, ¶ 31, U.N. Doc. HRI/GEN/1/Rev.5 (2001).
- ⁵⁸ See, e.g., **Dominican Republic**, ¶ 332, U.N. Doc. A/53/38 (1998); **Equatorial Guinea**, ¶¶ 191, 197, U.N. Doc. A/59/38 (2004); **Egypt**, ¶¶ 328–329, U.N. Doc. A/56/38 (2001); **Fiji**, ¶ 66, U.N. Doc. A/57/38 (2002); **India**, ¶ 54, U.N. Doc. CEDAW/C/IND/CO/3 (2007); **Indonesia**, ¶ 284(a), U.N. Doc. A/53/38 (1998); **Japan**, ¶ 371, U.N. Doc. A/58/38 (2003); **Jordan**, ¶ 174, U.N. Doc. A/55/38 (2000); **Kenya**, ¶ 11, U.N. Doc. CEDAW/C/KEN/CO/6 (2007); **Maldives**, ¶ 35, U.N. Doc. CEDAW/C/MDV/CO/3 (2007); **Mauritius**, ¶ 12, U.N. Doc. CEDAW/C/MAR/CO/5 (2006); **Morocco**, ¶ 163, U.N. Doc. A/58/38 (2003); **New Zealand**, ¶ 277, U.N. Doc. A/53/38 (1998); **Philippines**, ¶ 31, U.N. Doc. CEDAW/C/PHI/CO/6 (2006); **Saint Lucia**, ¶ 35, U.N. Doc. CEDAW/C/LCA/CO/6 (2006); **Samoa**, ¶ 60, U.N. Doc. A/60/38 (2005); **Thailand**, ¶ 19, U.N. Doc. CEDAW/C/THA/CO/5 (2006); **Vietnam**, ¶ 258, U.N. Doc. A/56/38 (2001); **Yemen**, ¶ 392, U.N. Doc. A/57/38 (2002); **Zambia**, ¶ 230, U.N. Doc. A/57/38 (2002);
- ⁵⁹ See, e.g., **Bangladesh**, ¶ 247, U.N. Doc. A/59/38 (2004); **India**, ¶ 55, U.N. Doc. CEDAW/C/IND/CO/3 (2007); **Jordan**, ¶ 12, U.N. Doc. CEDAW/C/JOR/CO/4 (2008); **Maldives**, ¶ 36, U.N. Doc. CEDAW/C/MDV/CO/3 (2007); **Morocco**, ¶ 39, U.N. Doc. CEDAW/C/MAR/CO/4 (2008); **Philippines**, ¶ 32, U.N. Doc. CEDAW/C/PHI/CO/6 (2006); **Romania**, ¶ 319, U.N. Doc. A/55/38 (2000); **Saint Lucia**, ¶ 36, U.N. Doc. CEDAW/C/LCA/CO/6 (2006); **Thailand**, ¶ 20, U.N. Doc. CEDAW/C/THA/CO/5 (2006); **Vanuatu**, ¶¶ 38–39, U.N. Doc. CEDAW/C/VUT/CO/3 (2007).
- ⁶⁰ See **Burundi**, ¶¶ 13–16, U.N. Doc. CEDAW/C/BDI/CO/4 (2008).
- ⁶¹ See **Vanuatu**, ¶ 39, U.N. Doc. CEDAW/C/VUT/CO/3 (2007).
- ⁶² A.T. v. Hungary, Communication No. 2/2003, ¶¶ 9.3, 9.4, 9.6, U.N. Doc. A.T. v. Hungary, 2/2003 (CEDAW Comm. 2003).
- ⁶³ A.T. v. Hungary, Communication No. 2/2003, ¶ 9.6, U.N. Doc. A.T. v. Hungary, 2/2003 (CEDAW Comm. 2003).
- ⁶⁴ A.T. v. Hungary, Communication No. 2/2003, ¶ 9.5, U.N. Doc. A.T. v. Hungary, 2/2003 (CEDAW Comm. 2003).
- ⁶⁵ A.T. v. Hungary, Communication No. 2/2003, ¶¶ I.(a)-(b), U.N. Doc. A.T. v. Hungary, 2/2003 (CEDAW Comm. 2003).
- ⁶⁶ A.T. v. Hungary, Communication No. 2/2003, ¶ II., U.N. Doc. A.T. v. Hungary, 2/2003 (CEDAW Comm. 2003).
- ⁶⁷ Committee on the Rights of the Child, *General Comment 4: Adolescent Health and Development in the Context of the Convention on the Rights of the Child*, U.N. Doc. CRC/GC/2003/4 (2003).
- ⁶⁸ Committee on the Rights of the Child, *General Comment 4: Adolescent Health and Development in the Context of the Convention on the Rights of the Child*, U.N. Doc. CRC/GC/2003/4 (2003).
- ⁶⁹ Committee on the Rights of the Child, *General Comment 4: Adolescent Health and Development in the Context of the Convention on the Rights of the Child*, ¶ 39(g), U.N. Doc. CRC/GC/2003/4 (2003).
- ⁷⁰ Committee on the Rights of the Child, *General Comment 4: Adolescent Health and Development in the Context of the Convention on the Rights of the Child*, ¶ 20, U.N. Doc. CRC/GC/2003/4 (2003).
- ⁷¹ Committee on the Rights of the Child, *General Comment 4: Adolescent Health and Development in the Context of the Convention on the Rights of the Child*, ¶ 20, U.N. Doc. CRC/GC/2003/4 (2003).
- ⁷² Committee on the Rights of the Child, *General Comment 4: Adolescent Health and Development in the Context*

- of the Convention on the Rights of the Child, ¶ 31, U.N. Doc. CRC/GC/2003/4 (2003).
- ⁷³ Committee on the Rights of the Child, *General Comment 4: Adolescent Health and Development in the Context of the Convention on the Rights of the Child*, ¶ 24, U.N. Doc. CRC/GC/2003/4 (2003).
- ⁷⁴ Committee on the Rights of the Child, *General Comment 7: Implementing Child Rights in Early Childhood*, U.N. Doc. CRC/C/GC/7/Rev.1 (2006).
- ⁷⁵ Committee on the Rights of the Child, *General Comment 7: Implementing Child Rights in Early Childhood*, ¶ 19, U.N. Doc. CRC/C/GC/7/Rev.1 (2006).
- ⁷⁶ Committee on the Rights of the Child, *General Comment 7: Implementing Child Rights in Early Childhood*, ¶ 20, U.N. Doc. CRC/C/GC/7/Rev.1 (2006).
- ⁷⁷ See, e.g., **Bangladesh**, ¶¶ 39–40, U.N. Doc. CRC/C/15/Add.221 (2003); **Bhutan**, ¶¶ 36–38, U.N. Doc. CRC/C/15/Add.157 (2001); **Brunei Darussalam**, ¶¶ 35–36, U.N. Doc. CRC/C/15/Add.219 (2003); **Egypt**, ¶¶ 29–30, U.N. Doc. CRC/C/15/Add.145 (2001); **Indonesia**, ¶ 38, U.N. Doc. CRC/C/15/Add.223 (2004); **Jordan**, ¶¶ 44–45, U.N. Doc. CRC/C/JOR/CO/3 (2006); **Lebanon**, ¶¶ 32–33, U.N. Doc. CRC/C/15/Add.169 (2002); **Lebanon**, ¶¶ 39–40, U.N. Doc. CRC/C/LBN/CO/3 (2006); **Libyan Arab Jamahiriya**, ¶¶ 31–32, U.N. Doc. CRC/C/15/Add.209 (2003); **Mali**, ¶¶ 35–36, U.N. Doc. CRC/C/MLI/CO/2 (2007); **Monaco**, ¶¶ 20–21, U.N. Doc. CRC/C/15/Add.158 (2001); **Nepal**, ¶ 42, U.N. Doc. CRC/C/15/Add.261 (2005); **Oman**, ¶¶ 31–32, U.N. Doc. CRC/C/OMN/CO/2 (2006); **Qatar**, ¶¶ 41–42, U.N. Doc. CRC/C/15/Add.163 (2001); **Saudi Arabia**, ¶¶ 23–24, U.N. Doc. CRC/C/15/Add.148 (2001); **Saudi Arabia**, ¶¶ 38–39, U.N. Doc. CRC/C/SAU/CO/2 (2006); **Singapore**, ¶¶ 30–31, U.N. Doc. CRC/C/15/Add.220 (2003); **Swaziland**, ¶¶ 32–33, U.N. Doc. CRC/C/SWZ/CO/1 (2006); **Syrian Arab Republic**, ¶¶ 32–33, U.N. Doc. CRC/C/15/Add.212 (2003); **Togo**, ¶¶ 34, 36, U.N. Doc. CRC/C/15/Add.255 (2005); **United Arab Emirates**, ¶¶ 30–31, U.N. Doc. CRC/C/15/Add.183 (2002).
- ⁷⁸ See **Lesotho**, ¶ 25, U.N. Doc. CRC/C/15/Add.147 (2001).
- ⁷⁹ See, e.g. **Indonesia**, ¶¶ 26, U.N. Doc. CRC/C/15/Add.223 (2004); **Liberia**, ¶¶ 50–51, U.N. Doc. CRC/C/15/Add.236 (2004); **Nepal**, ¶¶ 65–66, U.N. Doc. CRC/C/15/Add.261 (2005); **Nigeria**, ¶¶ 54–55, U.N. Doc. CRC/C/15/Add.257 (2005).
- ⁸⁰ See **United Republic of Tanzania**, ¶ 26, U.N. Doc. CRC/C/15/Add.156 (2001).
- ⁸¹ See, e.g., **Egypt**, ¶ 29(a), U.N. Doc. CRC/C/15/Add.145 (2001); **Lesotho**, ¶ 25, U.N. Doc. CRC/C/15/Add.147 (2001).
- ⁸² See, e.g., **Algeria**, ¶¶ 43–44, U.N. Doc. CRC/C/15/Add.269 (2005); **Botswana**, ¶¶ 38–39, U.N. Doc. CRC/C/15/Add.242 (2004); **Egypt**, ¶ 30, U.N. Doc. CRC/C/15/Add.145 (2001); **Ethiopia**, ¶¶ 48–49, U.N. Doc. CRC/C/15/Add.144 (2001); **India**, ¶ 32, U.N. Doc. CRC/C/15/Add.115 (2000); **India**, ¶¶ 29–30, U.N. Doc. CRC/C/15/Add.228 (2004); **Lesotho**, ¶ 26, U.N. Doc. CRC/C/15/Add.147 (2001); **Saint Lucia**, ¶ 40, U.N. Doc. CRC/C/15/Add.258 (2005); **Saudi Arabia**, ¶¶ 23–24, U.N. Doc. CRC/C/15/Add.148 (2001); **Uzbekistan**, ¶¶ 30–31, U.N. Doc. CRC/C/15/Add.167 (2001).
- ⁸³ See **Botswana**, ¶ 39, U.N. Doc. CRC/C/15/Add.242 (2004).
- ⁸⁴ See, e.g., **Antigua and Barbuda**, ¶¶ 37–38, U.N. Doc. CRC/C/15/Add.247 (2004); **Dominica**, ¶¶ 30–31, U.N. Doc. CRC/C/15/Add.238 (2004); **Eritrea**, ¶¶ 33–34, U.N. Doc. CRC/C/15/Add.204 (2003); **Jordan**, ¶¶ 49–50, U.N. Doc. CRC/C/JOR/CO/3 (2006); **Liberia**, ¶¶ 36–37, U.N. Doc. CRC/C/15/Add.236 (2004); **Malawi**, ¶¶ 35–36, U.N. Doc. CRC/C/15/Add.174 (2002); **Malaysia**, ¶¶ 50–51, U.N. Doc. CRC/C/MYS/CO/1 (2007); **Mongolia**, ¶¶ 31–32, U.N. Doc. CRC/C/15/Add.264 (2005); **Panama**, ¶ 36, U.N. Doc. CRC/C/15/Add.233 (2004); **Saudi Arabia**, ¶ 47, U.N. Doc. CRC/C/SAU/CO/2 (2006); **Yemen**, ¶ 46, U.N. Doc. CRC/C/15/Add.267 (2005).
- ⁸⁵ See **Algeria**, ¶ 3(b), U.N. Doc. CRC/C/15/Add.269 (2005).
- ⁸⁶ See, e.g., **Albania**, ¶ 21, U.N. Doc. CRC/C/15/Add.249 (2005); **Benin**, ¶ 69, U.N. Doc. CRC/C/BEN/CO/2 (2006); **Bhutan**, ¶ 26, U.N. Doc. CRC/C/15/Add.157 (2001); **Ethiopia**, ¶ 3(c), U.N. Doc. CRC/C/ETH/CO/3 (2006); **Gambia**, ¶ 24, U.N. Doc. CRC/C/15/Add.165 (2001); **Jordan**, ¶ 27, U.N. Doc. CRC/C/JOR/CO/3 (2006); **Maldives**, ¶ 11, U.N. Doc. CRC/C/MDV/CO/3 (2007);

- Mali**, ¶¶ 29–30, U.N. Doc. CRC/C/MLI/CO/2 (2007); **Mauritania**, ¶ 21, U.N. Doc. CRC/C/15/Add.159 (2001); **Sierra Leone**, ¶¶ 3, 57, U.N. Doc. CRC/C/SLE/CO/2 (2008); **Uzbekistan**, ¶¶ 19–20, U.N. Doc. CRC/C/UZB/CO/2 (2006).
- ⁸⁷ See, e.g., **Bahrain**, ¶¶ 20–21, U.N. Doc. CRC/C/15/Add.175 (2002); **Guatemala**, ¶¶ 22–23, U.N. Doc. CRC/C/15/Add.154 (2001); **Sri Lanka**, ¶¶ 21–22, U.N. Doc. CRC/C/15/Add.207 (2003).
- ⁸⁸ See, e.g., **Kenya**, ¶¶ 22–23, U.N. Doc. CRC/C/KEN/CO/2 (2003); **Malaysia**, ¶ 29, U.N. Doc. CRC/C/MYS/CO/1 (2007).
- ⁸⁹ See, e.g., **Bangladesh**, ¶¶ 13, 26–27, U.N. Doc. CRC/C/15/Add.221 (2003); **Belize**, ¶¶ 23–24, U.N. Doc. CRC/C/15/Add.252 (2005); **Bolivia**, ¶¶ 23–24, U.N. Doc. CRC/C/15/Add.256 (2005); **Brunei Darussalam**, ¶¶ 22–23, U.N. Doc. CRC/C/15/Add.219 (2003); **Chile**, ¶¶ 27–28, U.N. Doc. CRC/C/CHL/CO/3 (2007); **Colombia**, ¶¶ 33–34, U.N. Doc. CRC/C/COL/CO/3 (2006); **Democratic People's Republic of Korea**, ¶¶ 25–26, U.N. Doc. CRC/C/15/Add.239 (2004); **Ecuador**, ¶¶ 26–27, U.N. Doc. CRC/C/15/Add.262 (2005); **El Salvador**, ¶¶ 23–24, U.N. Doc. CRC/C/15/Add.232 (2004); **Gabon**, ¶¶ 20–21, U.N. Doc. CRC/C/15/Add.171 (2002); **Indonesia**, ¶¶ 26–27, U.N. Doc. CRC/C/15/Add.223 (2004); **Lebanon**, ¶¶ 21–22, U.N. Doc. CRC/C/15/Add.169 (2002); **Liberia**, ¶51, U.N. Doc. CRC/C/15/Add.236 (2004); **Malaysia**, ¶¶ 29–30, U.N. Doc. CRC/C/MYS/CO/1 (2007); **Mexico**, ¶¶ 21–22, U.N. Doc. CRC/C/MEX/CO/3 (2006); **Nicaragua**, ¶¶ 25–26, U.N. Doc. CRC/C/15/Add.265 (2005); **Niger**, ¶¶ 23–24, U.N. Doc. CRC/C/15/Add.179 (2002); **Panama**, ¶¶ 21–22, U.N. Doc. CRC/C/15/Add.233 (2004); **Saudi Arabia**, ¶ 26, U.N. Doc. CRC/C/SAU/CO/2 (2006); **Solomon Islands**, ¶¶ 19–20, U.N. Doc. CRC/C/15/Add.208 (2003); **Spain**, ¶¶ 23–24, U.N. Doc. CRC/C/15/Add.185 (2002); **Suriname**, ¶¶ 24–25, U.N. Doc. CRC/C/SUR/CO/2 (2007); **Swaziland**, ¶¶ 23–24, U.N. Doc. CRC/C/SWZ/CO/1 (2006); **Syrian Arab Republic**, ¶¶ 23–24, U.N. Doc. CRC/C/15/Add.212 (2003); **Turkey**, ¶¶ 25–26, U.N. Doc. CRC/C/15/Add.152 (2001); **Turkmenistan**, ¶¶ 25–26, U.N. Doc. CRC/C/TKM/CO/1 (2006); **Uruguay**, ¶¶ 25–26, U.N. Doc. CRC/C/URY/CO/2 (2007); **Ukraine**, ¶¶ 25–26, U.N. Doc. CRC/C/15/Add.191 (2002); **Uzbekistan**, ¶ 22, U.N. Doc. CRC/C/15/Add.167 (2001); **Yemen**, ¶¶ 30–31, U.N. Doc. CRC/C/15/Add.267 (2005).
- ⁹⁰ See, e.g., **Andorra**, ¶¶ 24–25, U.N. Doc. CRC/C/15/Add.176 (2002); **Bolivia**, ¶¶ 23–24, U.N. Doc. CRC/C/15/Add.256 (2005); **Cameroon**, ¶¶ 23–24, U.N. Doc. CRC/C/15/Add.164 (2001); **Chile**, ¶¶ 22–23, U.N. Doc. CRC/C/15/Add.173 (2002); ; **Colombia**, ¶¶ 33–34, U.N. Doc. CRC/C/COL/CO/3 (2006); **Democratic People's Republic of Korea**, ¶¶ 25–26, U.N. Doc. CRC/C/15/Add.239 (2004); **Ecuador**, ¶¶ 26–27, U.N. Doc. CRC/C/15/Add.262 (2005); **El Salvador**, ¶¶ 23–24, U.N. Doc. CRC/C/15/Add.232 (2004); **France**, ¶¶ 16–17, U.N. Doc. CRC/C/15/Add.240 (2004); **Haiti**, ¶¶ 21–22, U.N. Doc. CRC/C/15/Add.202 (2003); **Japan**, ¶¶ 22–23, U.N. Doc. CRC/C/15/Add.231 (2004); **Kenya**, ¶¶ 22–23, U.N. Doc. CRC/C/KEN/CO/2 (2007); **Madagascar**, ¶¶ 23–24, U.N. Doc. CRC/C/15/Add.218 (2003); **Mexico**, ¶¶ 21–22, U.N. Doc. CRC/C/MEX/CO/3 (2006); **Morocco**, ¶¶ 23–24, U.N. Doc. CRC/C/15/Add.211 (2003); **Mozambique**, ¶¶ 23–24, U.N. Doc. CRC/C/15/Add.172 (2002); **Nicaragua**, ¶¶ 25–26, U.N. Doc. CRC/C/15/Add.265 (2005); **Republic of Korea**, ¶¶ 27–28, U.N. Doc. CRC/C/15/Add.197 (2003); **Republic of Moldova**, ¶¶ 22–23, U.N. Doc. CRC/C/15/Add.192 (2002); **Romania**, ¶¶ 21–22, U.N. Doc. CRC/C/15/Add.199 (2003); **Samoa**, ¶¶ 26–27, U.N. Doc. CRC/C/WSM/CO/1 (2006); **Seychelles**, ¶ 22, U.N. Doc. CRC/C/15/Add.189 (2002); **Suriname**, ¶ 24–25, U.N. Doc. CRC/C/SUR/CO/2 (2007); **Tunisia**, ¶¶ 20–21, U.N. Doc. CRC/C/15/Add.181 (2002); **United Republic of Tanzania**, ¶¶ 24–25, U.N. Doc. CRC/C/TZA/CO/2 (2006); **Venezuela**, ¶ 27–28, U.N. Doc. CRC/C/VEN/CO/2 (2007)..
- ⁹¹ Convention on the Rights of the Child, *adopted* Nov. 20, 1989, G.A. Res. 44/25, annex, U.N. GAOR, 44th Sess., Supp. No. 49, at 166, art. 24(3), U.N. Doc. A/44/49 (1989), *reprinted in* 28 I.L.M. 1448 (*entered into force* Sept. 2, 1990).
- ⁹² See, e.g., **Bangladesh**, ¶ 15, U.N. Doc. CRC/C/15/Add.74 (1997); **Burkina Faso**, ¶ 14, U.N. Doc. CRC/C/15/Add.19 (1994); **Djibouti**, ¶ 25, U.N. Doc. CRC/C/15/Add.131 (2000); **Eritrea**, ¶¶ 45–46, U.N. Doc. CRC/C/15/Add.204 (2003); **Ethiopia**, ¶¶ 59–60, U.N. Doc. CRC/C/ETH/CO/3 (2006); **Ghana**, ¶ 55, U.N. Doc. CRC/C/GHA/CO/2 (2006); **India**, ¶¶ 32–33, U.N. Doc. CRC/C/15/Add.115 (2000); **Kyrgyzstan**, ¶¶ 26–27, U.N. Doc. CRC/C/15/Add.244 (2004); **Lebanon**, ¶ 24(c), U.N. Doc. CRC/C/15/Add.169 (2002); **Mali**, ¶¶ 52–53, U.N. Doc. CRC/C/MLI/CO/2 (2007); **Pakistan**, ¶¶ 56–57, U.N. Doc. CRC/C/15/Add.217 (2003); **Senegal**, ¶¶ 50–51, U.N. Doc. CRC/C/

- SEN/CO/2 (2006); **Yemen**, ¶¶ 59–60, U.N. Doc. CRC/C/15/Add.267 (2005).
- ⁹³ See, e.g., **Angola**, ¶¶ 46–47, U.N. Doc. CRC/C/15/Add.246 (2004); **Democratic Republic of the Congo**, ¶¶ 40–41, U.N. Doc. CRC/C/15/Add.153 (2001); **Equatorial Guinea**, ¶¶ 21–22, U.N. Doc. CRC/C/15/Add.245 (2004); **Eritrea**, ¶¶ 62–63, U.N. Doc. CRC/C/ERI/CO/3 (2008); **Ethiopia**, ¶¶ 14–15, U.N. Doc. CRC/C/15/Add.144 (2001); **Mali**, ¶ 53(a), U.N. Doc. CRC/C/MLI/CO/2 (2007); **Nigeria**, ¶¶ 54–55, U.N. Doc. CRC/C/15/Add.257 (2005); **Sierra Leone**, ¶¶ 24–25, U.N. Doc. CRC/C/15/Add.116 (2000); **Timor Leste**, ¶¶ 62–63, U.N. Doc. CRC/C/TLS/CO/1 (2008); **The Republic of the Congo**, ¶¶ 24–25, U.N. Doc. CRC/C/COG/CO/1 (2006).
- ⁹⁴ See, e.g., **Benin**, ¶ 26, U.N. Doc. CRC/C/15/Add.106 (1999); **Bolivia**, ¶¶ 23–24, U.N. Doc. CRC/C/15/Add.256 (2005); **Burkina Faso**, ¶¶ 21–22, U.N. Doc. CRC/C/15/Add.193 (2002); **Cameroon**, ¶ 24, U.N. Doc. CRC/C/15/Add.164 (2001); **Côte d'Ivoire**, ¶ 21, U.N. Doc. CRC/C/15/Add.155 (2001); **Democratic Republic of the Congo**, ¶ 41, U.N. Doc. CRC/C/15/Add.153 (2001); **Djibouti**, ¶ 25, U.N. Doc. CRC/C/15/Add.131 (2000); **Egypt**, ¶ 26, U.N. Doc. CRC/C/15/Add.145 (2001); **El Salvador**, ¶¶ 23–24, U.N. Doc. CRC/C/15/Add.232 (2004); **Ethiopia**, ¶ 23, U.N. Doc. CRC/C/15/Add.67 (1997); **Ghana**, ¶ 42, U.N. Doc. CRC/C/15/Add.73 (1997); **India**, ¶¶ 33, 77, U.N. Doc. CRC/C/15/Add.115 (2000); **Iran (Islamic Republic of)**, ¶ 32, U.N. Doc. CRC/C/15/Add.123 (2000); **Jordan**, ¶ 28, U.N. Doc. CRC/C/15/Add.125 (2000); **Jordan**, ¶ 28, U.N. Doc. CRC/C/JOR/CO/3 (2006); **Kuwait**, ¶ 28, U.N. Doc. CRC/C/15/Add.96 (1998); **Lebanon**, ¶¶ 25–26, U.N. Doc. CRC/C/LBN/CO/3 (2006); **Liberia**, ¶ 51, U.N. Doc. CRC/C/15/Add.236 (2004); **Malawi**, ¶¶ 49–50, U.N. Doc. CRC/C/15/Add.174 (2002); **Mali**, ¶ 28, U.N. Doc. CRC/C/15/Add.113 (1999); **Mauritania**, ¶ 22, U.N. Doc. CRC/C/15/Add.159 (2001); **Mexico**, ¶¶ 21–22, U.N. Doc. CRC/C/MEX/CO/3 (2006); **Nepal**, ¶ 66, U.N. Doc. CRC/C/15/Add.261 (2005); **Niger**, ¶¶ 52–53, U.N. Doc. CRC/C/15/Add.179 (2002); **Nigeria**, ¶¶ 54–55, U.N. Doc. CRC/C/15/Add.257 (2005); **Panama**, ¶¶ 22, U.N. Doc. CRC/C/15/Add.233 (2004); **Sao Tome and Principe**, ¶¶ 19–20, U.N. Doc. CRC/C/15/Add.235 (2004); **Serbia**, ¶ 75(e), U.N. Doc. CRC/C/SRB/CO/1 (2008); **Sierra Leone**, ¶ 25, U.N. Doc. CRC/C/15/Add.116 (2000); **Suriname**, ¶ 22, U.N. Doc. CRC/C/15/Add.130 (2000); **Togo**, ¶¶ 56–57, U.N. Doc. CRC/C/15/Add.255 (2005); **Uganda**, ¶¶ 28–29, U.N. Doc. CRC/C/UGA/CO/2 (2005).
- ⁹⁵ See **Democratic Republic of the Congo**, ¶ 41, U.N. Doc. CRC/C/15/Add.153 (2001).
- ⁹⁶ See **Solomon Islands**, ¶¶ 19–20, U.N. Doc. CRC/C/15/Add.208 (2003).
- ⁹⁷ See **Sweden**, ¶ 3(d), U.N. Doc. CRC/C/15/Add.248 (2005).
- ⁹⁸ See, e.g., **Democratic Republic of the Congo**, ¶¶ 41–42, U.N. Doc. CRC/C/15/Add.153 (2001); **Sierra Leone**, ¶ 25, U.N. Doc. CRC/C/15/Add.116 (2000).
- ⁹⁹ See UNITED NATIONS POPULATION FUND, STATE OF THE WORLD POPULATION 39 (1997).
- ¹⁰⁰ See, e.g., **Burundi**, ¶ 24, U.N. Doc. CRC/C/15/Add.133 (2000); **Djibouti**, ¶ 25, U.N. Doc. CRC/C/15/Add.131 (2000); **Guinea Bissau**, ¶¶ 19–20, U.N. Doc. CRC/C/15/Add.177 (2002); **Iran (Islamic Republic of)**, ¶ 19, U.N. Doc. CRC/C/15/Add.123 (2000); **Jordan**, ¶ 27, U.N. Doc. CRC/C/15/Add.125 (2000); **Marshall Islands**, ¶ 24, U.N. Doc. CRC/C/15/Add.139 (2000); **Mexico**, ¶ 16, U.N. Doc. CRC/C/15/Add.112 (1999); **Monaco**, ¶¶ 18–19, U.N. Doc. CRC/C/15/Add.158 (2001); **Niger**, ¶¶ 23–24, U.N. Doc. CRC/C/15/Add.179 (2002); **Romania**, ¶¶ 21–22, U.N. Doc. CRC/C/15/Add.199 (2003); **Suriname**, ¶¶ 21–22, U.N. Doc. CRC/C/15/Add.130 (2000); **United Republic of Tanzania**, ¶¶ 22–23, U.N. Doc. CRC/C/15/Add.156 (2001).
- ¹⁰¹ See, e.g., **Benin**, ¶ 26, U.N. Doc. CRC/C/15/Add.106 (1999); **Burkina Faso**, ¶ 40, U.N. Doc. CRC/C/15/Add.193 (2002); **Colombia**, ¶¶ 33–34, U.N. Doc. CRC/C/COL/CO/3 (2006); **Ethiopia**, ¶¶ 57–58, U.N. Doc. CRC/C/ETH/CO/3 (2006); **Guinea Bissau**, ¶ 42(a), U.N. Doc. CRC/C/15/Add.177 (2002); **India**, ¶ 50, U.N. Doc. CRC/C/15/Add.115 (2000); **India**, ¶¶ 60–61, U.N. Doc. CRC/C/15/Add.228 (2004); **Kuwait**, ¶ 28, U.N. Doc. CRC/C/15/Add.96 (1998); **Lebanon**, ¶ 16, U.N. Doc. CRC/C/15/Add.54 (1996); **Mali**, ¶ 28, U.N. Doc. CRC/C/15/Add.113 (1999); **Mozambique**, ¶¶ 50–51, U.N. Doc. CRC/C/15/Add.172 (2002); **Niger**, ¶ 48, U.N. Doc. CRC/C/15/Add.179 (2002); **Nigeria**, ¶ 54, U.N. Doc. CRC/C/15/Add.257 (2005); **Suriname**, ¶ 53, U.N. Doc. CRC/C/SUR/CO/2 (2007); **Swaziland**, ¶¶ 23–24, U.N. Doc. CRC/C/SWZ/CO/1 (2006); **Zambia**, ¶ 48, U.N. Doc. CRC/C/15/Add.206 (2003).

- ¹⁰² See Div. of Reproductive Health, World Health Organization, *World Health Day, Safe Motherhood, 7 April 1998, Delay Childbearing*, at http://www.who.int/archives/whday/en/pages1998/whd98_04.html (last visited October 1, 2007).
- ¹⁰³ See, e.g., **Colombia**, ¶ 76(f), U.N. Doc. CRC/C/COL/CO/3 (2006); **Kyrgyzstan**, ¶ 53, U.N. Doc. CRC/C/15/Add.244 (2004); **Mozambique**, ¶ 56(c), U.N. Doc. CRC/C/15/Add.172 (2002); **United Republic of Tanzania**, ¶¶ 24–25, U.N. Doc. CRC/C/TZA/CO/2 (2006).
- ¹⁰⁴ See **Mozambique**, ¶¶ 38–39, U.N. Doc. CRC/C/15/Add.172 (2002).
- ¹⁰⁵ See *General Discussion on the Girl Child, in Report on the Eighth Session*, Committee on the Rights of the Child, 8th Sess., at 47, ¶ 293, U.N. Doc. CRC/C/38 (1995).
- ¹⁰⁶ See, e.g., **Burkina Faso**, ¶ 33(d), U.N. Doc. CRC/C/15/Add.193 (2002); **Djibouti**, ¶ 34, U.N. Doc. CRC/C/15/Add.131 (2000); **Gabon**, ¶¶ 33–34, U.N. Doc. CRC/C/15/Add.171 (2002); **Niger**, ¶¶ 36–37, U.N. Doc. CRC/C/15/Add.179 (2002); **Yemen**, ¶ 48, U.N. Doc. CRC/C/15/Add.267 (2005).
- ¹⁰⁷ See, e.g., **Burundi**, ¶ 46, U.N. Doc. CRC/C/15/Add.133 (2000); **Democratic Republic of the Congo**, ¶ 42, U.N. Doc. CRC/C/15/Add.153 (2001); **Egypt**, ¶ 29, U.N. Doc. CRC/C/15/Add.145 (2001); **Iran (Islamic Republic of)**, ¶¶ 21(b), 25, U.N. Doc. CRC/C/15/Add.123 (2000); **Jordan**, ¶¶ 29(b), 33, U.N. Doc. CRC/C/15/Add.125 (2000); **Oman**, ¶¶ 24, 33–34, U.N. Doc. CRC/C/15/Add.161 (2001); **Qatar**, ¶ 30, U.N. Doc. CRC/C/15/Add.163 (2001); **Saudi Arabia**, ¶¶ 23–24, U.N. Doc. CRC/C/15/Add.148 (2001); **United Republic of Tanzania**, ¶¶ 28–29, U.N. Doc. CRC/C/15/Add.156 (2001).
- ¹⁰⁸ See, e.g., **Burundi**, ¶ 47, U.N. Doc. CRC/C/15/Add.133 (2000); **Greece**, ¶¶ 38–39, 52–53, U.N. Doc. CRC/C/15/Add.170 (2002); **Libyan Arab Jamahiriya**, ¶¶ 27–28, U.N. Doc. CRC/C/15/Add.209 (2003); **Maldives**, ¶¶ 40–41, U.N. Doc. CRC/C/MDV/CO/3 (2007); **Morocco**, ¶¶ 28–29, U.N. Doc. CRC/C/15/Add.211 (2003); **Niger**, ¶¶ 38–39, U.N. Doc. CRC/C/15/Add.179 (2002); **Pakistan**, ¶¶ 44–45, U.N. Doc. CRC/C/15/Add.217 (2003); **Saint Lucia**, ¶ 40, U.N. Doc. CRC/C/15/Add.258 (2005); **Ukraine**, ¶ 33, U.N. Doc. CRC/C/15/Add.191 (2002); **United Republic of Tanzania**, ¶¶ 28–29, U.N. Doc. CRC/C/15/Add.156 (2001); **Viet Nam**, ¶¶ 29–30, U.N. Doc. CRC/C/15/Add.200 (2003).
- ¹⁰⁹ See, e.g., **Bahamas**, ¶¶ 41–42, U.N. Doc. CRC/C/15/Add.253 (2005); **Belize**, ¶¶ 44–45, U.N. Doc. CRC/C/15/Add.252 (2005); **Burkina Faso**, ¶¶ 32–33, U.N. Doc. CRC/C/15/Add.193 (2002); **Côte d'Ivoire**, ¶¶ 32–33, U.N. Doc. CRC/C/15/Add.155 (2001); **Ethiopia**, ¶ 49, U.N. Doc. CRC/C/15/Add.144 (2001); **Malawi**, ¶¶ 37–38, U.N. Doc. CRC/C/15/Add.174 (2002); **Niger**, ¶¶ 38–39, U.N. Doc. CRC/C/15/Add.179 (2002); **Republic of Korea**, ¶¶ 46–47, U.N. Doc. CRC/C/15/Add.197 (2003); **Saint Vincent and the Grenadines**, ¶¶ 30–31, U.N. Doc. CRC/C/15/Add.184 (2002); **Slovenia**, ¶¶ 32–33, U.N. Doc. CRC/C/15/Add.230 (2004); **Solomon Islands**, ¶¶ 32–33, U.N. Doc. CRC/C/15/Add.208 (2003); **The Kingdom of the Netherlands (Netherlands Antilles)**, ¶¶ 40–41, U.N. Doc. CRC/C/15/Add.186 (2002); **Trinidad and Tobago**, ¶¶ 41–42, U.N. Doc. CRC/C/TTO/CO/2 (2006); **Ukraine**, ¶¶ 43–44, U.N. Doc. CRC/C/15/Add.191 (2002); **Zambia**, ¶¶ 40–41, U.N. Doc. CRC/C/15/Add.206 (2003).
- ¹¹⁰ Human Rights Committee, *General Comment 28: Equality of Rights Between Men and Women (Art. 3)*, U.N. Doc. HRI/GEN/1/Rev.5 (2001).
- ¹¹¹ Human Rights Committee, *General Comment 28: Equality of Rights Between Men and Women (Art. 3)*, ¶ 23, U.N. Doc. HRI/GEN/1/Rev.5 (2001).
- ¹¹² Human Rights Committee, *General Comment 28: Equality of Rights Between Men and Women (Art. 3)*, ¶ 26, U.N. Doc. HRI/GEN/1/Rev.5 (2001).
- ¹¹³ See, e.g., **Central African Republic**, ¶ 9, U.N. Doc. CCPR/C/CAF/CO/2 (2006); **Chile**, ¶ 17, U.N. Doc. CCPR/C/CHL/CO/5 (2007); **Colombia**, ¶ 37, U.N. Doc. CCPR/C/79/Add.76 (1997); **Democratic Republic of the Congo**, ¶ 11, U.N. Doc. CCPR/C/COD/CO/3 (2006); **Egypt**, ¶ 8, U.N. Doc. CCPR/CO/76/EGY (2002); **Gabon**, ¶ 9, U.N. Doc. CCPR/CO/70/GAB (2000); **Guyana**, ¶ 13, U.N. Doc. CCPR/C/79/Add.121 (2000); **Ireland**, ¶¶ 441, 450(d), U.N. Doc. A/55/40 (2000); **Kuwait**, ¶¶ 7–8, U.N. Doc. CCPR/CO/69/KWT (2000); **Lebanon**, ¶¶ 18–19, U.N. Doc. CCPR/C/79/Add.78 (1997); **Libyan Arab Jamahiriya**, ¶ 17, U.N. Doc. CCPR/C/79/Add.101 (1998); **Mali**, ¶ 10, U.N. Doc. CCPR/CO/77/

- MLI (2003); **Monaco**, ¶ 9, U.N. Doc. CCPR/CO/72/MCO (2001); **Nepal**, ¶ 8, U.N. Doc. CCPR/C/79/Add.42 (1994); **Netherlands**, ¶ 25, U.N. Doc. CCPR/CO/72/NET (2001); **Peru**, ¶ 14, U.N. Doc. CCPR/C/79/Add.72 (1996); **Romania**, ¶ 16, U.N. Doc. CCPR/C/79/Add.30 (1993); **Russian Federation**, ¶ 14, U.N. Doc. CCPR/C/79/Add.54 (1995); **Senegal**, ¶ 12, U.N. Doc. CCPR/C/79/Add.82 (1997); **Syrian Arab Republic**, ¶ 18, U.N. Doc. CCPR/CO/71/SYR (2000); **Syrian Arab Republic**, ¶ 16, U.N. Doc. CCPR/CO/84/SYR (2005); **Togo**, ¶ 21, U.N. Doc. CCPR/CO/76/TGO (2002); **Uzbekistan**, ¶ 20, U.N. Doc. CCPR/CO/71/UZB (2001); **Venezuela**, ¶ 22, U.N. Doc. CCPR/CO/71/VEN (2001); **Yemen**, ¶ 261, U.N. Doc. A/50/40 (1995); **Yemen**, ¶¶ 7–8, U.N. Doc. CCPR/CO/75/YEM (2002); **Yemen**, ¶ 8, U.N. Doc. CCPR/CO/84/YEM (2005); **Zambia**, ¶¶ 9, 21, U.N. Doc. CCPR/C/79/Add.62 (1996); **Zimbabwe**, ¶ 12, U.N. Doc. CCPR/C/79/Add.89 (1998).
- ¹¹⁴ See, e.g., **Egypt**, ¶ 9, U.N. Doc. CCPR/CO/76/EGY (2002); **Kuwait**, ¶¶ 7–8, U.N. Doc. CCPR/CO/69/KWT (2000); **Lebanon**, ¶ 18, U.N. Doc. CCPR/C/79/Add.78 (1997); **Venezuela**, ¶ 22, U.N. Doc. CCPR/CO/71/VEN (2001).
- ¹¹⁵ See, e.g., **Gabon**, ¶ 9, U.N. Doc. CCPR/CO/70/GAB (2000); **Gambia**, ¶ 16, U.N. Doc. CCPR/CO/75/GMB (2004); **Guyana**, ¶ 13, U.N. Doc. CCPR/C/79/Add.121 (2000); **Kenya**, ¶ 10, U.N. Doc. CCPR/CO/83/KEN (2005); **Libyan Arab Jamahiriya**, ¶ 11, U.N. Doc. CCPR/C/LBY/CO/4 (2007); **Madagascar**, ¶ 10, U.N. Doc. CCPR/C/MDG/CO/3 (2007); **Mali**, ¶ 10, U.N. Doc. CCPR/CO/77/MLI (2003); **Morocco**, ¶ 33, U.N. Doc. CCPR/CO/82/MAR (2004); **Namibia**, ¶ 9, U.N. Doc. CCPR/CO/81/NAM (2004); **Nepal**, ¶ 8, U.N. Doc. CCPR/C/79/Add.42 (1994); **Senegal**, ¶ 12, U.N. Doc. CCPR/C/79/Add.82 (1997); **Syrian Arab Republic**, ¶ 16, U.N. Doc. CCPR/CO/84/SYR (2005); **Zambia**, ¶ 9, U.N. Doc. CCPR/C/79/Add.62 (1996); **Zimbabwe**, ¶ 12, U.N. Doc. CCPR/C/79/Add.89 (1998).
- ¹¹⁶ See **Namibia**, ¶ 9, U.N. Doc. CCPR/CO/81/NAM (2004).
- ¹¹⁷ See, e.g., **Azerbaijan**, ¶ 18, U.N. Doc. CCPR/CO/73/AZE (2001); **Lebanon**, ¶ 18, U.N. Doc. CCPR/C/79/Add.78 (1997); **Russian Federation**, ¶ 14, U.N. Doc. CCPR/C/79/Add.54 (1995); **Uzbekistan**, ¶ 20, U.N. Doc. CCPR/CO/71/UZB (2001).
- ¹¹⁸ See, e.g., **Uzbekistan**, ¶ 20, U.N. Doc. CCPR/CO/71/UZB (2001); **Yemen**, ¶ 8, U.N. Doc. CCPR/CO/84/YEM (2005).
- ¹¹⁹ See, **Morocco**, ¶ 27, U.N. Doc. CCPR/CO/82/MAR (2004).
- ¹²⁰ See **Greece**, ¶ 8, U.N. Doc. CCPR/CO/83/GRC (2005).
- ¹²¹ See, **Morocco**, ¶ 32, U.N. Doc. CCPR/CO/82/MAR (2004).
- ¹²² See, e.g., **Democratic Republic of the Congo**, ¶ 11, U.N. Doc. CCPR/C/COD/CO/3 (2006); **India**, ¶ 16, U.N. Doc. CCPR/C/79/Add.81 (1997); **Kuwait**, ¶ 7, U.N. Doc. CCPR/CO/69/KWT (2000); **Mali**, ¶ 10, U.N. Doc. CCPR/CO/77/MLI (2003); **Nigeria**, ¶ 291, U.N. Doc. A/51/40 (1996); **Peru**, ¶ 14, U.N. Doc. CCPR/C/79/Add.72 (1996); **Sudan**, ¶ 11, U.N. Doc. CCPR/C/79/Add.85 (1997); **Suriname**, ¶ 18, U.N. Doc. CCPR/CO/80/SUR (2004); **Sweden**, ¶ 9, U.N. Doc. CCPR/CO/74/SWE (2002); **Syrian Arab Republic**, ¶ 20, U.N. Doc. CCPR/CO/71/SYR (2000); **Uganda**, ¶ 23, U.N. Doc. CCPR/CO/80/UGA (2004); **Uzbekistan**, ¶ 24, U.N. Doc. CCPR/CO/83/UZB (2005); **Venezuela**, ¶¶ 18, 20, U.N. Doc. CCPR/CO/71/VEN (2001); **Yemen**, ¶ 10, U.N. Doc. CCPR/CO/75/YEM (2002); **Yemen**, ¶ 21, U.N. Doc. CCPR/CO/84/YEM (2005); **Zimbabwe**, ¶ 12, U.N. Doc. CCPR/C/79/Add.89 (1998).
- ¹²³ See, e.g., **India**, ¶ 16, U.N. Doc. CCPR/C/79/Add.81 (1997); **Nigeria**, ¶ 291, U.N. Doc. CCPR/C/79/Add.65, A/51/40 (1996); **Zimbabwe**, ¶ 12, U.N. Doc. CCPR/C/79/Add.89 (1998).
- ¹²⁴ See, e.g., **Monaco**, ¶ 12, U.N. Doc. CCPR/CO/72/MCO (2001); **Syrian Arab Republic**, ¶ 20, U.N. Doc. CCPR/CO/71/SYR (2001); **Venezuela**, ¶¶ 18, 20, U.N. Doc. CCPR/CO/71/VEN (2001).
- ¹²⁵ See, e.g., **Central African Republic**, ¶ 10, U.N. Doc. CCPR/C/CAF/CO/2 (2006); **Democratic Republic of the Congo**, ¶ 11, U.N. Doc. CCPR/C/79/Add.118 (2000); **Gabon**, ¶ 9, U.N. Doc. CCPR/CO/70/GAB (2000); **Gambia**, ¶ 18, U.N. Doc. CCPR/CO/75/GMB (2004); **Kenya**, ¶ 10, U.N. Doc. CCPR/CO/83/KEN (2005); **Libyan Arab Jamahiriya**, ¶ 17, U.N. Doc. CCPR/C/79/Add.101 (1998); **Madagascar**, ¶ 12, U.N. Doc. CCPR/C/MDG/CO/3 (2007); **Morocco**, ¶ 30, U.N. Doc.

- Doc. CCPR/CO/82/MAR (2004); **Nigeria**, ¶ 291, U.N. Doc. CCPR/C/79/Add.65, A/51/40 (1996); **Senegal**, ¶ 12, U.N. Doc. CCPR/C/79/Add 82 (1997); **Togo**, ¶ 21, U.N. Doc. CCPR/CO/76/TGO (2002); **Uganda**, ¶ 9, U.N. Doc. CCPR/CO/80/UGA (2004); **Uzbekistan**, ¶ 24, U.N. Doc. CCPR/CO/83/UZB (2005); **Yemen**, ¶ 9, U.N. Doc. CCPR/CO/75/YEM (2002); **Yemen**, ¶ 9, U.N. Doc. CCPR/CO/84/YEM (2005).
- ¹²⁶ See, e.g., **Botswana**, ¶ 11, U.N. Doc. CCPR/C/BWA/CO/1 (2008); **Madagascar**, ¶ 12, U.N. Doc. CCPR/C/MDG/CO/3 (2007).
- ¹²⁷ General Comment 28 contains strong language acknowledging that polygamy is a form of discrimination against women and that it should be “definitely abolished wherever it continues to exist.” Human Rights Committee, *General Comment 28: Equality of Rights Between Men and Women (Art. 3)*, ¶ 24, U.N. Doc. HRI/GEN/1/Rev.5 (2001).
- ¹²⁸ See **Benin**, ¶ 10, U.N. Doc. CCPR/CO/82/BEN (2004).
- ¹²⁹ See **Madagascar**, ¶ 12, U.N. Doc. CCPR/C/MDG/CO/3 (2007).
- ¹³⁰ See **Chile**, ¶ 3(e), U.N. Doc. CCPR/C/CHL/CO/5 (2007).
- ¹³¹ See, e.g., **Algeria**, ¶ 20, U.N. Doc. CCPR/C/DZA/CO/3 (2007); **Equatorial Guinea**, ¶ 8, U.N. Doc. CCPR/CO/79/GNQ (2004); **Gabon**, ¶ 9, U.N. Doc. CCPR/CO/70/GAB (2000); **Guyana**, ¶ 13, U.N. Doc. CCPR/C/79/Add.121 (2000); **Libyan Arab Jamahiriya**, ¶ 17, U.N. Doc. CCPR/C/79/Add.101 (1998); **Libyan Arab Jamahiriya**, ¶ 11, U.N. Doc. CCPR/C/LBY/CO/4 (2007); **Morocco**, ¶ 33, U.N. Doc. CCPR/CO/82/MAR (2004); **Nepal**, ¶ 8, U.N. Doc. CCPR/C/79/Add.42 (1994); **Peru**, ¶ 16, U.N. Doc. CCPR/C/79/Add.72 (1996); **The Sudan**, ¶ 13, U.N. Doc. CCPR/C/SDN/CO/3 (2007); **Syrian Arab Republic**, ¶ 18, U.N. Doc. CCPR/CO/71/SYR (2001); **Syrian Arab Republic**, ¶ 16, U.N. Doc. CCPR/CO/84/SYR (2005); **Thailand**, ¶ 11, U.N. Doc. CCPR/CO/84/THA (2005); **Venezuela**, ¶ 22, U.N. Doc. CCPR/CO/71/VEN (2001); **Yemen**, ¶ 9, U.N. Doc. CCPR/CO/84/YEM (2005); **Zambia**, ¶ 9, U.N. Doc. CCPR/C/79/Add.62 (1996); **Zambia**, ¶ 12, U.N. Doc. CCPR/C/ZMB/CO/3 (2007).
- ¹³² See **Switzerland**, ¶ 15, U.N. Doc. CCPR/CO/73/CH (2001).
- ¹³³ See **Equatorial Guinea**, ¶ 8, U.N. Doc. CCPR/CO/79/GNQ (2004).
- ¹³⁴ See **Algeria**, ¶ 20, U.N. Doc. CCPR/C/DZA/CO/3 (2007).
- ¹³⁵ See **Namibia**, ¶ 19, U.N. Doc. CCPR/CO/81/NAM (2004).
- ¹³⁶ Aumeeruddy–Cziffra et. al v. Mauritius, Communication No. 35/1978, U.N. Doc. CCPR/C/12/D/35/1978 (Hum. Rts. Comm. 1981).
- ¹³⁷ Aumeeruddy–Cziffra et. al v. Mauritius, Communication No. 35/1978, ¶¶ 1.1, 1.2, U.N. Doc. CCPR/C/12/D/35/1978 (Hum. Rts. Comm. 1981).
- ¹³⁸ Aumeeruddy–Cziffra et. al v. Mauritius, Communication No. 35/1978, ¶ 9.2(b)2(i)8, U.N. Doc. CCPR/C/12/D/35/1978 (Hum. Rts. Comm. 1981).
- ¹³⁹ Aumeeruddy–Cziffra et. al v. Mauritius, Communication No. 35/1978, ¶ 9.2(b)2(i)8, U.N. Doc. CCPR/C/12/D/35/1978 (Hum. Rts. Comm. 1981).
- ¹⁴⁰ F.H. Zwaan–de Vries v. the Netherlands, Communication No. 182/1984, U.N. Doc. CCPR/C/29/D/182/1984 (Hum. Rts. Comm. 1987).
- ¹⁴¹ F.H. Zwaan–de Vries v. the Netherlands, Communication No. 182/1984, ¶ 15, U.N. Doc. CCPR/C/29/D/182/1984 (Hum. Rts. Comm. 1987).
- ¹⁴² S.W.M. Brooks v. the Netherlands, Communication No. 172/1984, U.N. Doc. CCPR/C/29/D/172/1994 (Hum. Rts. Comm. 1987).
- ¹⁴³ S.W.M. Brooks v. the Netherlands, Communication No. 172/1984, ¶ 15, U.N. Doc. CCPR/C/29/D/172/1994 (Hum. Rts. Comm. 1987).
- ¹⁴⁴ Hendrika S. Vos v. the Netherlands, Communication No. 218/1986, U.N. Doc. CCPR/C/35/D/218/1986 (Hum. Rts. Comm. 1989).
- ¹⁴⁵ Hendrika S. Vos v. the Netherlands, Communication No. 218/1986, ¶ 12, U.N. Doc. CCPR/C/35/D/218/1986 (Hum. Rts. Comm. 1989).

- ¹⁴⁶ Hendrika S. Vos v. the Netherlands, Communication No. 218/1986, U.N. Doc. CCPR/C/35/D/218/1986 (Hum. Rts. Comm. 1989).
- ¹⁴⁷ Hendrika S. Vos v. the Netherlands, Communication No. 218/1986, ¶ 12, U.N. Doc. CCPR/C/35/D/218/1986 (Hum. Rts. Comm. 1989).
- ¹⁴⁸ Committee on Economic, Social and Cultural Rights, *General Comment 14: The Right to the Highest Attainable Standard of Health (Art. 12)*, U.N. Doc. HRI/GEN/1/Rev.5 (2001).
- ¹⁴⁹ Committee on Economic, Social and Cultural Rights, *General Comment 14: The Right to the Highest Attainable Standard of Health (Art. 12)*, ¶ 22, U.N. Doc. HRI/GEN/1/Rev.5 (2001).
- ¹⁵⁰ Committee on Economic, Social and Cultural Rights, *General Comment 16: The Equal Right of Men and Women to the Enjoyment of All Economic, Social and Cultural Rights (Art. 3)* (34th Sess., 2005) in *Substantive Issues Arising in the Implementation of the International Covenant on Economic, Social and Cultural Rights*, U.N. Doc. E/C.12/2005/4 (2005).
- ¹⁵¹ Committee on Economic, Social and Cultural Rights, *General Comment 16: The Equal Right of Men and Women to the Enjoyment of All Economic, Social and Cultural Rights (Art. 3)* (34th Sess., 2005) in *Substantive Issues Arising in the Implementation of the International Covenant on Economic, Social and Cultural Rights*, at 6, ¶ 22, U.N. Doc. E/C.12/2005/4 (2005).
- ¹⁵² Committee on Economic, Social and Cultural Rights, *General Comment 16: The Equal Right of Men and Women to the Enjoyment of All Economic, Social and Cultural Rights (Art. 3)* (34th Sess., 2005) in *Substantive Issues Arising in the Implementation of the International Covenant on Economic, Social and Cultural Rights*, at 7, ¶ 27, U.N. Doc. E/C.12/2005/4 (2005).
- ¹⁵³ Committee on Economic, Social and Cultural Rights, *General Comment 16: The Equal Right of Men and Women to the Enjoyment of All Economic, Social and Cultural Rights (Art. 3)* (34th Sess., 2005) in *Substantive Issues Arising in the Implementation of the International Covenant on Economic, Social and Cultural Rights*, at 7, ¶ 27, U.N. Doc. E/C.12/2005/4 (2005).
- ¹⁵⁴ Committee on Economic, Social and Cultural Rights, *General Comment 16: The Equal Right of Men and Women to the Enjoyment of All Economic, Social and Cultural Rights (Art. 3)* (34th Sess., 2005) in *Substantive Issues Arising in the Implementation of the International Covenant on Economic, Social and Cultural Rights*, at 7, ¶ 27, U.N. Doc. E/C.12/2005/4 (2005).
- ¹⁵⁵ See, e.g., **Chile**, ¶¶ 20, 22, U.N. Doc. E/C.12/1/Add.105 (2004); **Mexico**, ¶ 11, U.N. Doc. E/C.12/MEX/CO/4 (2006); **Nepal**, ¶ 17, U.N. Doc. E/C.12/1/Add.66 (2001); **Senegal**, ¶¶ 15, 39, U.N. Doc. E/C.12/1/Add.62 (2001); **Togo**, ¶ 12, U.N. Doc. E/C.12/1/Add.61 (2001); **Zambia**, ¶¶ 14-15, U.N. Doc. E/C.12/1/Add.106 (2005).
- ¹⁵⁶ See, e.g., **Algeria**, ¶ 14, U.N. Doc. E/C.12/1/Add.71 (2001); **Benin**, ¶ 11, U.N. Doc. E/C.12/1/Add.78 (2002); **Nepal**, ¶ 17, U.N. Doc. E/C.12/1/Add.66 (2001); **Senegal**, ¶¶ 15, 39, U.N. Doc. E/C.12/1/Add.62 (2001); **Syrian Arab Republic**, ¶ 31, U.N. Doc. E/C.12/1/Add.63 (2001); **Togo**, ¶ 12, U.N. Doc. E/C.12/1/Add.61 (2001); **Yemen**, ¶ 9, U.N. Doc. E/C.12/1/Add.92 (2003); **Zambia**, ¶¶ 15, 23, 27, 50, U.N. Doc. E/C.12/1/Add.106 (2005).
- ¹⁵⁷ See **Nepal**, ¶ 17, U.N. Doc. E/C.12/1/Add.66 (2001).
- ¹⁵⁸ See **Dominican Republic**, ¶ 22, U.N. Doc. E/C.12/1/Add.6 (1996).
- ¹⁵⁹ See, e.g., **Democratic Republic of the Congo**, ¶ 17, U.N. Doc. E/C.12/1/Add.45 (2000); **Egypt**, ¶ 13, U.N. Doc. E/C.12/1/Add.44 (2000); **Syrian Arab Republic**, ¶¶ 14, 31, U.N. Doc. E/C.12/1/Add.63 (2001).
- ¹⁶⁰ See, e.g., **Benin**, ¶¶ 13, 32, U.N. Doc. E/C.12/1/Add.78 (2002); **Cameroon**, ¶¶ 14, 33, U.N. Doc. E/C.12/1/Add.40 (1999); **France**, ¶¶ 16, 27, U.N. Doc. E/C.12/1/Add.72 (2001); **Kyrgyzstan**, ¶¶ 16, 23, 30, U.N. Doc. E/C.12/1/Add.49 (2000); **Mexico**, ¶¶ 21, 40, U.N. Doc. E/C.12/MEX/CO/4 (2006); **Syrian Arab Republic**, ¶¶ 14, 31, U.N. Doc. E/C.12/1/Add.63 (2001); **Uzbekistan**, ¶ 15, U.N. Doc. E/C.12/UZB/CO/1 (2006).

- ¹⁶¹ See **India**, ¶ 4, E/C.12/IND/CO/5 (2008).
- ¹⁶² See, e.g., **India**, ¶ 65, E/C.12/IND/CO/5 (2008); **Nepal**, ¶ 34, U.N. Doc. E/C.12/NPL/CO/2 (2008).
- ¹⁶³ See, e.g., **Benin**, ¶ 4(a), U.N. Doc. E/C.12/BEN/CO/2 (2008); **France**, ¶ 6, U.N. Doc. E/C.12/CO/FRA/CO/3 (2008).
- ¹⁶⁴ See **Benin**, ¶ 17 U.N. Doc. E/C.12/BEN/CO/2 (2008).
- ¹⁶⁵ See, e.g., **Algeria**, ¶ 14, U.N. Doc. E/C.12/1/Add.71 (2001); **Benin**, ¶¶ 13, 32, U.N. Doc. E/C.12/1/Add.78 (2002); **Cameroon**, ¶¶ 14, 33, U.N. Doc. E/C.12/1/Add.40 (1999); **Kyrgyzstan**, ¶¶ 16, 30, U.N. Doc. E/C.12/1/Add.49 (2000); **Morocco**, ¶¶ 15, 38, U.N. Doc. E/C.12/MAR/CO/3 (2006); **Nepal**, ¶¶ 10, 18, 43, U.N. Doc. E/C.12/1/Add.66 (2001); **Nigeria**, ¶ 22, U.N. Doc. E/C.12/Add.23 (1998); **Senegal**, ¶¶ 15, 39, U.N. Doc. E/C.12/1/Add.62 (2001); **Uzbekistan**, ¶ 15, U.N. Doc. E/C.12/UZB/CO/1 (2006).
- ¹⁶⁶ See **Benin**, ¶ 4(a), U.N. Doc. E/C.12/BEN/CO/2 (2008).
- ¹⁶⁷ See, e.g., **Algeria**, ¶¶ 14, 29, U.N. Doc. E/C.12/1/Add.71 (2001); **Egypt**, ¶¶ 17, 33, U.N. Doc. E/C.12/1/Add.44 (2000); **Israel**, ¶¶ 23, 39, U.N. Doc. E/C.12/1/Add.70 (2003); **Morocco**, ¶¶ 16, 39, U.N. Doc. E/C.12/MAR/CO/3 (2006); **Nepal**, ¶ 17, U.N. Doc. E/C.12/1/Add.66 (2001); **Zambia**, ¶ 15, U.N. Doc. E/C.12/1/Add.106 (2005).
- ¹⁶⁸ See **India**, ¶ 4, E/C.12/IND/CO/5 (2008).
- ¹⁶⁹ Committee on the Elimination of Racial Discrimination, *General Recommendation XXV: Gender Related Dimensions of Racial Discrimination* (56th Sess., 2000) in *Compilation of General Comments and General Recommendations by Human Rights Treaty Bodies*, at 194, U.N. Doc. HRI/GEN/1/Rev.5 (2001).
- ¹⁷⁰ Committee on the Elimination of Racial Discrimination, *General Recommendation XXIX: Article 1, Paragraph 1 of the Convention (Descent)* (61st Sess., 2002) in *Compilation of General Comments and General Recommendations by Human Rights Treaty Bodies*, at 226, U.N. Doc. HRI/GEN/1/Rev.7 (2004).
- ¹⁷¹ Committee on the Elimination of Racial Discrimination, *General Recommendation XXIX: Article 1, Paragraph 1 of the Convention (Descent)* (61st Sess., 2002) in *Compilation of General Comments and General Recommendations by Human Rights Treaty Bodies*, at 229, U.N. Doc. HRI/GEN/1/Rev.7 (2004).
- ¹⁷² Committee on the Elimination of Racial Discrimination, *General Recommendation XXIX: Article 1, Paragraph 1 of the Convention (Descent)* (61st Sess., 2002) in *Compilation of General Comments and General Recommendations by Human Rights Treaty Bodies*, at 230, U.N. Doc. HRI/GEN/1/Rev.7 (2004).
- ¹⁷³ Committee on the Elimination of Racial Discrimination, *General Recommendation XXX: Discrimination Against Non Citizens*, 64th Sess., U.N. Doc. CERD/C/Misc.11/Rev.3 (2004).
- ¹⁷⁴ Committee on the Elimination of Racial Discrimination, *General Recommendation XXX: Discrimination Against Non Citizens*, 64th Sess., ¶ 8, U.N. Doc. CERD/C/Misc.11/Rev.3 (2004).
- ¹⁷⁵ Committee on the Elimination of Racial Discrimination, *General Recommendation XXX: Discrimination Against Non Citizens*, 64th Sess., ¶ 16, U.N. Doc. CERD/C/Misc.11/Rev.3 (2004).
- ¹⁷⁶ See, e.g., **Bahamas**, ¶ 16, CERD/C/64/CO/1 (2004); **Bahrain**, ¶ 17, CERD/C/BHR/CO/7 (2005); **Egypt**, ¶ 288, U.N. Doc. A/56/18 (2001); **Iceland**, ¶ 9, U.N. Doc. CERD/C/304/Add.111 (2001); **Lebanon**, ¶ 13, CERD/C/64/CO/3 (2004); **Madagascar**, ¶ 15, U.N. Doc. CERD/C/65/CO/4 (2004); **Mauritania**, ¶ 18, U.N. Doc. CERD/C/65/CO/5 (2004); **Nigeria**, ¶ 15, U.N. Doc. CERD/C/NGA/CO/18 (2007); **Oman**, ¶ 18, U.N. Doc. CERD/C/OMN/CO/1 (2006); **Qatar**, ¶ 11, U.N. Doc. CERD/C/60/CO/11 (2002); **Saudi Arabia**, ¶ 14, CERD/C/62/CO/8 (2003).
- ¹⁷⁷ See, e.g., **Bahamas**, ¶ 16, CERD/C/64/CO/1 (2004); **Bahrain**, ¶ 17, CERD/C/BHR/CO/7 (2005); **Saudi Arabia**, ¶ 14, CERD/C/62/CO/8 (2003).
- ¹⁷⁸ See **Qatar**, ¶ 13, U.N. Doc. CERD/C/60/CO/11 (2002).
- ¹⁷⁹ See **Denmark**, ¶¶ 14-15, U.N. Doc. CERD/C/DEN/CO/17 (2006).

- ¹⁸⁰ See, e.g., **Canada**, ¶ 15, U.N. Doc. CERD/C/CAN/CO/18 (2007); **Denmark**, ¶ 14, U.N. Doc. CERD/C/60/CO/5 (2002); **Nigeria**, ¶ 15, U.N. Doc. CERD/C/NGA/CO/18 (2007); **Suriname**, ¶ 25, U.N. Doc. CERD/C/64/CO/9 (2004).
- ¹⁸¹ See, e.g., **Ghana**, ¶ 11, U.N. Doc. CERD/C/62/CO/4 (2003); **India**, ¶ 18, U.N. Doc. CERD/C/IND/CO/19 (2007); **Indonesia**, ¶ 21, U.N. Doc. CERD/C/IDN/CO/3 (2007); **Korea**, ¶ 11, U.N. Doc. CERD/C/KOR/CO/14 (2007); **Nepal**, ¶ 12, U.N. Doc. CERD/C/64/CO/5 (2004).
- ¹⁸² See **Cyprus**, ¶ 263, U.N. Doc. A/56/18 (2001).
- ¹⁸³ See **Ghana**, ¶ 12, U.N. Doc. CERD/C/62/CO/4 (2003).
- ¹⁸⁴ See **India**, ¶ 18, U.N. Doc. CERD/C/IND/CO/19 (2007).
- ¹⁸⁵ See **Ireland**, ¶ 23, U.N. Doc. CERD/C/IRL/CO/2 (2005); **Lithuania**, ¶ 16, U.N. Doc. CERD/C/LTU/CO/3 (2006); **Malawi**, ¶ 10, U.N. Doc. CERD/C/63/CO/12 (2003); **Mali**, ¶ 404, U.N. Doc. A/57/18 (2002); **Saudi Arabia**, ¶ 17, U.N. Doc. CERD/C/62/CO/8 (2003).
- ¹⁸⁶ Committee against Torture, *General Comment 1: The Implementation of Article 3 of the Convention in the context of Article 22*, at 252, U.N. Doc. HRI/GEN/1/Rev.5 (2001).
- ¹⁸⁷ See **Estonia**, ¶ 21, U.N. Doc. CAT/C/EST/CO/4 (2008); **Portugal**, ¶ 15, U.N. Doc. CAT/C/PRT/CO/4 (2008); **Ukraine**, ¶ 14, U.N. Doc. CAT/C/UKR/CO/5 (2007).
- ¹⁸⁸ See **Latvia**, ¶ 20, U.N. Doc. CAT/C/LVA/CO/2 (2008).
- ¹⁸⁹ A.S. (name withheld) v. Sweden, Communication No. 149/1999, U.N. Doc. CAT/C/25/D/149/1999 (Comm. against Torture 2001).
- ¹⁹⁰ A.S. (name withheld) v. Sweden, Communication No. 149/1999, ¶¶ 2.3–2.5, 2.8, 9, U.N. Doc. CAT/C/25/D/149/1999 (Comm. against Torture 2001).
- ¹⁹¹ A.S. (name withheld) v. Sweden, Communication No. 149/1999, ¶¶ 8.6–10, U.N. Doc. CAT/C/25/D/149/1999 (Comm. against Torture 2001).
- ¹⁹² See, e.g., Committee on the Elimination of Discrimination against Women: **Romania**, ¶ 318, U.N. Doc. A/55/38 (2000); Committee on the Rights of the Child: **Burundi**, ¶ 24, U.N. Doc. CRC/C/15/Add.133 (2000); Committee on the Rights of the Child: **Djibouti**, ¶¶ 25–26, U.N. Doc. CRC/C/15/Add.131 (2000); Committee on the Rights of the Child: **Iran (Islamic Republic of)**, ¶ 19, U.N. Doc. CRC/C/15/Add.123 (2000); Committee on the Rights of the Child: **Jordan**, ¶¶ 27–28, U.N. Doc. CRC/C/15/Add.125 (2000); Committee on the Rights of the Child: **Marshall Islands**, 16/10/2000, U.N. Doc. CRC/C/15/Add.139, ¶¶ 24–25; Committee on the Rights of the Child: **Mexico**, 10/11/99, U.N. Doc. CRC/C/15/Add.112, ¶ 16; Human Rights Committee: **Kuwait**, 19/07/2000, U.N. Doc. CCPR/CO/69/KWT, ¶ 7; Human Rights Committee: **Peru**, 18/11/96, U.N. Doc. CCPR/C/79/Add.72, ¶ 14; Human Rights Committee: **Zimbabwe**, 04/08/98, U.N. Doc. CCPR/C/79/Add. 89, ¶ 12.
- ¹⁹³ See e.g., Human Rights Committee: **Sudan**, ¶ 10 U.N. Doc. CCPR/C/79/Add.85, (1997).
- ¹⁹⁴ See generally, 7 Innocenti Dig. 1 (United Nations Children’s Fund, Innocenti Research Centre, Italy) Mar. 2001; United Nations Population Fund, State of the World Population 2000 Ch. 2: Gender and Health (2000).
- ¹⁹⁵ CRC should consider the legality under international law of national laws granting majority to children below the age of 18 who marry. The committee needs to consider Article 1 of the Children’s Rights Convention, which defines a child as “every human being below the age of 18 years, unless under the law applicable to the child, majority is attained earlier.” Many advocates have argued that neither the child, nor any adult such as the child’s parents, should be able to agree to marriage. Particularly, where there is any evidence of force, coercion or undue influence on a child, the marriage should be nullified and the national laws granting majority upon marriage prior to the age of 18 should not be recognized, and such children should continue to benefit from the Children’s Rights Convention provisions. The CRC should adopt the position that children who do marry merit special protection, since the potential for abuse of their rights is particularly high.