



SUSTAINABLE DEVELOPMENT GOALS
17 GOALS TO TRANSFORM OUR WORLD

MAKING THE LINK: SDGS AND THE HUMAN RIGHTS OBLIGATIONS

SDG Accountability Flagship Initiative: Reference Manual
Plan International UN Office in Geneva (June 2016)

TABLE OF CONTENTS

I. Introduction	3
II. About this reference manual	3
III. Selection of key issues for Plan International and corresponding SDGs	6
Search by:	7
BIAAG Areas.....	8
Plan International Impact Areas	13
Child Rights.....	22
Linking SDGs and human rights obligations	30
Goal 1: No Poverty	30
Goal 2: Zero Hunger.....	50
Goal 3: Good Health and Well-Being	61
Goal 4: Quality Education.....	99
Goal 5: Gender Equality	144
Goal 6: Clean Water and Sanitation	193
Goal 8: Decent Work and Economic Growth.....	208
Goal 10: Reduced Inequalities	242
Goal 11: Sustainable Cities and Communities	268
Goal 13: Climate Action.....	274
Goal 16: Peace, Justice and Strong Institutions.....	280
ANNEX 1: List of documents reviewed in this reference manual	357
ANNEX 2: Treaty ratification status of countries where Plan International works ...	360

I. Introduction

Plan International's commitment to the SDGs: In September 2015, 193 countries adopted the Sustainable Development Goals (SDGs), also known as the 2030 Agenda for Sustainable Development. The 17 goals and 169 targets adopted were the result of many years of negotiation between Governments, consultations with millions of people around the globe, and advocacy from civil society groups, including Plan International and others to ensure that the rights of children and equality for girls were front and centre in the goals.

Now that they have been adopted, the SDGs provide an unprecedented opportunity for all stakeholders from across Government, the private sector, UN agencies and civil society to rally behind common goals and push for sustainable change for all. All parts of our organisation, from advocacy to programmes, from fundraising to communications, has a role to play in ensuring that from here to 2030, we can create a just world that advances children's rights and equality for girls, one in which no one is left behind.

The SDGs and human rights: The 2030 Agenda for Sustainable Development marks a paradigm shift towards a more balanced model for sustainable development aiming to secure freedom from fear and freedom from want for all, without discrimination. Strongly grounded in international human rights standards, the new Agenda strives to leave no one behind and puts the imperative of equality and non-discrimination at its heart. With its universal applicability and its importance in shaping development priorities, the 2030 Agenda will open up new avenues to integrate human rights in to global and national policies in both developed and developing countries over the next 15 years.

Why human rights mechanisms? Despite having reached global consensus, the Sustainable Development Agenda is not legally binding, and the follow-up and review mechanisms of the SDGs are relatively "soft". However, States are already obliged to uphold numerous commitments under international law. For example, as the most widely ratified human rights treaty, the UN Convention on the Rights of the Child (CRC) commits governments to support the realisation of the rights of children. Additionally, all Governments regularly review each other's fulfilment of human rights through the Universal Periodic Review (UPR) of the Human Rights Council. Using this robust existing human rights mechanisms is therefore an important existing framework for enforcing, supporting and informing the Sustainable Development Agenda.

Highlighting how the SDGs are underpinned by international legally-binding human rights instruments adds a level of accountability otherwise absent from the SDG follow-up and review mechanisms. By strategically aligning child-related SDG targets with legal obligations as enshrined in provisions of the CRC and other child-relevant human rights conventions, Plan International seeks to strengthen governments' accountability for delivering the SDG commitments while at the same time monitoring and protecting existing child rights.

II. About this reference manual

Context of this document: In January 2016, the Executive Team of Plan International signed off on a global plan to influence implementation of the Sustainable Development Goals (SDGs) from 2016-2020. This plan is made up of three objectives: 1) financing for SDG implementation; 2) monitoring and accountability of implementation; and 3) children and young people as partners for implementation.

Each objective contains a number of “flagship initiatives”; that is, multi-country, multi-year initiatives with corresponding coordinated human and financial resource allocations from relevant Plan International teams and offices, including IH.

Objective 2 of the [Global Influencing and Partnerships Plan 2016-2020](#) instructs Plan International “to work with others to hold national governments to account for demonstrating progress on child rights-based, gender-transformative SDG commitments.” As part of this objective, Plan International’s United Nations Office in Geneva has been tasked with leading a flagship initiative, under which:

“Plan International will pilot an innovative integrated approach to SDG and human rights monitoring in at least 10 countries coming up for Universal Periodic Review (UPR), strategically using human rights monitoring bodies to further strengthen governments’ accountability for demonstrating progress on SDG commitments. Tools and lessons learned from these pilots will be shared across Plan International for all offices engaged with child rights monitoring mechanisms, including UPR, CRC, and CEDAW.”

Plan International’s UN Office in Geneva is working with selected country and national offices to strengthen governments’ accountability for SDG commitments by monitoring and protecting existing child rights, developing an innovative and child-rights based approach to implementing the SDGs.

What is this document? This reference manual establishes the linkages between each child-relevant SDG target (a total of 54 have been identified to be most relevant to Plan International’s work) and corresponding human rights obligations. The document has been developed in the context of the above mentioned flagship initiative, and serves as the basis for Plan International’s work to develop strong, human rights-based submissions to monitoring bodies in relation with the SDGs. Both COs and NOs can use this reference manual to select key issues of interest in their country, identify the related SDG targets, and find corresponding human rights law, in order to strengthen the accountability of their country to that particular SDG. However, this is a rich document with many references, and can be useful across all areas of Plan International offices’ advocacy work.

How to use the reference manual:

1. Select your key issue(s). This will depend on what is relevant in your country, and in your advocacy and programming, as well as the human rights mechanism to whom you will be making a submission.
2. On [page 7](#), you will see that you have three options for how you can begin your search: by BIAAG 2.0 areas, Plan International impact areas, or by child rights. Select the entry point that is most relevant to the issue you have chosen.
3. Click on the BIAAG 2.0 area, impact area, or child right, you have chosen. You will be automatically directed to the appropriate section in the document.
4. Here, you will see all of the most relevant SDG targets related to the area you have chosen. These have been divided into “Most relevant” and “Related”.
5. Begin by clicking on the most relevant SDG targets. You will be automatically directed to the appropriate section in the document. Here, you will find the text of all of the corresponding human rights mechanisms and other supporting references.
 - a. “Corresponding human rights mechanisms”: these are international treaties and conventions that are legally binding for the countries that have ratified them. To find out whether your country has ratified a particular treaty, please see [Annex 2](#).
 - b. Supporting references: these are not legally binding, however they do have authoritative weight and can be used to support your argument.

An instructional [video](#) has also been created to walk you through the use of this document.

If you are curious to simply read the SDG target that talks about a specific issue related to Plan International's work (i.e. child marriage, youth employment, or birth registration), please see [page 6](#).

NOTE: This reference manual and accompanying video will be available in French and Spanish.

Some caveats:

- The reference manual is comprehensive but not exhaustive. Although the most important documents have been reviewed, there are others (for example, UN General Assembly and Human Rights Council resolutions) that have not been included.
- For the sake of length, only excerpts of each document have been included in this reference manual. If there is any text that you find particularly interesting or relevant, we would invite you to go read the entirety of that particular document.
- Some countries have made reservations to various articles of different international human rights treaties. This means that they have ratified the treaty but have certain issues with provisions they do not agree with, creating gaps in the protection of human rights.
- All SDGs are integrated and interrelated. This means that many SDG targets fall under multiple issues, and one can always make the argument that other targets could have been included for any given issue. This reference manual is meant to be a basis and inspiration for Plan International's work; if you see a linkage that has not been included, please feel free to use it.

What do you mean by “legally binding”?

When a country ratifies an international treaty, it commits itself to fulfilling the obligations set out in that treaty. Of course, there is no “police” enforcing whether the Government “obeys the (international) law”. But there are mechanisms that have been established for each treaty, as well as for countries’ overall compliance with human rights law. When a Government ratifies a treaty, they also agree to be monitored, reviewed and held accountable by those mechanisms. There is no punishment per se for not complying; but it is not very good for that country’s reputation in the international community.

For more information, or if you have any questions, please contact Anne-Claire Blok from Plan International's UN Office in Geneva (anne-claire.blok@plan-international.org).

III. Selection of key issues for Plan International and corresponding SDGs

Healthy Start in Life (ECCD)	
Birth registration	<u>16.9</u>
Early childhood education	<u>4.2</u>
Maternal and neonatal health	<u>3.1</u> and <u>3.2</u>
Communicable diseases	<u>3.3</u>
Sexual and Reproductive Health and Rights (SRHR)	
HIV and sexually-transmitted diseases	<u>3.3</u> and <u>3.7</u>
Gender identity	<u>10.2</u>
Sexuality education	<u>3.7</u> , <u>5.6</u> and <u>16.10</u>
Education	
Violence in schools	<u>4.a</u>
Inclusive education	<u>4.5</u> and <u>4.a</u>
Water and Sanitation (WASH)	
Water and sanitation (WASH)	<u>6.1</u> , <u>6.2</u> , <u>6.3</u> , <u>6.4</u> and <u>6.b</u>
Economic Security	
Savings groups and financial/economic resources	<u>1.4</u> , <u>5.a</u> and <u>8.10</u>
Youth employment	<u>8.5</u> , <u>8.6</u> , <u>8.7</u> and <u>8.8</u>
Youth employability and skills	<u>4.3</u> , <u>4.4</u> and <u>4.5</u>
Child Protection	
Child marriage	<u>5.3</u>
FGM and other harmful practices	<u>5.3</u>
Child protection systems (including CBCPM)	<u>16.a</u>
Sexual abuse and exploitation	<u>5.2</u> and <u>16.2</u>
Child labour and trafficking	<u>8.7</u>
Participate as Citizens	
Investment in children	<u>16.6</u> , <u>16.7</u> and <u>16.10</u>
Child and youth participation in decision-making	<u>16.7</u>
Transparent, accountable and responsive institutions	<u>16.6</u> and <u>16.7</u>
Protection and Assistance in Emergencies	
Education in emergencies	<u>4.1</u> and <u>4.a</u>
Child protection in emergencies	<u>16.2</u>
Disaster risk reduction, preparedness and resilience	<u>1.5</u> , <u>13.1</u> and <u>13.3</u>
Emergency response (including basic needs provision)	<u>13.2</u>
Child-friendly spaces	<u>4.a</u> and <u>11.7</u>
Gender and Inclusion	
Inclusion of children with disabilities	<u>10.2</u> , <u>11.2</u> and <u>11.7</u>
Violence against girls	<u>5.2</u>
Men and boys for gender justice	<u>4.7</u> and <u>10.2</u>
Inclusion of marginalised children	<u>10.2</u>

SEARCH BY:

BIAAG AREAS

Learn

Lead

Decide

Thrive

IMPACT AREAS

Healthy Start in Life
(ECCD)

Sexual & Reproductive
Health and Rights (SRHR)

Education

Water & Sanitation
(WASH)

Economic security

Child protection

Participate as citizens

Protection & Assistance
in Emergencies

CHILD RIGHTS

Right to life, survival and
development

Right to education

Right to health

Freedom from
discrimination

Freedom from violence
and harm

Right to identity

Right to family and safe
care

Right to participation

BIAAG AREAS

LEARN

MOST RELEVANT SDG Targets

<u>4.1</u>	Free primary education	<u>4.6</u>	Literacy and numeracy among youth and adults
<u>4.2</u>	Access to ECCD	<u>4.7</u>	Education that promotes human rights
<u>4.3</u>	Technical/vocational training and university	<u>4.a</u>	Child-, disability- and gender- sensitive education
<u>4.4</u>	Skills for employment (youth and adults)	<u>4.c</u>	Increased numbers of qualified teachers
<u>4.5</u>	Eliminate disparities in education (gender, persons with disabilities, vulnerable groups)		

RELATED SDG Targets

<u>1.2</u>	Cut poverty in half	<u>8.7</u>	End forced labour, child labour, and human trafficking
<u>1.4</u>	Equal access to economic resources	<u>8.10</u>	Expand access to banking
<u>1.5</u>	Build resilience of poor and vulnerable	<u>10.2</u>	Social/economic/political inclusion of all
<u>2.1</u>	End hunger	<u>10.3</u>	Eliminate discriminatory laws
<u>2.2</u>	End malnutrition	<u>13.1</u>	Build resilience to disasters
<u>2.4</u>	Ensure sustainable food production systems	<u>13.3</u>	Improve disaster awareness and preparedness
<u>3.7</u>	Universal access to sexual and reproductive health-care services	<u>16.1</u>	Reduce violence
<u>5.1</u>	End discrimination against women and girls	<u>16.2</u>	End all forms of violence against children

<u>5.2</u>	Eliminate violence against women and girls	<u>16.3</u>	Access to justice
<u>5.3</u>	Eliminate harmful practices	<u>16.6</u>	Transparent institutions at all levels
<u>5.5</u>	Ensure women's participation	<u>16.7</u>	Accountable and participatory decision-making at all levels
<u>5.6</u>	Universal access for women to SRHR	<u>16.9</u>	Birth registration and legal identity
<u>5.c</u>	Strong legislation for gender equality	<u>16.10</u>	Access to information
<u>8.5</u>	Full and decent employment for all	<u>16.a</u>	Strengthen institutions to prevent violence and crime
<u>8.6</u>	Reduce number of youth not in employment, education or training (YEET)	<u>16.b</u>	Promote non-discriminatory laws
LEAD			
MOST RELEVANT SDG Targets			
<u>5.1</u>	End discrimination against women and girls	<u>10.3</u>	Eliminate discriminatory laws
<u>5.3</u>	Eliminate harmful practices	<u>16.3</u>	Access to justice
<u>5.5</u>	Ensure women's participation	<u>16.7</u>	Accountable and participatory decision-making at all levels
<u>5.a</u>	Women's access to economic resources	<u>16.9</u>	Birth registration and legal identity
<u>5.c</u>	Strong legislation for gender equality	<u>16.a</u>	Strengthen institutions to prevent violence and crime
<u>10.2</u>	Social/economic/political inclusion of all	<u>16.b</u>	Promote non-discriminatory laws
RELATED SDG Targets			
<u>1.4</u>	Equal access to economic resources	<u>4.a</u>	Child-, disability- and gender- sensitive education

<u>1.5</u>	Build resilience of poor and vulnerable	<u>4.c</u>	Increased numbers of qualified teachers
<u>2.4</u>	Ensure sustainable food production systems	<u>8.5</u>	Full and decent employment for all
<u>4.1</u>	Free primary education	<u>8.6</u>	Reduce number of youth not in employment, education or training (YEET)
<u>4.2</u>	Access to ECCD	<u>8.7</u>	End forced labour, child labour, and human trafficking
<u>4.3</u>	Technical/vocational training and university	<u>16.1</u>	Reduce violence
<u>4.4</u>	Skills for employment (youth and adults)	<u>16.2</u>	End all forms of violence against children
<u>4.5</u>	Eliminate disparities in education (gender, persons with disabilities, vulnerable groups)	<u>16.6</u>	Transparent institutions at all levels
<u>4.6</u>	Literacy and numeracy among youth and adults	<u>16.10</u>	Access to information
<u>4.7</u>	Education that promotes human rights		
DECIDE			
MOST RELEVANT SDG Targets			
<u>3.1</u>	Reduce maternal mortality	<u>5.6</u>	Universal access for women to SRHR
<u>3.3</u>	End AIDS epidemic and other communicable diseases	<u>5.c</u>	Strong legislation for gender equality
<u>3.7</u>	Universal access to sexual and reproductive health-care services	<u>6.2</u>	Adequate sanitation and hygiene
<u>3.8</u>	Achieve universal health coverage	<u>16.2</u>	End all forms of violence against children
<u>5.3</u>	Eliminate harmful practices		
RELATED SDG Targets			

<u>1.4</u>	Equal access to economic resources	<u>10.2</u>	Social/economic/political inclusion of all
<u>3.2</u>	End preventable child and newborn deaths	<u>10.3</u>	Eliminate discriminatory laws
<u>4.7</u>	Education that promotes human rights	<u>16.1</u>	Reduce violence
<u>5.1</u>	End discrimination against women and girls	<u>16.9</u>	Birth registration and legal identity
<u>5.2</u>	Eliminate violence against women and girls	<u>16.10</u>	Access to information
<u>8.7</u>	End forced labour, child labour, and human trafficking	<u>16.b</u>	Promote non-discriminatory laws
THRIVE			
MOST RELEVANT SDG Targets			
<u>1.2</u>	Cut poverty in half	<u>5.a</u>	Women's access to economic resources
<u>1.4</u>	Equal access to economic resources	<u>5.6</u>	Universal access for women to SRHR
<u>2.1</u>	End hunger	<u>8.5</u>	Full and decent employment for all
<u>2.2</u>	End malnutrition	<u>8.6</u>	Reduce number of youth not in employment, education or training (YEET)
<u>3.1</u>	Reduce maternal mortality	<u>8.7</u>	End forced labour, child labour, and human trafficking
<u>3.2</u>	End preventable child and newborn deaths	<u>10.2</u>	Social/economic/political inclusion of all
<u>3.3</u>	End AIDS epidemic and other communicable diseases	<u>10.3</u>	Eliminate discriminatory laws
<u>3.7</u>	Universal access to sexual and reproductive health-care services	<u>11.2</u>	Safe and accessible transport systems
<u>3.8</u>	Achieve universal health coverage	<u>11.7</u>	Safe and accessible public spaces

<u>5.1</u>	End discrimination against women and girls	<u>16.1</u>	Reduce violence
<u>5.2</u>	Eliminate violence against women and girls	<u>16.2</u>	End all forms of violence against children
RELTAEED SDG Targets			
<u>1.3</u>	Implement social protection floors	<u>8.10</u>	Expand access to banking
<u>1.5</u>	Build resilience of poor and vulnerable	<u>13.1</u>	Build resilience to disasters
<u>2.4</u>	Ensure sustainable food production systems	<u>13.2</u>	Address climate change through national policies
<u>4.7</u>	Education that promotes human rights	<u>13.3</u>	Improve disaster awareness and preparedness
<u>4.a</u>	Child-, disability- and gender- sensitive education	<u>16.3</u>	Access to justice
<u>5.c</u>	Strong legislation for gender equality	<u>16.6</u>	Transparent institutions at all levels
<u>6.1</u>	Safe and affordable drinking water	<u>16.9</u>	Birth registration and legal identity
<u>6.2</u>	Adequate sanitation and hygiene	<u>16.10</u>	Access to information
<u>6.3</u>	Improve water quality	<u>16.a</u>	Strengthen institutions to prevent violence and crime
<u>6.4</u>	Improve efficiency of water use	<u>16.b</u>	Promote non-discriminatory laws
<u>6.b</u>	Participation of local communities in water management		

PLAN INTERNATIONAL IMPACT AREAS

HEALTHY START IN LIFE

MOST RELEVANT SDG Targets

<u>2.1</u>	End hunger	<u>5.2</u>	Eliminate violence against women and girls
<u>2.2</u>	End malnutrition	<u>6.1</u>	Safe and affordable drinking water
<u>3.1</u>	Reduce maternal mortality	<u>6.2</u>	Adequate sanitation and hygiene
<u>3.2</u>	End preventable child and newborn deaths	<u>10.2</u>	Social/economic/political inclusion of all
<u>3.3</u>	End AIDS epidemic and other communicable diseases	<u>10.3</u>	Eliminate discriminatory laws
<u>3.8</u>	Achieve universal health coverage	<u>16.1</u>	Reduce violence
<u>4.2</u>	Access to ECCD	<u>16.2</u>	End all forms of violence against children
<u>4.5</u>	Eliminate disparities in education (gender, persons with disabilities, vulnerable groups)	<u>16.9</u>	Birth registration and legal identity
<u>5.1</u>	End discrimination against women and girls		

RELATED SDG Targets

<u>1.2</u>	Cut poverty in half	<u>6.3</u>	Improve water quality
<u>1.3</u>	Implement social protection floors	<u>6.4</u>	Improve efficiency of water use
<u>1.4</u>	Equal access to economic resources	<u>6.b</u>	Participation of local communities in water management
<u>1.5</u>	Build resilience of poor and vulnerable	<u>8.7</u>	End forced labour, child labour, and human trafficking

<u>2.4</u>	Ensure sustainable food production systems	<u>11.2</u>	Safe and accessible transport systems
<u>4.7</u>	Education that promotes human rights	<u>11.7</u>	Safe and accessible public spaces
<u>4.a</u>	Child-, disability- and gender- sensitive education	<u>13.1</u>	Build resilience to disasters
<u>4.c</u>	Increased numbers of qualified teachers	<u>16.10</u>	Access to information
<u>5.c</u>	Strong legislation for gender equality	<u>16.b</u>	Promote non-discriminatory laws

SEXUAL & REPRODUCTIVE HEALTH AND RIGHTS (SRHR)

MOST RELEVANT SDG Targets

<u>3.1</u>	Reduce maternal mortality	<u>5.2</u>	Eliminate violence against women and girls
<u>3.2</u>	End preventable child and newborn deaths	<u>5.3</u>	Eliminate harmful practices
<u>3.3</u>	End AIDS epidemic and other communicable diseases	<u>5.6</u>	Universal access for women to SRHR
<u>3.7</u>	Universal access to sexual and reproductive health-care services	<u>10.3</u>	Eliminate discriminatory laws
<u>3.8</u>	Achieve universal health coverage	<u>16.2</u>	End all forms of violence against children
<u>5.1</u>	End discrimination against women and girls		

RELATED SDG Targets

<u>1.5</u>	Build resilience of poor and vulnerable	<u>16.1</u>	Reduce violence
<u>2.2</u>	End malnutrition	<u>16.9</u>	Birth registration and legal identity
<u>5.c</u>	Strong legislation for gender equality	<u>16.10</u>	Access to information
<u>6.2</u>	Adequate sanitation and hygiene	<u>16.a</u>	Strengthen institutions to prevent violence and crime

<u>8.7</u>	End forced labour, child labour, and human trafficking	<u>16.b</u>	Promote non-discriminatory laws
<u>10.2</u>	Social/economic/political inclusion of all		
EDUCATION			
MOST RELEVANT SDG Targets			
<u>4.1</u>	Free primary education	<u>4.6</u>	Literacy and numeracy among youth and adults
<u>4.2</u>	Access to ECCD	<u>4.7</u>	Education that promotes human rights
<u>4.3</u>	Technical/vocational training and university	<u>4.a</u>	Child-, disability- and gender- sensitive education
<u>4.4</u>	Skills for employment (youth and adults)	<u>4.c</u>	Increased numbers of qualified teachers
<u>4.5</u>	Eliminate disparities in education (gender, persons with disabilities, vulnerable groups)		
RELATED SDG Targets			
<u>1.2</u>	Cut poverty in half	<u>6.2</u>	Adequate sanitation and hygiene
<u>1.5</u>	Build resilience of poor and vulnerable	<u>8.6</u>	Reduce number of youth not in employment, education or training (YEET)
<u>2.1</u>	End hunger	<u>8.7</u>	End forced labour, child labour, and human trafficking
<u>2.2</u>	End malnutrition	<u>10.2</u>	Social/economic/political inclusion of all
<u>3.1</u>	Reduce maternal mortality	<u>10.3</u>	Eliminate discriminatory laws
<u>3.2</u>	End preventable child and newborn deaths	<u>13.1</u>	Build resilience to disasters
<u>3.3</u>	End AIDS epidemic and other communicable diseases	<u>16.1</u>	Reduce violence
<u>3.7</u>	Universal access to sexual and reproductive health-care services	<u>16.2</u>	End all forms of violence against children

<u>5.1</u>	End discrimination against women and girls	<u>16.6</u>	Transparent institutions at all levels
<u>5.2</u>	Eliminate violence against women and girls	<u>16.7</u>	Accountable and participatory decision-making at all levels
<u>5.3</u>	Eliminate harmful practices	<u>16.9</u>	Birth registration and legal identity
<u>5.5</u>	Ensure women's participation	<u>16.10</u>	Access to information
<u>5.6</u>	Universal access for women to SRHR	<u>16.b</u>	Promote non-discriminatory laws
<u>5.c</u>	Strong legislation for gender equality		

WATER & SANITATION (WASH)

MOST RELEVANT SDG Targets

<u>6.1</u>	Safe and affordable drinking water	<u>6.4</u>	Improve efficiency of water use
<u>6.2</u>	Adequate sanitation and hygiene	<u>6.b</u>	Participation of local communities in water management
<u>6.3</u>	Improve water quality		

RELATED SDG Targets

<u>1.2</u>	Cut poverty in half	<u>5.1</u>	End discrimination against women and girls
<u>1.3</u>	Implement social protection floors	<u>5.c</u>	Strong legislation for gender equality
<u>1.4</u>	Equal access to economic resources	<u>10.2</u>	Social/economic/political inclusion of all
<u>1.5</u>	Build resilience of poor and vulnerable	<u>10.3</u>	Eliminate discriminatory laws
<u>2.1</u>	End hunger	<u>13.1</u>	Build resilience to disasters
<u>2.2</u>	End malnutrition	<u>13.2</u>	Address climate change through national policies

<u>2.4</u>	Ensure sustainable food production systems	<u>13.3</u>	Improve disaster awareness and preparedness
<u>3.1</u>	Reduce maternal mortality	<u>16.6</u>	Transparent institutions at all levels
<u>3.2</u>	End preventable child and newborn deaths	<u>16.7</u>	Accountable and participatory decision-making at all levels
<u>3.3</u>	End AIDS epidemic and other communicable diseases	<u>16.10</u>	Access to information
<u>4.a</u>	Child-, disability- and gender- sensitive education	<u>16.b</u>	Promote non-discriminatory laws
ECONOMIC SECURITY			
MOST RELEVANT SDG Targets			
<u>1.2</u>	Cut poverty in half	<u>5.a</u>	Women's access to economic resources
<u>1.3</u>	Implement social protection floors	<u>8.5</u>	Full and decent employment for all
<u>1.4</u>	Equal access to economic resources	<u>8.6</u>	Reduce number of youth not in employment, education or training (YEET)
<u>1.5</u>	Build resilience of poor and vulnerable	<u>8.8</u>	Labour rights and safe working environments
<u>4.3</u>	Technical/vocational training and university	<u>8.10</u>	Expand access to banking
<u>4.4</u>	Skills for employment (youth and adults)		
RELATED SDG Targets			
<u>2.1</u>	End hunger	<u>5.3</u>	Eliminate harmful practices
<u>2.2</u>	End malnutrition	<u>5.5</u>	Ensure women's participation
<u>2.4</u>	Ensure sustainable food production systems	<u>5.c</u>	Strong legislation for gender equality
<u>3.1</u>	Reduce maternal mortality	<u>8.7</u>	End forced labour, child labour, and human trafficking

<u>3.2</u>	End preventable child and newborn deaths	<u>10.2</u>	Social/economic/political inclusion of all
<u>3.3</u>	End AIDS epidemic and other communicable diseases	<u>10.3</u>	Eliminate discriminatory laws
<u>3.7</u>	Universal access to sexual and reproductive health-care services	<u>13.1</u>	Build resilience to disasters
<u>3.8</u>	Achieve universal health coverage	<u>16.2</u>	End all forms of violence against children
<u>4.1</u>	Free primary education	<u>16.6</u>	Transparent institutions at all levels
<u>4.2</u>	Access to ECCD	<u>16.7</u>	Accountable and participatory decision-making at all levels
<u>4.5</u>	Eliminate disparities in education (gender, persons with disabilities, vulnerable groups)	<u>16.9</u>	Birth registration and legal identity
<u>4.6</u>	Literacy and numeracy among youth and adults	<u>16.10</u>	Access to information
<u>5.1</u>	End discrimination against women and girls	<u>16.b</u>	Promote non-discriminatory laws

CHILD PROTECTION

MOST RELEVANT SDG Targets

<u>1.3</u>	Implement social protection floors	<u>8.7</u>	End forced labour, child labour, and human trafficking
<u>4.a</u>	Child-, disability- and gender- sensitive education	<u>8.8</u>	Labour rights and safe working environments
<u>5.1</u>	End discrimination against women and girls	<u>16.1</u>	Reduce violence
<u>5.2</u>	Eliminate violence against women and girls	<u>16.2</u>	End all forms of violence against children
<u>5.3</u>	Eliminate harmful practices	<u>16.a</u>	Strengthen institutions to prevent violence and crime

RELATED SDG Targets

<u>1.5</u>	Build resilience of poor and vulnerable	<u>10.2</u>	Social/economic/political inclusion of all
----------------------------	---	-----------------------------	--

<u>3.2</u>	End preventable child and newborn deaths	<u>10.3</u>	Eliminate discriminatory laws
<u>3.7</u>	Universal access to sexual and reproductive health-care services	<u>11.2</u>	Safe and accessible transport systems
<u>4.1</u>	Free primary education	<u>11.7</u>	Safe and accessible public spaces
<u>4.2</u>	Access to ECCD	<u>13.1</u>	Build resilience to disasters
<u>4.5</u>	Literacy and numeracy among youth and adults	<u>16.3</u>	Access to justice
<u>4.7</u>	Education that promotes human rights	<u>16.6</u>	Transparent institutions at all levels
<u>5.6</u>	Universal access for women to SRHR	<u>16.7</u>	Accountable and participatory decision-making at all levels
<u>5.c</u>	Strong legislation for gender equality	<u>16.9</u>	Birth registration and legal identity
<u>6.2</u>	Adequate sanitation and hygiene	<u>16.b</u>	Promote non-discriminatory laws
<u>8.8</u>	Labour rights and safe working environments		

PARTICIPATE AS CITIZENS

MOST RELEVANT SDG Targets

<u>4.7</u>	Education that promotes human rights	<u>16.6</u>	Transparent institutions at all levels
<u>5.5</u>	Ensure women's participation	<u>16.7</u>	Accountable and participatory decision-making at all levels
<u>10.2</u>	Social/economic/political inclusion of all	<u>16.9</u>	Birth registration and legal identity
<u>10.3</u>	Eliminate discriminatory laws	<u>16.10</u>	Access to information
<u>13.3</u>	Improve disaster awareness and preparedness		

RELATED SDG Targets

<u>1.4</u>	Equal access to economic resources	<u>4.c</u>	Increased numbers of qualified teachers
<u>1.5</u>	Build resilience of poor and vulnerable	<u>5.1</u>	End discrimination against women and girls
<u>3.1</u>	Reduce maternal mortality	<u>5.a</u>	Women's access to economic resources
<u>3.7</u>	Universal access to sexual and reproductive health-care services	<u>5.c</u>	Strong legislation for gender equality
<u>4.1</u>	Free primary education	<u>6.b</u>	Participation of local communities in water management
<u>4.2</u>	Access to ECCD	<u>13.1</u>	Build resilience to disasters
<u>4.3</u>	Technical/vocational training and university	<u>16.6</u>	Transparent institutions at all levels
<u>4.4</u>	Skills for employment (youth and adults)	<u>16.7</u>	Accountable and participatory decision-making at all levels
<u>4.5</u>	Literacy and numeracy among youth and adults	<u>16.9</u>	Birth registration and legal identity
<u>4.6</u>	Literacy and numeracy among youth and adults	<u>16.10</u>	Access to information
<u>4.a</u>	Child-, disability- and gender- sensitive education	<u>16.b</u>	Promote non-discriminatory laws

PROTECTION & ASSISTANCE IN EMERGENCIES

MOST RELEVANT SDG Targets

<u>1.5</u>	Build resilience of poor and vulnerable	<u>13.1</u>	Build resilience to disasters
<u>2.1</u>	End hunger	<u>13.2</u>	Address climate change through national policies
<u>2.4</u>	Ensure sustainable food production systems	<u>13.3</u>	Improve disaster awareness and preparedness
<u>5.2</u>	Eliminate violence against women and girls	<u>16.1</u>	Reduce violence
<u>5.3</u>	Eliminate harmful practices	<u>16.2</u>	End all forms of violence against children

<u>8.7</u>	End forced labour, child labour, and human trafficking		
RELATED SDG Targets			
<u>2.2</u>	End malnutrition	<u>6.1</u>	Safe and affordable drinking water
<u>3.2</u>	End preventable child and newborn deaths	<u>6.2</u>	Adequate sanitation and hygiene
<u>3.3</u>	End AIDS epidemic and other communicable diseases	<u>6.3</u>	Improve water quality
<u>3.7</u>	Universal access to sexual and reproductive health-care services	<u>6.4</u>	Improve efficiency of water use
<u>3.8</u>	Achieve universal health coverage	<u>6.b</u>	Participation of local communities in water management
<u>4.1</u>	Free primary education	<u>10.2</u>	Social/economic/political inclusion of all
<u>4.2</u>	Access to ECCD	<u>10.3</u>	Eliminate discriminatory laws
<u>5.1</u>	End discrimination against women and girls	<u>16.9</u>	Birth registration and legal identity
<u>5.5</u>	Ensure women's participation	<u>16.a</u>	Strengthen institutions to prevent violence and crime
<u>5.6</u>	Universal access for women to SRHR	<u>16.b</u>	Promote non-discriminatory laws
<u>5.c</u>	Strong legislation for gender equality		

CHILD RIGHTS

RIGHT TO LIFE, SURVIVAL AND DEVELOPMENT

MOST RELEVANT SDG Targets

<u>1.2</u>	Cut poverty in half	<u>4.2</u>	Access to ECCD
<u>1.5</u>	Build resilience of poor and vulnerable	<u>5.1</u>	End discrimination against women and girls
<u>2.1</u>	End hunger	<u>5.2</u>	Eliminate violence against women and girls
<u>2.2</u>	End malnutrition	<u>6.1</u>	Safe and affordable drinking water
<u>3.1</u>	Reduce maternal mortality	<u>6.2</u>	Adequate sanitation and hygiene
<u>3.2</u>	End preventable child and newborn deaths	<u>13.1</u>	Build resilience to disasters
<u>3.3</u>	End AIDS epidemic and other communicable diseases	<u>16.1</u>	Reduce violence
<u>3.8</u>	Achieve universal health coverage	<u>16.2</u>	End all forms of violence against children
<u>4.1</u>	Free primary education		

RELATED SDG Targets

<u>1.3</u>	Implement social protection floors	<u>8.7</u>	End forced labour, child labour, and human trafficking
<u>1.4</u>	Equal access to economic resources	<u>10.2</u>	Social/economic/political inclusion of all
<u>2.4</u>	Ensure sustainable food production systems	<u>10.3</u>	Eliminate discriminatory laws
<u>3.7</u>	Universal access to sexual and reproductive health-care services	<u>11.2</u>	Safe and accessible transport systems

<u>4.5</u>	Literacy and numeracy among youth and adults	<u>11.7</u>	Safe and accessible public spaces
<u>5.3</u>	Eliminate harmful practices	<u>13.3</u>	Improve disaster awareness and preparedness
<u>6.3</u>	Improve water quality	<u>16.9</u>	Birth registration and legal identity
<u>6.4</u>	Improve efficiency of water use	<u>16.a</u>	Strengthen institutions to prevent violence and crime

RIGHT TO EDUCATION

MOST RELEVANT SDG Targets

<u>4.1</u>	Free primary education	<u>4.a</u>	Child-, disability- and gender- sensitive education
<u>4.2</u>	Access to ECCD	<u>4.c</u>	Increased numbers of qualified teachers
<u>4.3</u>	Technical/vocational training and university	<u>5.1</u>	End discrimination against women and girls
<u>4.4</u>	Skills for employment (youth and adults)	<u>8.6</u>	Reduce number of youth not in employment, education or training (YEET)
<u>4.5</u>	Eliminate disparities in education (gender, persons with disabilities, vulnerable groups)	<u>13.1</u>	Build resilience to disasters
<u>4.6</u>	Literacy and numeracy among youth and adults	<u>13.3</u>	Improve disaster awareness and preparedness
<u>4.7</u>	Education that promotes human rights		

RELATED SDG Targets

<u>1.2</u>	Cut poverty in half	<u>10.3</u>	Eliminate discriminatory laws
<u>3.7</u>	Universal access to sexual and reproductive health-care services	<u>16.2</u>	End all forms of violence against children
<u>5.2</u>	Eliminate violence against women and girls	<u>16.6</u>	Transparent institutions at all levels
<u>5.3</u>	Eliminate harmful practices	<u>16.7</u>	Accountable and participatory decision-making at all levels

<u>6.2</u>	Adequate sanitation and hygiene	<u>16.9</u>	Birth registration and legal identity
<u>8.7</u>	End forced labour, child labour, and human trafficking	<u>16.b</u>	Promote non-discriminatory laws
<u>10.2</u>	Social/economic/political inclusion of all		
RIGHT TO HEALTH			
MOST RELEVANT SDG Targets			
<u>1.2</u>	Cut poverty in half	<u>5.2</u>	Eliminate violence against women and girls
<u>1.3</u>	Implement social protection floors	<u>5.3</u>	Eliminate harmful practices
<u>2.1</u>	End hunger	<u>5.6</u>	Universal access for women to SRHR
<u>2.2</u>	End malnutrition	<u>6.1</u>	Safe and affordable drinking water
<u>3.1</u>	Reduce maternal mortality	<u>6.2</u>	Adequate sanitation and hygiene
<u>3.2</u>	End preventable child and newborn deaths	<u>6.3</u>	Improve water quality
<u>3.3</u>	End AIDS epidemic and other communicable diseases	<u>6.4</u>	Improve efficiency of water use
<u>3.7</u>	Universal access to sexual and reproductive health-care services	<u>6.b</u>	Participation of local communities in water management
<u>3.8</u>	Achieve universal health coverage	<u>8.7</u>	End forced labour, child labour, and human trafficking
<u>5.1</u>	End discrimination against women and girls	<u>8.8</u>	Labour rights and safe working environments
RELATED SDG Targets			
<u>1.5</u>	Build resilience of poor and vulnerable	<u>16.2</u>	End all forms of violence against children
<u>2.4</u>	Ensure sustainable food production systems	<u>16.6</u>	Transparent institutions at all levels

<u>10.2</u>	Social/economic/political inclusion of all	<u>16.7</u>	Accountable and participatory decision-making at all levels
<u>10.3</u>	Eliminate discriminatory laws	<u>16.9</u>	Birth registration and legal identity
<u>13.1</u>	Build resilience to disasters	<u>16.10</u>	Access to information
<u>16.1</u>	Reduce violence	<u>16.b</u>	Promote non-discriminatory laws

FREEDOM FROM DISCRIMINATION

MOST RELEVANT SDG Targets

<u>2.1</u>	End hunger	<u>5.3</u>	Eliminate harmful practices
<u>3.7</u>	Universal access to sexual and reproductive health-care services	<u>5.5</u>	Ensure women's participation
<u>3.8</u>	Achieve universal health coverage	<u>5.6</u>	Universal access for women to SRHR
<u>4.1</u>	Free primary education	<u>5.a</u>	Women's access to economic resources
<u>4.3</u>	Technical/vocational training and university	<u>5.c</u>	Strong legislation for gender equality
<u>4.5</u>	Eliminate disparities in education (gender, persons with disabilities, vulnerable groups)	<u>8.5</u>	Full and decent employment for all
<u>4.a</u>	Child-, disability- and gender- sensitive education	<u>10.2</u>	Social/economic/political inclusion of all
<u>5.1</u>	End discrimination against women and girls	<u>10.3</u>	Eliminate discriminatory laws
<u>5.2</u>	Eliminate violence against women and girls	<u>16.b</u>	Promote non-discriminatory laws

RELATED SDG Targets

<u>1.2</u>	Cut poverty in half	<u>16.1</u>	Reduce violence
<u>1.3</u>	Implement social protection floors	<u>16.2</u>	End all forms of violence against children

<u>1.5</u>	Build resilience of poor and vulnerable	<u>16.3</u>	Access to justice
<u>3.3</u>	End AIDS epidemic and other communicable diseases	<u>16.6</u>	Transparent institutions at all levels
<u>4.7</u>	Education that promotes human rights	<u>16.7</u>	Accountable and participatory decision-making at all levels
<u>6.1</u>	Safe and affordable drinking water	<u>16.9</u>	Birth registration and legal identity
<u>6.2</u>	Adequate sanitation and hygiene	<u>16.10</u>	Access to information
FREEDOM FROM VIOLENCE AND HARM			
MOST RELEVANT SDG Targets			
<u>4.a</u>	Child-, disability- and gender- sensitive education	<u>11.2</u>	Safe and accessible transport systems
<u>5.1</u>	End discrimination against women and girls	<u>11.7</u>	Safe and accessible public spaces
<u>5.2</u>	Eliminate violence against women and girls	<u>16.1</u>	Reduce violence
<u>5.3</u>	Eliminate harmful practices	<u>16.2</u>	End all forms of violence against children
<u>5.c</u>	Strong legislation for gender equality	<u>16.3</u>	Access to justice
<u>8.7</u>	End forced labour, child labour, and human trafficking		
RELATED SDG Targets			
<u>3.1</u>	Reduce maternal mortality	<u>10.2</u>	Social/economic/political inclusion of all
<u>3.2</u>	End preventable child and newborn deaths	<u>10.3</u>	Eliminate discriminatory laws
<u>3.3</u>	End AIDS epidemic and other communicable diseases	<u>13.1</u>	Build resilience to disasters
<u>3.7</u>	Universal access to sexual and reproductive health-care services	<u>16.6</u>	Transparent institutions at all levels

<u>4.1</u>	Free primary education	<u>16.7</u>	Accountable and participatory decision-making at all levels
<u>4.7</u>	Education that promotes human rights	<u>16.9</u>	Birth registration and legal identity
<u>5.6</u>	Universal access for women to SRHR	<u>16.10</u>	Access to information
<u>6.2</u>	Adequate sanitation and hygiene	<u>16.a</u>	Strengthen institutions to prevent violence and crime
<u>8.8</u>	Labour rights and safe working environments	<u>16.b</u>	Promote non-discriminatory laws

RIGHT TO IDENTITY

MOST RELEVANT SDG Targets

<u>4.1</u>	Free primary education	<u>10.3</u>	Eliminate discriminatory laws
<u>5.3</u>	Eliminate harmful practices	<u>16.2</u>	End all forms of violence against children
<u>5.c</u>	Strong legislation for gender equality	<u>16.9</u>	Birth registration and legal identity
<u>8.7</u>	End forced labour, child labour, and human trafficking	<u>16.b</u>	Promote non-discriminatory laws
<u>10.2</u>	Social/economic/political inclusion of all		

RELATED SDG Targets

<u>1.3</u>	Implement social protection floors	<u>16.3</u>	Access to justice
<u>1.4</u>	Equal access to economic resources	<u>16.6</u>	Transparent institutions at all levels
<u>4.2</u>	Access to ECCD	<u>16.7</u>	Accountable and participatory decision-making at all levels
<u>4.5</u>	Eliminate disparities in education (gender, persons with disabilities, vulnerable groups)	<u>16.10</u>	Access to information
<u>5.a</u>	Women's access to economic resources		

RIGHT TO FAMILY AND SAFE CARE

MOST RELEVANT SDG Targets

<u>1.5</u>	Build resilience of poor and vulnerable	<u>5.c</u>	Strong legislation for gender equality
<u>3.1</u>	Reduce maternal mortality	<u>8.7</u>	End forced labour, child labour, and human trafficking
<u>3.2</u>	End preventable child and newborn deaths	<u>13.1</u>	Build resilience to disasters
<u>3.7</u>	Universal access to sexual and reproductive health-care services	<u>16.1</u>	Reduce violence
<u>5.1</u>	End discrimination against women and girls	<u>16.2</u>	End all forms of violence against children
<u>5.3</u>	Eliminate harmful practices	<u>16.10</u>	Access to information

RELATED SDG Targets

<u>8.10</u>	Expand access to banking	<u>16.6</u>	Transparent institutions at all levels
<u>10.2</u>	Social/economic/political inclusion of all	<u>16.7</u>	Accountable and participatory decision-making at all levels
<u>10.3</u>	Eliminate discriminatory laws	<u>16.9</u>	Birth registration and legal identity
<u>11.2</u>	Safe and accessible transport systems	<u>16.b</u>	Promote non-discriminatory laws
<u>11.7</u>	Safe and accessible public spaces		

RIGHT TO PARTICIPATION

MOST RELEVANT SDG Targets

<u>4.1</u>	Free primary education	<u>10.2</u>	Social/economic/political inclusion of all
-------------------	------------------------	--------------------	--

<u>4.7</u>	Education that promotes human rights	<u>10.3</u>	Eliminate discriminatory laws
<u>5.1</u>	End discrimination against women and girls	<u>16.6</u>	Transparent institutions at all levels
<u>5.5</u>	Ensure women's participation	<u>16.7</u>	Accountable and participatory decision-making at all levels
<u>5.c</u>	Strong legislation for gender equality	<u>16.10</u>	Access to information
<u>6.b</u>	Participation of local communities in water management	<u>16.b</u>	Promote non-discriminatory laws
RELATED SDG Targets			
<u>1.4</u>	Equal access to economic resources	<u>5.a</u>	Women's access to economic resources
<u>3.7</u>	Universal access to sexual and reproductive health-care services	<u>13.1</u>	Build resilience to disasters
<u>4.3</u>	Technical/vocational training and university	<u>13.3</u>	Improve disaster awareness and preparedness
<u>4.5</u>	Eliminate disparities in education (gender, persons with disabilities, vulnerable groups)	<u>16.9</u>	Birth registration and legal identity
<u>4.6</u>	Literacy and numeracy among youth and adults		

LINKING SDGS AND HUMAN RIGHTS OBLIGATIONS

GOAL 1: NO POVERTY

SDG Targets	Corresponding human rights mechanisms and other supporting references
<p>1.2</p> <p>By 2030, reduce at least by half the proportion of men, women and children of all ages living in poverty in all its dimensions according to national definitions.</p>	<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Rights of the Child (CRC)</p> <p>1 States Parties recognize that every child has the inherent right to life.</p> <p>2 States Parties shall ensure to the maximum extent possible the survival and development of the child.</p> <p>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</p> <p>13 States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights, in particular:</p> <p>14.2.a To participate in the elaboration and implementation of development planning at all levels;</p> <p>Convention on the Rights of Persons with Disabilities (CRPD)</p> <p>28.2.b To ensure access by persons with disabilities, in particular women and girls with disabilities and older persons with disabilities, to social protection programmes and poverty reduction programmes;</p> <p>28.2.c To ensure access by persons with disabilities and their families living in situations of poverty to assistance from the State with disability-related expenses, including adequate training, counselling, financial assistance and respite care;</p> <p>International Covenant on Economic, Social, and Cultural Rights (ICESCR)</p> <p>11.1 The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent.</p> <p>11.2 The States Parties to the present Covenant, recognizing the fundamental right of everyone to be free from hunger, shall take, individually and through international co-operation, the measures, including specific programmes, which are needed:</p>

		<p>International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)</p> <p>5.e.i The rights to work, to free choice of employment, to just and favourable conditions of work, to protection against unemployment, to equal pay for equal work, to just and favourable remuneration;</p> <p>Universal Declaration of Human Rights (UDHR)</p> <p>22 Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.</p> <p>African Charter on Human and Peoples' Rights</p> <p>16.1 Every individual shall have the right to enjoy the best attainable state of physical and mental health.</p> <p>16.2 State Parties to the present Charter shall take the necessary measures to protect the health of their people and to ensure that they receive medical attention when they are sick.</p> <p>Protocol to the American Convention on Human Rights 1988</p> <p>6.1 Everyone has the right to work, which includes the opportunity to secure the means for living a dignified and decent existence by performing a freely elected or accepted lawful activity.</p> <p>European Social Charter (1996, revised)</p> <p>1.13 Anyone without adequate resources has the right to social and medical assistance.</p> <p>1.30 Everyone has the right to protection against poverty and social exclusion.</p> <p>1.31 Everyone has the right to housing.</p> <p>➤ SUPPORTING REFERENCES (NOT LEGALLY BINDING)</p> <p>Beijing Platform of Action (1995)</p> <p>A.1 Review, adopt and maintain macroeconomic policies and development strategies that address the needs and efforts of women in poverty</p> <p>International Conference on Population and Development (ICPD) (1994)</p> <p>5.4 When formulating socio-economic development policies, special consideration should be given to increasing the earning power of all adult members of economically deprived families, including the elderly and women who work in the home, and to enabling children to be educated rather than compelled to work. Particular attention should be paid to needy single parents, especially those</p>
--	--	---

		<p>who are responsible wholly or in part for the support of children and other dependants, through ensuring payment of at least minimum wages and allowances, credit, education, funding for women's self-help groups and stronger legal enforcement of male parental financial responsibilities.</p> <p>5.13 Governments should assist single-parent families, and pay special attention to the needs of widows and orphans. All efforts should be made to assist the building of family-like ties in especially difficult circumstances, for example, those involving street children.</p> <p>CRC Committee General Comments</p> <p><i>General Comment No. 11: Indigenous children and their rights under the Convention</i></p> <p>34. The Committee notes with concern that disproportionately high numbers of indigenous children live in extreme poverty, a condition which has a negative impact on their survival and development. The Committee is furthermore concerned over the high infant and child mortality rates as well as malnutrition and diseases among indigenous children. Article 4 obliges States parties to address economic, social and cultural rights to the maximum extent of their available resources and where needed with international cooperation. Articles 6 and 27 provide the right of children to survival and development as well as an adequate standard of living. States should assist parents and others responsible for the indigenous child to implement this right by providing culturally appropriate material assistance and support programmes, particularly with regard to nutrition, clothing and housing. The Committee stresses the need for States parties to take special measures to ensure that indigenous children enjoy the right to an adequate standard of living and that these, together with progress indicators, be developed in partnership with indigenous peoples, including children.</p> <p>CEDAW Committee General Recommendations</p> <p><i>General Recommendation No. 34: Rights of rural women</i></p> <p>80. States parties should address housing as part of overall rural development and ensure that measures are developed in consultation with rural women. States parties should improve the quality of rural housing through the design and implementation of targeted policies and programmes that take into account the specific needs of rural women. Such efforts should be made in line with international housing rights standards, including the basic principles and guidelines on development-based evictions and displacement (A/HRC/4/18, annex I), and should contain strong measures to protect rural women effectively from forced eviction by State and non-State actors.</p>
1.3	Implement nationally appropriate social protection systems and measures for all, including floors, and by 2030	<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Rights of the Child (CRC)</p> <p>19.2 Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for</p>

<p>achieve substantial coverage of the poor and the vulnerable.</p>	<p>identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.</p> <p>26.1 States Parties shall recognize for every child the right to benefit from social security, including social insurance, and shall take the necessary measures to achieve the full realization of this right in accordance with their national law.</p> <p>26.2 The benefits should, where appropriate, be granted, taking into account the resources and the circumstances of the child and persons having responsibility for the maintenance of the child, as well as any other consideration relevant to an application for benefits made by or on behalf of the child.</p> <p>7.3 States Parties, in accordance with national conditions and within their means, shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing.</p> <p>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</p> <p>11.2.c To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities;</p> <p>13.a The right to family benefits;</p> <p>14.2.c To benefit directly from social security programmes;</p> <p>Convention on the Rights of Persons with Disabilities (CRPD)</p> <p>28.2.b To ensure access by persons with disabilities, in particular women and girls with disabilities and older persons with disabilities, to social protection programmes and poverty reduction programmes;</p> <p>International Covenant on Economic, Social, and Cultural Rights (ICESCR)</p> <p>9 The States Parties to the present Covenant recognize the right of everyone to social security, including social insurance.</p> <p>Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CRMW)</p> <p>27.1 With respect to social security, migrant workers and members of their families shall enjoy in the State of employment the same treatment granted to nationals in so far as they fulfil the requirements provided for by the applicable legislation of that State and the applicable bilateral and multilateral treaties. The competent authorities of the State of origin and the State of employment can at any time establish the necessary arrangements to determine the modalities of application of this norm.</p> <p>43.1.e Access to social and health services, provided that the requirements for participation in the respective schemes are met;</p>
---	--

45.1.c Access to social and health services, provided that requirements for participation in the respective schemes are met;

Universal Declaration of Human Rights (UDHR)

25.1 Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

Protocol to the American Convention on Human Rights 1988

3 The State Parties to this Protocol undertake to guarantee the exercise of the rights set forth herein without discrimination of any kind for reasons related to race, colour, sex, language, religion, political or other opinions, national or social origin, economic status, birth or any other social condition.

9.1 Everyone shall have the right to social security protecting him from the consequences of old age and of disability which prevents him, physically or mentally, from securing the means for a dignified and decent existence. In the event of the death of a beneficiary, social security benefits shall be applied to his dependents.

9.2 In the case of persons who are employed, the right to social security shall cover at least medical care and an allowance or retirement benefit in the case of work accidents or occupational disease and, in the case of women, paid maternity leave before and after childbirth.

European Social Charter (1996, revised)

1.12 All workers and their dependents have the right to social security.

1.13 Anyone without adequate resources has the right to social and medical assistance.

1.14 Everyone has the right to benefit from social welfare services.

1.15 Disabled persons have the right to independence, social integration and participation in the life of the community.

1.17 Children and young persons have the right to appropriate social, legal and economic protection.

1.23 Every elderly person has the right to social protection.

1.30 Everyone has the right to protection against poverty and social exclusion.

➤ **SUPPORTING REFERENCES (NOT LEGALLY BINDING)**

Beijing Platform of Action (1995)

A.1 Review, adopt and maintain macroeconomic policies and development strategies that address the needs and efforts of women in poverty

International Conference on Population and Development (ICPD) (1994)

5.13 Governments should assist single-parent families, and pay special attention to the needs of widows and orphans. All efforts should be made to assist the building of family-like ties in especially difficult circumstances, for example, those involving street children.

10.11 Governments of receiving countries are urged to consider extending to documented migrants who meet appropriate length-of-stay requirements, and to members of their families whose stay in the receiving country is regular, treatment equal to that accorded their own nationals with regard to the enjoyment of basic human rights, including equality of opportunity and treatment in respect of religious practices, working conditions, social security, participation in trade unions, access to health, education, cultural and other social services, as well as equal access to the judicial system and equal treatment before the law. Governments of receiving countries are further urged to take appropriate steps to avoid all forms of discrimination against migrants, including eliminating discriminatory practices concerning their nationality and the nationality of their children, and to protect their rights and safety. Women and children who migrate as family members should be protected from abuse or denial of their human rights by their sponsors, and Governments are asked to consider extending their stay should the family relationship dissolve, within the limits of national legislation.

10.13 Governments of countries of destination should respect the basic human rights of documented migrants as those Governments assert their right to regulate access to their territory and adopt policies that respond to and shape immigration flows. With regard to the admission of migrants, Governments should avoid discriminating on the basis of race, religion, sex and disability, while taking into account health and other considerations relevant under national immigration regulations, particularly considering the special needs of the elderly and children. Governments are urged to promote, through family reunion, the normalization of the family life of legal migrants who have the right to long-term residence.

CRC Committee General Comments

General Comment No. 7: Implementing child rights in early childhood

26. Standard of living and social security. Young children are entitled to a standard of living adequate for their physical, mental, spiritual, moral and social development (art. 27). The Committee notes with concern that even the most basic standard of living is not assured for millions of young children, despite widespread recognition of the adverse consequences of deprivation. Growing up in relative poverty undermines children's wellbeing, social inclusion and self-esteem and reduces opportunities for learning and development. Growing up in conditions of absolute poverty has even more serious consequences, threatening children's survival and their health, as well as undermining the basic quality of life. States parties are urged to implement systematic strategies to reduce poverty in early childhood as well as combat its negative effects on children's wellbeing. All possible means should be employed, including "material assistance and support programmes" for children and families (art. 27.3), in order to assure to young children a basic standard of living consistent with rights. Implementing children's right to benefit from social security, including social insurance, is an important element of any strategy (art. 26).

General Comment No. 15: The right of the child to the highest attainable standard of health

55. The Committee recommends that social protection interventions include ensuring universal coverage or financial access to care, paid parental leave and other social security benefits, and legislation to restrict the inappropriate marketing and promotion of breast-milk substitutes.

General Comment No. 20: Implementation of the rights of the child during adolescence

71. States are reminded of the right of every child to a standard of living adequate for physical, mental, spiritual, moral and social development, and are therefore urged to introduce social protection floors that provide adolescents and their families with basic income security, protection against economic shocks and access to health care and other social services. In addition, creation of safe and decent employment opportunities for adolescents leaving school is a vital strategy for mitigating these risks.

CEDAW Committee General Recommendations

General Recommendation No. 34: Rights of rural women

41. To eliminate discrimination against rural women in economic and social life, States parties should:

41.a Ensure that rural women engaged in unpaid work or in the informal sector have access to non-contributory social protection in line with general recommendation No. 16 (1991) on unpaid women workers in rural and urban family enterprises, and that those employed in the formal sector have access to contributory social security benefits in their own right, irrespective of their marital status;

41.b Adopt gender-responsive social protection floors to ensure that all rural women have access to essential health care, childcare facilities and income security, in line with article 14, paragraphs 2 (b) and (h), and Social Protection Floors Recommendation, 2012 (No. 202) of the International Labour Organization.

Committee on Economic, Social and Cultural Rights General Comments

General Comment No. 5: Persons with disabilities

28. Social security and income maintenance schemes are of particular importance for persons with disabilities. As stated in the Standard Rules, “States should ensure the provision of adequate income support to persons with disabilities who, owing to disability or disability related factors, have temporarily lost or received a reduction in their income or have been denied employment opportunities”. Such support should reflect the special needs for assistance and other expenses often associated with disability. In addition, as far as possible, the support provided should also cover individuals (who are overwhelmingly female) who undertake the care of a person with disabilities. Such persons, including members of the families of persons with disabilities, are often in urgent need of financial support because of their assistance role.

		<p><i>General Comment No. 16: The equal right of men and women to the enjoyment of all economic, social and cultural rights</i></p> <p>26. Article 9 of the Covenant requires that States parties recognize the right of everyone to social security, including social insurance, and to equal access to social services. Implementing article 3, in relation to article 9, requires, inter alia, equalizing the compulsory retirement age for both men and women; ensuring that women receive the equal benefit of public and private pension schemes; and guaranteeing adequate maternity leave for women, paternity leave for men, and parental leave for both men and women.</p> <p><i>General Comment No. 18: The right to social security</i></p> <p>2. The right to social security encompasses the right to access and maintain benefits, whether in cash or in kind, without discrimination in order to secure protection, inter alia, from (a) lack of work related income caused by sickness, disability, maternity, employment injury, unemployment, old age, or death of a family member; (b) unaffordable access to health care; (c) insufficient family support, particularly for children and adult dependents.</p> <p>3. Social security, through its redistributive character, plays an important role in poverty reduction and alleviation, preventing social exclusion and promoting social inclusion.</p> <p>4. In accordance with article 2 (1), States parties to the Covenant must take effective measures, and periodically revise them when necessary, within their maximum available resources, to fully realize the right of all persons without any discrimination to social security, including social insurance. The wording of article 9 of the Covenant indicates that the measures that are to be used to provide social security benefits cannot be defined narrowly and, in any event, must guarantee all peoples a minimum enjoyment of this human right. These measures can include:</p> <p>4.a Contributory or insurance based schemes such as social insurance, which is expressly mentioned in article 9. These generally involve compulsory contributions from beneficiaries, employers and, sometimes, the State, in conjunction with the payment of benefits and administrative expenses from a common fund;</p> <p>4.b Non-contributory schemes such as universal schemes (which provide the relevant benefit in principle to everyone who experiences a particular risk or contingency) or targeted social assistance schemes (where benefits are received by those in a situation of need). In almost all States parties, non-contributory schemes will be required since it is unlikely that every person can be adequately covered through an insurance based system.</p> <p>Committee on Migrant Workers General Comments</p> <p><i>General Comment No. 1: on migrant domestic workers</i></p> <p>42. States parties should ensure that migrant domestic workers are granted access to social security benefits on the basis of equal treatment with nationals (article 27).</p>
1.4	By 2030, ensure that all men and	➤ CORRESPONDING HUMAN RIGHTS MECHANISMS (LEGALLY BINDING)

<p>women, in particular the poor and the vulnerable, have equal rights to economic resources, as well as access to basic services, ownership and control over land and other forms of property, inheritance, natural resources, appropriate new technology and financial services, including microfinance</p>	<p>Convention on the Rights of the Child (CRC)</p> <p>2.1 States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.</p> <p>24.1 States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services.</p> <p>26.1 States Parties shall recognize for every child the right to benefit from social security, including social insurance, and shall take the necessary measures to achieve the full realization of this right in accordance with their national law.</p> <p>27.1 States Parties recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.</p> <p>27.2 The parent(s) or others responsible for the child have the primary responsibility to secure, within their abilities and financial capacities, the conditions of living necessary for the child's development.</p> <p>27.3 States Parties, in accordance with national conditions and within their means, shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing.</p> <p>28.1.a Make primary education compulsory and available free to all;</p> <p>28.1.b Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;</p> <p>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</p> <p>3 States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.</p> <p>10.a The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training;</p> <p>12.1 States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning.</p>
---	---

		<p>13.b The right to bank loans, mortgages and other forms of financial credit;</p> <p>13.a The right to family benefits;</p> <p>14.2.g To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes;</p> <p>14.2.h To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.</p> <p>14.2.a To participate in the elaboration and implementation of development planning at all levels;</p> <p>14.2.b To have access to adequate health care facilities, including information, counselling and services in family planning;</p> <p>14.2.c To benefit directly from social security programmes;</p> <p>14.2.d To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, inter alia, the benefit of all community and extension services, in order to increase their technical proficiency;</p> <p>14.2.e To organize self-help groups and co-operatives in order to obtain equal access to economic opportunities through employment or self-employment;</p> <p>Convention on the Rights of Persons with Disabilities (CRPD)</p> <p>4.1.c To take into account the protection and promotion of the human rights of persons with disabilities in all policies and programmes;</p> <p>4.1.g To undertake or promote research and development of, and to promote the availability and use of new technologies, including information and communications technologies, mobility aids, devices and assistive technologies, suitable for persons with disabilities, giving priority to technologies at an affordable cost;</p> <p>4.2 With regard to economic, social and cultural rights, each State Party undertakes to take measures to the maximum of its available resources and, where needed, within the framework of international cooperation, with a view to achieving progressively the full realization of these rights, without prejudice to those obligations contained in the present Convention that are immediately applicable according to international law.</p> <p>24.1.b The development by persons with disabilities of their personality, talents and creativity, as well as their mental and physical abilities, to their fullest potential;</p> <p>24.1.c Enabling persons with disabilities to participate effectively in a free society.</p>
--	--	---

		<p>24.1.a The full development of human potential and sense of dignity and self-worth, and the strengthening of respect for human rights, fundamental freedoms and human diversity;</p> <p>24.2.a Persons with disabilities are not excluded from the general education system on the basis of disability, and that children with disabilities are not excluded from free and compulsory primary education, or from secondary education, on the basis of disability;</p> <p>25.a Provide persons with disabilities with the same range, quality and standard of free or affordable health care and programmes as provided to other persons, including in the area of sexual and reproductive health and population-based public health programmes</p> <p>25.b Provide those health services needed by persons with disabilities specifically because of their disabilities, including early identification and intervention as appropriate, and services designed to minimize and prevent further disabilities, including among children and older persons;</p> <p>25.C Provide these health services as close as possible to people's own communities, including in rural areas;</p> <p>28.1 States Parties recognize the right of persons with disabilities to an adequate standard of living for themselves and their families, including adequate food, clothing and housing, and to the continuous improvement of living conditions, and shall take appropriate steps to safeguard and promote the realization of this right without discrimination on the basis of disability.</p> <p>28.2.a To ensure equal access by persons with disabilities to clean water services, and to ensure access to appropriate and affordable services, devices and other assistance for disability-related needs;</p> <p>28.2.b To ensure access by persons with disabilities, in particular women and girls with disabilities and older persons with disabilities, to social protection programmes and poverty reduction programmes;</p> <p>28.2.c To ensure access by persons with disabilities and their families living in situations of poverty to assistance from the State with disability-related expenses, including adequate training, counselling, financial assistance and respite care;</p> <p>28.2.d To ensure access by persons with disabilities to public housing programmes;</p> <p>28.2.e To ensure equal access by persons with disabilities to retirement benefits and programmes.</p> <p>International Covenant on Economic, Social, and Cultural Rights (ICESCR)</p> <p>1.2 All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence.</p> <p>2.2 The States Parties to the present Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.</p>
--	--	--

	<p>3 The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the present Covenant.</p> <p>9 The States Parties to the present Covenant recognize the right of everyone to social security, including social insurance.</p> <p>11.1 The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent.</p> <p>12.1 The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.</p> <p>13.1 The States Parties to the present Covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace.</p> <p>15.1.b To enjoy the benefits of scientific progress and its applications;</p> <p>International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)</p> <p>2.2 States Parties shall, when the circumstances so warrant, take, in the social, economic, cultural and other fields, special and concrete measures to ensure the adequate development and protection of certain racial groups or individuals belonging to them, for the purpose of guaranteeing them the full and equal enjoyment of human rights and fundamental freedoms. These measures shall in no case entail as a consequence the maintenance of unequal or separate rights for different racial groups after the objectives for which they were taken have been achieved.</p> <p>5.e.iii The right to housing;</p> <p>5.e.iv The right to public health, medical care, social security and social services;</p> <p>5.e.v The right to education and training;</p> <p>5.d.v The right to own property alone as well as in association with others;</p> <p>Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CRMW)</p> <p>27.1 With respect to social security, migrant workers and members of their families shall enjoy in the State of employment the same treatment granted to nationals in so far as they fulfil the requirements provided for by the applicable legislation of that State and the</p>
--	--

applicable bilateral and multilateral treaties. The competent authorities of the State of origin and the State of employment can at any time establish the necessary arrangements to determine the modalities of application of this norm.

27.2 Where the applicable legislation does not allow migrant workers and members of their families a benefit, the States concerned shall examine the possibility of reimbursing interested persons the amount of contributions made by them with respect to that benefit on the basis of the treatment granted to nationals who are in similar circumstances.

28 Migrant workers and members of their families shall have the right to receive any medical care that is urgently required for the preservation of their life or the avoidance of irreparable harm to their health on the basis of equality of treatment with nationals of the State concerned. Such emergency medical care shall not be refused them by reason of any irregularity with regard to stay or employment.

30 Each child of a migrant worker shall have the basic right of access to education on the basis of equality of treatment with nationals of the State concerned. Access to public pre-school educational institutions or schools shall not be refused or limited by reason of the irregular situation with respect to stay or employment of either parent or by reason of the irregularity of the child's stay in the State of employment.

Universal Declaration of Human Rights (UDHR)

17.1 Everyone has the right to own property alone as well as in association with others.

22 Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

African Charter on Human and Peoples' Rights

14 The right to property shall be guaranteed. It may only be encroached upon in the interest of public need or in the general interest of the community and in accordance with the provisions of appropriate laws.

American Convention on Human Rights

21.1 Everyone has the right to the use and enjoyment of his property. The law may subordinate such use and enjoyment to the interest of society.

Protocol to the American Convention on Human Rights 1988

3 The State Parties to this Protocol undertake to guarantee the exercise of the rights set forth herein without discrimination of any kind for reasons related to race, colour, sex, language, religion, political or other opinions, national or social origin, economic status, birth or any other social condition.

➤ **SUPPORTING REFERENCES (NOT LEGALLY BINDING)**

Beijing Platform of Action (1995)

A.2 Revise laws and administrative practices to ensure women's equal rights and access to economic resources.

F.1 Promote women's economic rights and independence, including access to employment, appropriate working conditions and control over economic resources.

F.2 Facilitate women's equal access to resources, employment, markets and trade.

F.3 Provide business services, training and access to markets, information and technology, particularly to low-income women.

F.4 Strengthen women's economic capacity and commercial networks.

International Conference on Population and Development (ICPD) (1994)

3.18 Existing inequities and barriers to women in the workforce should be eliminated and women's participation in all policy-making and implementation, as well as their access to productive resources, and ownership of land, and their right to inherit property should be promoted and strengthened. Governments, non-governmental organizations and the private sector should invest in, promote, monitor and evaluate the education and skill development of women and girls and the legal and economic rights of women, and in all aspects of reproductive health, including family planning and sexual health, in order to enable them to effectively contribute to and benefit from economic growth and sustainable development.

4.4. Countries should act to empower women and should take steps to eliminate inequalities between men and women as soon as possible by:

4.4.d Adopting appropriate measures to improve women's ability to earn income beyond traditional occupations, achieve economic self-reliance, and ensure women's equal access to the labour market and social security systems;

4.6. Governments at all levels should ensure that women can buy, hold and sell property and land equally with men, obtain credit and negotiate contracts in their own name and on their own behalf and exercise their legal rights to inheritance.

5.4 When formulating socio-economic development policies, special consideration should be given to increasing the earning power of all adult members of economically deprived families, including the elderly and women who work in the home, and to enabling children to be educated rather than compelled to work. Particular attention should be paid to needy single parents, especially those who are responsible wholly or in part for the support of children and other dependants, through ensuring payment of at least minimum wages and allowances, credit, education, funding for women's self-help groups and stronger legal enforcement of male parental financial responsibilities.

CEDAW Committee General Recommendations

General Recommendation No. 21: Equality in marriage and family relations

		<p>7. When a woman cannot enter into a contract at all, or have access to financial credit, or can do so only with her husband's or a male relative's concurrence or guarantee, she is denied legal autonomy. Any such restriction prevents her from holding property as the sole owner and precludes her from the legal management of her own business or from entering into any other form of contract. Such restrictions seriously limit the woman's ability to provide for herself and her dependants.</p> <p>26. Article 15 (1) guarantees women equality with men before the law. The right to own, manage, enjoy and dispose of property is central to a woman's right to enjoy financial independence, and in many countries will be critical to her ability to earn a livelihood and to provide adequate housing and nutrition for herself and for her family.</p> <p>27. In countries that are undergoing a programme of agrarian reform or redistribution of land among groups of different ethnic origins, the right of women, regardless of marital status, to share such redistributed land on equal terms with men should be carefully observed.</p> <p>35. There are many countries where the law and practice concerning inheritance and property result in serious discrimination against women. As a result of this uneven treatment, women may receive a smaller share of the husband's or father's property at his death than would widowers and sons. In some instances, women are granted limited and controlled rights and receive income only from the deceased's property. Often inheritance rights for widows do not reflect the principles of equal ownership of property acquired during marriage. Such provisions contravene the Convention and should be abolished.</p> <p><i>General Recommendation No. 32 on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women</i></p> <p>33. Articles 3 and 10 to 13 of the Convention entail that women seeking asylum and women refugees be granted, without discrimination, the right to accommodation, education, health care and other support, including food, clothing and necessary social services, appropriate to their particular needs as women. In addition, women refugees should be offered sources of livelihood and employment opportunities. Obligations include providing information on their rights and practical information on how to gain access to such services in a language that they understand. Given the high levels of illiteracy among women in some societies, special assistance may be required.</p> <p><i>General Recommendation No. 34: Rights of rural women</i></p> <p>59. States parties should ensure that legislation guarantees rural women's rights to land, water and other natural resources on an equal basis with men, irrespective of their civil and marital status or of a male guardian or guarantor, and that they have full legal capacity. They should ensure that indigenous women in rural areas have equal access with indigenous men to ownership and possession of and control over land, water, forests, fisheries, aquaculture and other resources that they have traditionally owned, occupied or otherwise used or acquired, including by protecting them against discrimination and dispossession. In addition, States parties should;</p> <p>59.c Strengthen customary and statutory institutions and mechanisms for defending or protecting women's rights to land, water and other natural resources, including community paralegal services.</p>
--	--	--

68. States parties should promote the transition to formal financial services and ensure rural women's access to credit, loans, matrimonial savings, insurance and domestic payment services, on the basis of equality with rural men, and promote their economic, financial and business skills. States parties should ensure that rural women have equal access to:

68.a Community-managed and mobile financial services, which should address rural women's needs, for example by lending to women who may lack collaterals, employ simplified, low-cost banking practices and facilitate rural women's access to formal financial service providers;

Committee on Economic, Social and Cultural Rights General Comments

General Comment No. 16: The equal right of men and women to the enjoyment of all economic, social and cultural rights

28. Article 11 of the Covenant requires States parties to recognize the right of everyone to an adequate standard of living for him/herself and his/her family, including adequate housing (para. 1) and adequate food (para. 2). Implementing article 3, in relation to article 11, paragraph 1, requires that women have a right to own, use or otherwise control housing, land and property on an equal basis with men, and to access necessary resources to do so. Implementing article 3, in relation to article 11, paragraph 2, also requires States parties, inter alia, to ensure that women have access to or control over means of food production, and actively to address customary practices under which women are not allowed to eat until the men are fully fed, or are only allowed less nutritious food.

27. Article 10, paragraph 1, of the Covenant requires that States parties recognize that the widest possible protection and assistance should be accorded to the family, and that marriage must be entered into with the free consent of the intending spouses. Implementing article 3, in relation to article 10, requires States parties, inter alia, to provide victims of domestic violence, who are primarily female, with access to safe housing, remedies and redress for physical, mental and emotional damage; to ensure that men and women have an equal right to choose if, whom and when to marry in particular, the legal age of marriage for men and women should be the same, and boys and girls should be protected equally from practices that promote child marriage, marriage by proxy, or coercion; and to ensure that women have equal rights to marital property and inheritance upon their husband's death. Gender based violence is a form of discrimination that inhibits the ability to enjoy rights and freedoms, including economic, social and cultural rights, on a basis of equality. States parties must take appropriate measures to eliminate violence against men and women and act with due diligence to prevent, investigate, mediate, punish and redress acts of violence against them by private actors.

Committee on the Rights of Persons with Disabilities General Comments

General Comment No. 1: Equal recognition before the law

23. Article 12, paragraph 5, requires States parties to take measures, including legislative, administrative, judicial and other practical measures, to ensure the rights of persons with disabilities with respect to financial and economic affairs, on an equal basis with others. Access to finance and property has traditionally been denied to persons with disabilities based on the medical model of disability. That approach of denying persons with disabilities legal capacity for financial matters must be replaced with support to

		exercise legal capacity, in accordance with article 12, paragraph 3. In the same way as gender may not be used as the basis for discrimination in the areas of finance and property, neither may disability.	
1.5	By 2030, build the resilience of the poor and those in vulnerable situations and reduce their exposure and vulnerability to climate-related extreme events and other economic, social and environmental shocks and disasters		This SDG target cannot be explicitly supported by any legally binding human rights obligation. The corresponding human rights obligations listed below are all INDIRECTLY and IMPLICITLY related to the SDG target.
			Building resilience of the poor and those in vulnerable situation to all types of shocks can be indirectly related to the right to life, the right to participate in matters concerning them, the right to the highest attainable standard of health, and others (listed below). But it must be noted that no human rights instrument specifically requires a State Party to build the resilience of the poor and vulnerable to external shocks.
➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)			
Convention on the Rights of the Child (CRC)			
6.1 States Parties recognize that every child has the inherent right to life.			
12.1 States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.			
24.1 States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health.			
27.1 States Parties recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.			
Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)			
3.a The right to life;			
Convention on the Rights of Persons with Disabilities (CRPD)			
10 States Parties reaffirm that every human being has the inherent right to life and shall take all necessary measures to ensure its effective enjoyment by persons with disabilities on an equal basis with others.			
11 States Parties shall take, in accordance with their obligations under international law, including international humanitarian law and international human rights law, all necessary measures to ensure the protection and safety of persons with disabilities in situations of risk, including situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters.			
International Covenant on Economic, Social, and Cultural Rights (ICESCR)			
12.2.b The improvement of all aspects of environmental and industrial hygiene;			

		<p>International Covenant on Civil and Political Rights (ICCPR)</p> <p>6.1 Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.</p> <p>Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CRMW)</p> <p>9 The right to life of migrant workers and members of their families shall be protected by law.</p> <p>Universal Declaration of Human Rights (UDHR)</p> <p>3 Everyone has the right to life, liberty and security of person.</p> <p>Protocol to the American Convention on Human Rights 1988</p> <p>9.1 Everyone shall have the right to social security protecting him from the consequences of old age and of disability which prevents him, physically or mentally, from securing the means for a dignified and decent existence. In the event of the death of a beneficiary, social security benefits shall be applied to his dependents.</p> <p>9.2 In the case of persons who are employed, the right to social security shall cover at least medical care and an allowance or retirement benefit in the case of work accidents or occupational disease and, in the case of women, paid maternity leave before and after childbirth.</p> <p>European Convention on Human Rights</p> <p>2.1 Everyone's right to life shall be protected by law. No one shall be deprived of his life intentionally save in the execution of a sentence of a court following his conviction of a crime for which this penalty is provided by law.</p> <p>➤ SUPPORTING REFERENCES (NOT LEGALLY BINDING)</p> <p>Beijing Platform of Action (1995)</p> <p>A.1 Review, adopt and maintain macroeconomic policies and development strategies that address the needs and efforts of women in poverty</p> <p>F.1 Promote women's economic rights and independence, including access to employment, appropriate working conditions and control over economic resources.</p> <p>F.2 Facilitate women's equal access to resources, employment, markets and trade.</p> <p>F.3 Provide business services, training and access to markets, information and technology, particularly to low-income women.</p> <p>F.4 Strengthen women's economic capacity and commercial networks.</p>
--	--	---

CRC Committee General Comments

General Comment No. 2: HIV/AIDS and the rights of the child

31. Orphans are best protected and cared for when efforts are made to enable siblings to remain together, and in the care of relatives or family members. The extended family, with the support of the surrounding community, may be the least traumatic and therefore the best way to care for orphans when there are no other feasible alternatives. Assistance must be provided so that, to the maximum extent possible, children can remain within existing family structures. This option may not be available due to the impact HIV/AIDS has on the extended family. In that case, States parties should provide as far as possible for family-type alternative care (e.g. foster care). States parties are encouraged to provide support, financial and otherwise, when necessary, to child-headed households. States parties must ensure that their strategies recognize that communities are at the front line of the response to HIV/AIDS and that these strategies are designed to support communities in their determinations as to how best to provide support to the orphans living there.

General Comment No. 3: Adolescent health and development in the context of the Convention on the Rights of the Child

32. States parties have to provide special protection to homeless adolescents, including those working in the informal sector. Homeless adolescents are particularly vulnerable to violence, abuse and sexual exploitation from others, self-destructive behaviour, substance abuse and mental disorders. In this regard, States parties are required to (a) develop policies and enact and enforce legislation that protect such adolescents from violence, e.g. by law enforcement officials; (b) develop strategies for the provision of appropriate education and access to health care, and of opportunities for the development of livelihood skills.

General Comment No. 6: Treatment of unaccompanied and separated children outside their country of origin

44. States should ensure that separated and unaccompanied children have a standard of living adequate for their physical, mental, spiritual and moral development. As provided in article 27 (2) of the Convention, States shall provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing.

CEDAW Committee General Recommendations

General Recommendation No. 34: Rights of rural women

80. States parties should address housing as part of overall rural development and ensure that measures are developed in consultation with rural women. States parties should improve the quality of rural housing through the design and implementation of targeted policies and programmes that take into account the specific needs of rural women. Such efforts should be made in line with international housing rights standards, including the basic principles and guidelines on development-based evictions and displacement (A/HRC/4/18, annex I), and should contain strong measures to protect rural women effectively from forced eviction by State and non-State actors.

Committee on Economic, Social and Cultural Rights General Comments

General Comment No. 4: Right to adequate housing

8. Thus the concept of adequacy is particularly significant in relation to the right to housing since it serves to underline a number of factors which must be taken into account in determining whether particular forms of shelter can be considered to constitute “adequate housing” for the purposes of the Covenant. While adequacy is determined in part by social, economic, cultural, climatic, ecological and other factors, the Committee believes that it is nevertheless possible to identify certain aspects of the right that must be taken into account for this purpose in any particular context. They include the following:

8.a Legal security of tenure. Tenure takes a variety of forms, including rental (public and private) accommodation, cooperative housing, lease, owner occupation, emergency housing and informal settlements, including occupation of land or property. Notwithstanding the type of tenure, all persons should possess a degree of security of tenure which guarantees legal protection against forced eviction, harassment and other threats. States parties should consequently take immediate measures aimed at conferring legal security of tenure upon those persons and households currently lacking such protection, in genuine consultation with affected persons and groups;

8.b Availability of services, materials, facilities and infrastructure. An adequate house must contain certain facilities essential for health, security, comfort and nutrition. All beneficiaries of the right to adequate housing should have sustainable access to natural and common resources, safe drinking water, energy for cooking, heating and lighting, sanitation and washing facilities, means of food storage, refuse disposal, site drainage and emergency services;

8.c Affordability. Personal or household financial costs associated with housing should be at such a level that the attainment and satisfaction of other basic needs are not threatened or compromised. Steps should be taken by States parties to ensure that the percentage of housing related costs is, in general, commensurate with income levels. States parties should establish housing subsidies for those unable to obtain affordable housing, as well as forms and levels of housing finance which adequately reflect housing needs. In accordance with the principle of affordability, tenants should be protected by appropriate means against unreasonable rent levels or rent increases. In societies where natural materials constitute the chief sources of building materials for housing, steps should be taken by States parties to ensure the availability of such materials;

8.d Habitability. Adequate housing must be habitable, in terms of providing the inhabitants with adequate space and protecting them from cold, damp, heat, rain, wind or other threats to health, structural hazards, and disease vectors. The physical safety of occupants must be guaranteed as well. The Committee encourages States parties to comprehensively apply the Health Principles of Housing prepared by WHO which view housing as the environmental factor most frequently associated with conditions for disease in epidemiological analyses; i.e. inadequate and deficient housing and living conditions are invariably associated with higher mortality and morbidity rates;

8.e Accessibility. Adequate housing must be accessible to those entitled to it. Disadvantaged groups must be accorded full and sustainable access to adequate housing resources. Thus, such disadvantaged groups as the elderly, children, the physically disabled, the terminally ill, HIV positive individuals, persons with persistent medical problems, the mentally ill, victims of natural disasters, people living in disaster prone areas and other groups should be ensured some degree of priority consideration in the housing sphere. Both housing law and policy should take fully into account the special housing needs of these groups. Within many States parties increasing access to land by landless or impoverished segments of the society should constitute a central policy goal.

		<p>Discernible governmental obligations need to be developed aiming to substantiate the right of all to a secure place to live in peace and dignity, including access to land as an entitlement;</p> <p>8.f Location. Adequate housing must be in a location which allows access to employment options, health care services, schools, childcare centres and other social facilities. This is true both in large cities and in rural areas where the temporal and financial costs of getting to and from the place of work can place excessive demands upon the budgets of poor households. Similarly, housing should not be built on polluted sites nor in immediate proximity to pollution sources that threaten the right to health of the inhabitants;</p> <p>8.g Cultural adequacy. The way housing is constructed, the building materials used and the policies supporting these must appropriately enable the expression of cultural identity and diversity of housing. Activities geared towards development or modernization in the housing sphere should ensure that the cultural dimensions of housing are not sacrificed, and that, inter alia, modern technological facilities, as appropriate are also ensured.</p>
--	--	---

GOAL 2: ZERO HUNGER

SDG Targets		Corresponding human rights mechanisms and other supporting references
2.1	By 2030, end hunger and ensure access by all people, in particular the poor and people in vulnerable situations, including infants, to safe, nutritious and sufficient food all year round	<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Rights of the Child (CRC)</p> <p>24.2.c To combat disease and malnutrition, including within the framework of primary health care, through, inter alia, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking-water, taking into consideration the dangers and risks of environmental pollution;</p> <p>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</p> <p>12.2 2. Notwithstanding the provisions of paragraph 1 of this article, States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.</p> <p>Convention on the Rights of Persons with Disabilities (CRPD)</p> <p>28.1 States Parties recognize the right of persons with disabilities to an adequate standard of living for themselves and their families, including adequate food, clothing and housing, and to the continuous improvement of living conditions, and shall take appropriate steps to safeguard and promote the realization of this right without discrimination on the basis of disability.</p> <p>International Covenant on Economic, Social, and Cultural Rights (ICESCR)</p> <p>11.1 The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States</p>

Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent.

11.2 The States Parties to the present Covenant, recognizing the fundamental right of everyone to be free from hunger, shall take, individually and through international co-operation, the measures, including specific programmes, which are needed:

African Charter on Human and Peoples' Rights

16.1 Every individual shall have the right to enjoy the best attainable state of physical and mental health.

16.2 State Parties to the present Charter shall take the necessary measures to protect the health of their people and to ensure that they receive medical attention when they are sick.

African Charter on the Rights and Welfare of the Child

14.1 Every child shall have the right to enjoy the best attainable state of physical, mental and spiritual health.

14.2 States Parties to the present Charter shall undertake to pursue the full implementation of this right and in particular shall take measures:

14.2.a to reduce infant and child mortality rate;

14.2.c to ensure the provision of adequate nutrition and safe drinking water;

14.2.d to combat disease and malnutrition within the framework of primary health care through the application of appropriate technology;

Protocol to the American Convention on Human Rights 1988

6.1 Everyone has the right to work, which includes the opportunity to secure the means for living a dignified and decent existence by performing a freely elected or accepted lawful activity.

10.1 Everyone shall have the right to health, understood to mean the enjoyment of the highest level of physical, mental and social well-being.

10.2 In order to ensure the exercise of the right to health, the States Parties agree to recognize health as a public good and, particularly, to adopt the following measures to ensure that right:

10.2.a Primary health care, that is, essential health care made available to all individuals and families in the community;

10.2.b Extension of the benefits of health services to all individuals subject to the State's jurisdiction;

10.2.c Universal immunization against the principal infectious diseases;

10.2.d Prevention and treatment of endemic, occupational and other diseases;

10.2.e Education of the population on the prevention and treatment of health problems, and

10.2.f Satisfaction of the health needs of the highest risk groups and of those whose poverty makes them the most vulnerable.

12.1 Everyone has the right to adequate nutrition which guarantees the possibility of enjoying the highest level of physical, emotional and intellectual development.

12.2 In order to promote the exercise of this right and eradicate malnutrition, the States Parties undertake to improve methods of production, supply and distribution of food, and to this end, agree to promote greater international cooperation in support of the relevant national policies.

European Social Charter (1996, revised)

1.11 Everyone has the right to benefit from any measures enabling him to enjoy the highest possible standard of health attainable.

1.30 Everyone has the right to protection against poverty and social exclusion.

11 With a view to ensuring the effective exercise of the right to protection of health, the Parties undertake, either directly or in cooperation with public or private organisations, to take appropriate measures designed inter alia:

11.1 to remove as far as possible the causes of ill-health;

11.2 to provide advisory and educational facilities for the promotion of health and the encouragement of individual responsibility in matters of health;

11.3 to prevent as far as possible epidemic, endemic and other diseases, as well as accidents.

➤ **SUPPORTING REFERENCES (NOT LEGALLY BINDING)**

Beijing Platform of Action (1995)

A.1 Review, adopt and maintain macroeconomic policies and development strategies that address the needs and efforts of women in poverty

L.5. Eliminate discrimination against girls in health and nutrition.

International Conference on Population and Development (ICPD) (1994)

3.20 Measures should be taken to strengthen food, nutrition and agricultural policies and programmes, and fair trade relations, with special attention to the creation and strengthening of food security at all levels.

5.13 Governments should assist single-parent families, and pay special attention to the needs of widows and orphans. All efforts should be made to assist the building of family-like ties in especially difficult circumstances, for example, those involving street children.

CEDAW Committee General Recommendations

General Recommendation No. 32 on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women

33. Articles 3 and 10 to 13 of the Convention entail that women seeking asylum and women refugees be granted, without discrimination, the right to accommodation, education, health care and other support, including food, clothing and necessary social services, appropriate to their particular needs as women. In addition, women refugees should be offered sources of livelihood and employment opportunities. Obligations include providing information on their rights and practical information on how to gain access to such services in a language that they understand. Given the high levels of illiteracy among women in some societies, special assistance may be required.

48. States parties should ensure, throughout the asylum procedure and during the integration process for women granted refugee status, an adequate standard of living, including safe accommodation, sanitary and health facilities, food, clothing and necessary social services, in addition to sources of livelihood and employment opportunities for women asylum seekers and refugees, and provide for appropriate monitoring and complaints mechanisms at reception facilities.

General Recommendation No. 34: Rights of rural women

64. States parties should ensure the realization of the right to food and nutrition of rural women within the framework of food sovereignty and ensure that they have the authority to manage and control their natural resources.

Committee on Economic, Social and Cultural Rights General Comments

General Comment No. 12: Right to adequate food

7. The concept of adequacy is particularly significant in relation to the right to food since it serves to underline a number of factors which must be taken into account in determining whether particular foods or diets that are accessible can be considered the most appropriate under given circumstances for the purposes of article 11 of the Covenant. The notion of sustainability is intrinsically linked to the notion of adequate food or food security, implying food being accessible for both present and future generations. The precise meaning of “adequacy” is to a large extent determined by prevailing social, economic, cultural, climatic, ecological and other conditions, while “sustainability” incorporates the notion of long term availability and accessibility.

8. The Committee considers that the core content of the right to adequate food implies: The availability of food in a quantity and quality sufficient to satisfy the dietary needs of individuals, free from adverse substances, and acceptable within a given culture; The accessibility of such food in ways that are sustainable and that do not interfere with the enjoyment of other human rights.

		<p>9. Dietary needs implies that the diet as a whole contains a mix of nutrients for physical and mental growth, development and maintenance, and physical activity that are in compliance with human physiological needs at all stages throughout the life cycle and according to gender and occupation. Measures may therefore need to be taken to maintain, adapt or strengthen dietary diversity and appropriate consumption and feeding patterns, including breastfeeding, while ensuring that changes in availability and access to food supply as a minimum do not negatively affect dietary composition and intake.</p> <p>10. Free from adverse substances sets requirements for food safety and for a range of protective measures by both public and private means to prevent contamination of foodstuffs through adulteration and/or through bad environmental hygiene or inappropriate handling at different stages throughout the food chain; care must also be taken to identify and avoid or destroy naturally occurring toxins.</p> <p>11. Cultural or consumer acceptability implies the need also to take into account, as far as possible, perceived non nutrient based values attached to food and food consumption and informed consumer concerns regarding the nature of accessible food supplies.</p> <p>12. Availability refers to the possibilities either for feeding oneself directly from productive land or other natural resources, or for well-functioning distribution, processing and market systems that can move food from the site of production to where it is needed in accordance with demand.</p> <p>13. Accessibility encompasses both economic and physical accessibility: Economic accessibility implies that personal or household financial costs associated with the acquisition of food for an adequate diet should be at a level such that the attainment and satisfaction of other basic needs are not threatened or compromised. Economic accessibility applies to any acquisition pattern or entitlement through which people procure their food and is a measure of the extent to which it is satisfactory for the enjoyment of the right to adequate food. Socially vulnerable groups such as landless persons and other particularly impoverished segments of the population may need attention through special programmes. Physical accessibility implies that adequate food must be accessible to everyone, including physically vulnerable individuals, such as infants and young children, elderly people, the physically disabled, the terminally ill and persons with persistent medical problems, including the mentally ill. Victims of natural disasters, people living in disaster prone areas and other specially disadvantaged groups may need special attention and sometimes priority consideration with respect to accessibility of food. A particular vulnerability is that of many indigenous population groups whose access to their ancestral lands may be threatened.</p>
<p>2.2</p>	<p>By 2030, end all forms of malnutrition, including achieving, by 2025, the internationally agreed targets on stunting and wasting in children under 5 years of age, and address the</p>	<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Rights of the Child (CRC)</p> <p>24.1 States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services.</p> <p>24.2.c To combat disease and malnutrition, including within the framework of primary health care, through, inter alia, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking-water, taking into consideration the dangers and risks of environmental pollution;</p> <p>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</p>

	<p>nutritional needs of adolescent girls, pregnant and lactating women and older persons</p>	<p>12.2 Notwithstanding the provisions of paragraph I of this article, States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.</p> <p>Convention on the Rights of Persons with Disabilities (CRPD)</p> <p>28.1 States Parties recognize the right of persons with disabilities to an adequate standard of living for themselves and their families, including adequate food, clothing and housing, and to the continuous improvement of living conditions, and shall take appropriate steps to safeguard and promote the realization of this right without discrimination on the basis of disability.</p> <p>International Covenant on Economic, Social, and Cultural Rights (ICESCR)</p> <p>11.1 The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent.</p> <p>11.2 The States Parties to the present Covenant, recognizing the fundamental right of everyone to be free from hunger, shall take, individually and through international co-operation, the measures, including specific programmes, which are needed:</p> <p>African Charter on Human and Peoples' Rights</p> <p>16.1 Every individual shall have the right to enjoy the best attainable state of physical and mental health.</p> <p>16.2 State Parties to the present Charter shall take the necessary measures to protect the health of their people and to ensure that they receive medical attention when they are sick.</p> <p>African Charter on the Rights and Welfare of the Child</p> <p>14.1 Every child shall have the right to enjoy the best attainable state of physical, mental and spiritual health.</p> <p>14.2 States Parties to the present Charter shall undertake to pursue the full implementation of this right and in particular shall take measures:</p> <p>14.2.a to reduce infant and child mortality rate;</p> <p>14.2.c to ensure the provision of adequate nutrition and safe drinking water;</p> <p>14.2.d to combat disease and malnutrition within the framework of primary health care through the application of appropriate technology;</p>
--	--	---

		<p>Protocol to the American Convention on Human Rights 1988</p> <p>10.1 Everyone shall have the right to health, understood to mean the enjoyment of the highest level of physical, mental and social well-being.</p> <p>10.2 In order to ensure the exercise of the right to health, the States Parties agree to recognize health as a public good and, particularly, to adopt the following measures to ensure that right:</p> <p>10.2.a Primary health care, that is, essential health care made available to all individuals and families in the community;</p> <p>10.2.b Extension of the benefits of health services to all individuals subject to the State's jurisdiction;</p> <p>10.2.c Universal immunization against the principal infectious diseases;</p> <p>10.2.d Prevention and treatment of endemic, occupational and other diseases;</p> <p>10.2.e Education of the population on the prevention and treatment of health problems, and</p> <p>10.2.f Satisfaction of the health needs of the highest risk groups and of those whose poverty makes them the most vulnerable.</p> <p>12.1 Everyone has the right to adequate nutrition which guarantees the possibility of enjoying the highest level of physical, emotional and intellectual development.</p> <p>12.2 In order to promote the exercise of this right and eradicate malnutrition, the States Parties undertake to improve methods of production, supply and distribution of food, and to this end, agree to promote greater international cooperation in support of the relevant national policies.</p> <p>European Social Charter (1996, revised)</p> <p>1.11 Everyone has the right to benefit from any measures enabling him to enjoy the highest possible standard of health attainable.</p> <p>1.30 Everyone has the right to protection against poverty and social exclusion.</p> <p>11 With a view to ensuring the effective exercise of the right to protection of health, the Parties undertake, either directly or in cooperation with public or private organisations, to take appropriate measures designed inter alia:</p> <p>11.1 to remove as far as possible the causes of ill-health;</p> <p>11.2 to provide advisory and educational facilities for the promotion of health and the encouragement of individual responsibility in matters of health;</p>
--	--	--

11.3 to prevent as far as possible epidemic, endemic and other diseases, as well as accidents.

➤ **SUPPORTING REFERENCES (NOT LEGALLY BINDING)**

Beijing Platform of Action (1995)

L.5. Eliminate discrimination against girls in health and nutrition.

International Conference on Population and Development (ICPD) (1994)

4.17 Overall, the value of girl children to both their family and society must be expanded beyond their definition as potential child-bearers and caretakers and reinforced through the adoption and implementation of educational and social policies that encourage their full participation in the development of the societies in which they live. Leaders at all levels of the society must speak out and act forcefully against patterns of gender discrimination within the family, based on preference for sons. One of the aims should be to eliminate excess mortality of girls, wherever such a pattern exists. Special education and public information efforts are needed to promote equal treatment of girls and boys with respect to nutrition, health care, education and social, economic and political activity, as well as equitable inheritance rights.

CRC Committee General Comments

General Comment No. 7: Implementing child rights in early childhood

10. Right to life, survival and development. Article 6 refers to the child's inherent right to life and States parties' obligation to ensure, to the maximum extent possible, the survival and development of the child. States parties are urged to take all possible measures to improve perinatal care for mothers and babies, reduce infant and child mortality, and create conditions that promote the wellbeing of all young children during this critical phase of their lives. Malnutrition and preventable diseases continue to be major obstacles to realizing rights in early childhood. Ensuring survival and physical health are priorities, but States parties are reminded that article 6 encompasses all aspects of development, and that a young child's health and psychosocial wellbeing are in many respects interdependent. Both may be put at risk by adverse living conditions, neglect, insensitive or abusive treatment and restricted opportunities for realizing human potential. Young children growing up in especially difficult circumstances require particular attention (see section VI below). The Committee reminds States parties (and others concerned) that the right to survival and development can only be implemented in a holistic manner, through the enforcement of all the other provisions of the Convention, including rights to health, adequate nutrition, social security, an adequate standard of living, a healthy and safe environment, education and play (arts. 24, 27, 28, 29 and 31), as well as through respect for the responsibilities of parents and the provision of assistance and quality services (arts. 5 and 18). From an early age, children should themselves be included in activities promoting good nutrition and a healthy and disease preventing lifestyle.

27. Health-care provision. States parties should ensure that all children have access to the highest attainable standard of health care and nutrition during their early years, in order to reduce infant mortality and enable children to enjoy a healthy start in life (art. 24). In particular:

		<p>27.a States parties have a responsibility to ensure access to clean drinking water, adequate sanitation, appropriate immunization, good nutrition and medical services, which are essential for young children’s health, as is a stress free environment. Malnutrition and disease have long term impacts on children’s physical health and development. They affect children’s mental state, inhibiting learning and social participation and reducing prospects for realizing their potential. The same applies to obesity and unhealthy lifestyles;</p> <p>27.b States parties have a responsibility to implement children’s right to health by encouraging education in child health and development, including about the advantages of breastfeeding, nutrition, hygiene and sanitation. Priority should also be given to the provision of appropriate prenatal and post-natal health care for mothers and infants in order to foster healthy family child relationships, especially between a child and his or her mother (or other primary caregiver) (art. 24.2). Young children are themselves able to contribute to ensuring their personal health and encouraging healthy lifestyles among their peers, for example through participation in appropriate, child centred health education programmes;</p> <p><i>General Comment No. 15: The right of the child to the highest attainable standard of health</i></p> <p>43. Measures for fulfilling States’ obligations to ensure access to nutritionally adequate, culturally appropriate and safe food and to combat malnutrition will need to be adopted according to the specific context. Effective direct nutrition interventions for pregnant women include addressing anaemia and folic acid and iodine deficiency and providing calcium supplementation. Prevention and management of pre-eclampsia and eclampsia, should be ensured for all women of reproductive age to benefit their health and ensure healthy foetal and infant development.</p> <p>45. Adequate nutrition and growth monitoring in early childhood are particularly important. Where necessary, integrated management of severe acute malnutrition should be expanded through facility and community-based interventions, as well as treatment of moderate acute malnutrition, including therapeutic feeding interventions.</p> <p>Human Rights Committee (CCPR) General Comments</p> <p><i>General Comment No. 6: The right to life</i></p> <p>5. Moreover, the Committee has noted that the right to life has been too often narrowly interpreted. The expression “inherent right to life” cannot properly be understood in a restrictive manner, and the protection of this right requires that States adopt positive measures. In this connection, the Committee considers that it would be desirable for States parties to take all possible measures to reduce infant mortality and to increase life expectancy, especially in adopting measures to eliminate malnutrition and epidemics.</p>
<p>2.4</p>	<p>By 2030, ensure sustainable food production systems and implement resilient agricultural</p>	<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Rights of the Child (CRC)</p> <p>6.1 States Parties recognize that every child has the inherent right to life.</p>

<p>practices that increase productivity and production, that help maintain ecosystems, that strengthen capacity for adaptation to climate change, extreme weather, drought, flooding and other disasters and that progressively improve land and soil quality</p>	<p>12.1 States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.</p> <p>24.1 States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health.</p> <p>27.1 States Parties recognize the right of every child to a standard of living adequate for the child’s physical, mental, spiritual, moral and social development.</p> <p>International Covenant on Economic, Social, and Cultural Rights (ICESCR)</p> <p>11.2.a To improve methods of production, conservation and distribution of food by making full use of technical and scientific knowledge, by disseminating knowledge of the principles of nutrition and by developing or reforming agrarian systems in such a way as to achieve the most efficient development and utilization of natural resources;</p> <p>Protocol to the American Convention on Human Rights 1988</p> <p>12.1 Everyone has the right to adequate nutrition which guarantees the possibility of enjoying the highest level of physical, emotional and intellectual development.</p> <p>12.2 In order to promote the exercise of this right and eradicate malnutrition, the States Parties undertake to improve methods of production, supply and distribution of food, and to this end, agree to promote greater international cooperation in support of the relevant national policies.</p> <p>European Social Charter (1996, revised)</p> <p>1.11 Everyone has the right to benefit from any measures enabling him to enjoy the highest possible standard of health attainable.</p> <p>➤ SUPPORTING REFERENCES (NOT LEGALLY BINDING)</p> <p>International Conference on Population and Development (ICPD) (1994)</p> <p>3.20 Measures should be taken to strengthen food, nutrition and agricultural policies and programmes, and fair trade relations, with special attention to the creation and strengthening of food security at all levels.</p> <p>CEDAW Committee General Recommendations</p> <p><i>General Recommendation No. 34: Rights of rural women</i></p> <p>12. States parties should address specific threats posed to rural women by climate change, natural disasters, land and soil degradation, water pollution, droughts, floods, desertification, pesticides and agrochemicals, extractive industries, monocultures, biopiracy and the loss of biodiversity, in particular agro-biodiversity. They should alleviate and mitigate those threats and ensure that rural women enjoy a safe, clean and healthy environment. They should effectively address the impact of such risks on rural</p>
---	---

women in the planning and implementation of all policies concerning the environment, climate change, disaster risk reduction, preparedness and management and ensure the full participation of rural women in designing, planning and implementing such policies. States parties should also ensure the protection and security of rural women and girls in all phases of disasters and other crises, ranging from early warning to relief, recovery, rehabilitation and reconstruction.

Committee on Economic, Social and Cultural Rights General Comments

General Comment No. 12: Right to adequate food

7. The concept of adequacy is particularly significant in relation to the right to food since it serves to underline a number of factors which must be taken into account in determining whether particular foods or diets that are accessible can be considered the most appropriate under given circumstances for the purposes of article 11 of the Covenant. The notion of sustainability is intrinsically linked to the notion of adequate food or food security, implying food being accessible for both present and future generations. The precise meaning of “adequacy” is to a large extent determined by prevailing social, economic, cultural, climatic, ecological and other conditions, while “sustainability” incorporates the notion of long term availability and accessibility.

8. The Committee considers that the core content of the right to adequate food implies: The availability of food in a quantity and quality sufficient to satisfy the dietary needs of individuals, free from adverse substances, and acceptable within a given culture; The accessibility of such food in ways that are sustainable and that do not interfere with the enjoyment of other human rights.

9. Dietary needs implies that the diet as a whole contains a mix of nutrients for physical and mental growth, development and maintenance, and physical activity that are in compliance with human physiological needs at all stages throughout the life cycle and according to gender and occupation. Measures may therefore need to be taken to maintain, adapt or strengthen dietary diversity and appropriate consumption and feeding patterns, including breastfeeding, while ensuring that changes in availability and access to food supply as a minimum do not negatively affect dietary composition and intake.

10. Free from adverse substances sets requirements for food safety and for a range of protective measures by both public and private means to prevent contamination of foodstuffs through adulteration and/or through bad environmental hygiene or inappropriate handling at different stages throughout the food chain; care must also be taken to identify and avoid or destroy naturally occurring toxins.

11. Cultural or consumer acceptability implies the need also to take into account, as far as possible, perceived non nutrient based values attached to food and food consumption and informed consumer concerns regarding the nature of accessible food supplies.

12. Availability refers to the possibilities either for feeding oneself directly from productive land or other natural resources, or for well-functioning distribution, processing and market systems that can move food from the site of production to where it is needed in accordance with demand.

13. Accessibility encompasses both economic and physical accessibility: Economic accessibility implies that personal or household financial costs associated with the acquisition of food for an adequate diet should be at a level such that the attainment and satisfaction of other basic needs are not threatened or compromised. Economic accessibility applies to any acquisition pattern or entitlement through which people procure their food and is a measure of the extent to which it is satisfactory for the enjoyment of

		<p>the right to adequate food. Socially vulnerable groups such as landless persons and other particularly impoverished segments of the population may need attention through special programmes. Physical accessibility implies that adequate food must be accessible to everyone, including physically vulnerable individuals, such as infants and young children, elderly people, the physically disabled, the terminally ill and persons with persistent medical problems, including the mentally ill. Victims of natural disasters, people living in disaster prone areas and other specially disadvantaged groups may need special attention and sometimes priority consideration with respect to accessibility of food. A particular vulnerability is that of many indigenous population groups whose access to their ancestral lands may be threatened.</p>
--	--	--

GOAL 3: GOOD HEALTH AND WELL-BEING

SDG Targets		Corresponding human rights mechanisms and other supporting references
<p>3.1</p>	<p>By 2030, reduce the global maternal mortality ratio to less than 70 per 100,000 live births</p>	<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Rights of the Child (CRC)</p> <p>3 States Parties shall take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children.</p> <p>34 States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent:</p> <p>34.a The inducement or coercion of a child to engage in any unlawful sexual activity;</p> <p>34.b The exploitative use of children in prostitution or other unlawful sexual practices;</p> <p>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</p> <p>12.1 States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning.</p> <p>12.2 Notwithstanding the provisions of paragraph 1 of this article, States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.</p> <p>Convention on the Rights of Persons with Disabilities (CRPD)</p> <p>10 States Parties reaffirm that every human being has the inherent right to life and shall take all necessary measures to ensure its effective enjoyment by persons with disabilities on an equal basis with others.</p>

		<p>25.a Provide persons with disabilities with the same range, quality and standard of free or affordable health care and programmes as provided to other persons, including in the area of sexual and reproductive health and population-based public health programmes;</p> <p>International Covenant on Economic, Social, and Cultural Rights (ICESCR)</p> <p>12.1 The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.</p> <p>12.2.c The prevention, treatment and control of epidemic, endemic, occupational and other diseases;</p> <p>12.2.d The creation of conditions which would assure to all medical service and medical attention in the event of sickness.</p> <p>12.2.a The provision for the reduction of the stillbirth-rate and of infant mortality and for the healthy development of the child;</p> <p>12.2.b The improvement of all aspects of environmental and industrial hygiene;</p> <p>International Covenant on Civil and Political Rights (ICCPR)</p> <p>6.1 Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.</p> <p>Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CRMW)</p> <p>9 The right to life of migrant workers and members of their families shall be protected by law.</p> <p>28 Migrant workers and members of their families shall have the right to receive any medical care that is urgently required for the preservation of their life or the avoidance of irreparable harm to their health on the basis of equality of treatment with nationals of the State concerned. Such emergency medical care shall not be refused them by reason of any irregularity with regard to stay or employment.</p> <p>43.1.e Access to social and health services, provided that the requirements for participation in the respective schemes are met;</p> <p>Universal Declaration of Human Rights (UDHR)</p> <p>3 Everyone has the right to life, liberty and security of person.</p> <p>25.1 Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.</p> <p>African Charter on Human and Peoples' Rights</p>
--	--	---

		<p>16.1 Every individual shall have the right to enjoy the best attainable state of physical and mental health.</p> <p>16.2 State Parties to the present Charter shall take the necessary measures to protect the health of their people and to ensure that they receive medical attention when they are sick.</p> <p>African Charter on the Rights and Welfare of the Child</p> <p>5.1 Every child has an inherent right to life. This right shall be protected by law.</p> <p>5.2 States Parties to the present Charter shall ensure, to the maximum extent possible, the survival, protection and development of the child.</p> <p>14.1 Every child shall have the right to enjoy the best attainable state of physical, mental and spiritual health.</p> <p>14.2.a to reduce infant and child mortality rate;</p> <p>14.2.e to ensure appropriate health care for expectant and nursing mothers;</p> <p>Protocol to the American Convention on Human Rights 1988</p> <p>10.1 Everyone shall have the right to health, understood to mean the enjoyment of the highest level of physical, mental and social well-being.</p> <p>10.2 In order to ensure the exercise of the right to health, the States Parties agree to recognize health as a public good and, particularly, to adopt the following measures to ensure that right:</p> <p>10.2.a Primary health care, that is, essential health care made available to all individuals and families in the community;</p> <p>10.2.b Extension of the benefits of health services to all individuals subject to the State's jurisdiction;</p> <p>10.2.c Universal immunization against the principal infectious diseases;</p> <p>10.2.d Prevention and treatment of endemic, occupational and other diseases;</p> <p>10.2.e Education of the population on the prevention and treatment of health problems, and</p> <p>10.2.f Satisfaction of the health needs of the highest risk groups and of those whose poverty makes them the most vulnerable.</p> <p>European Social Charter (1996, revised)</p> <p>1.11 Everyone has the right to benefit from any measures enabling him to enjoy the highest possible standard of health attainable.</p>
--	--	--

11 With a view to ensuring the effective exercise of the right to protection of health, the Parties undertake, either directly or in cooperation with public or private organisations, to take appropriate measures designed inter alia:

11.1 to remove as far as possible the causes of ill-health;

11.2 to provide advisory and educational facilities for the promotion of health and the encouragement of individual responsibility in matters of health;

11.3 to prevent as far as possible epidemic, endemic and other diseases, as well as accidents.

➤ **SUPPORTING REFERENCES (NOT LEGALLY BINDING)**

Beijing Platform of Action (1995)

C.1 Increase women's access throughout the life cycle to appropriate, affordable and quality health care, information and related services.

C.2 Strengthen preventive programmes that promote women's health.

L.5. Eliminate discrimination against girls in health and nutrition.

International Conference on Population and Development (ICPD) (1994)

6.5 In attempting to address population growth concerns, countries should recognize the interrelationships between fertility and mortality levels and aim to reduce high levels of infant, child and maternal mortality so as to lessen the need for high fertility and reduce the occurrence of high-risk births.

8.23 All countries, especially developing countries, with the support of the international community, should aim at further reductions in maternal mortality through measures to prevent, detect and manage high-risk pregnancies and births, particularly those to adolescents and late-parity women.

CRC Committee General Comments

General Comment No. 7: Implementing child rights in early childhood

10. Right to life, survival and development. Article 6 refers to the child's inherent right to life and States parties' obligation to ensure, to the maximum extent possible, the survival and development of the child. States parties are urged to take all possible measures to improve perinatal care for mothers and babies, reduce infant and child mortality, and create conditions that promote the wellbeing of all young children during this critical phase of their lives. Malnutrition and preventable diseases continue to be major obstacles to realizing rights in early childhood. Ensuring survival and physical health are priorities, but States parties are reminded that article 6 encompasses all aspects of development, and that a young child's health and psychosocial wellbeing are in many respects interdependent. Both may be put at risk by adverse living conditions, neglect, insensitive or abusive treatment and restricted

opportunities for realizing human potential. Young children growing up in especially difficult circumstances require particular attention (see section VI below). The Committee reminds States parties (and others concerned) that the right to survival and development can only be implemented in a holistic manner, through the enforcement of all the other provisions of the Convention, including rights to health, adequate nutrition, social security, an adequate standard of living, a healthy and safe environment, education and play (arts. 24, 27, 28, 29 and 31), as well as through respect for the responsibilities of parents and the provision of assistance and quality services (arts. 5 and 18). From an early age, children should themselves be included in activities promoting good nutrition and a healthy and disease preventing lifestyle.

General Comment No. 15: The right of the child to the highest attainable standard of health

18. Among the key determinants of children's health, nutrition and development are the realization of the mother's right to health and the role of parents and other caregivers. A significant number of infant deaths occur during the neonatal period, related to the poor health of the mother prior to, and during, the pregnancy and the immediate post-partum period, and to suboptimal breastfeeding practices. The health and health-related behaviours of parents and other significant adults have a major impact on children's health.

33. States have an obligation to reduce child mortality. The Committee urges particular attention to neonatal mortality, which constitutes an increasing proportion of under-5 mortality. Additionally, States parties should also address adolescent morbidity and mortality, which is generally under-prioritized.

36. States should prioritize universal access for children to primary health-care services provided as close as possible to where children and their families live, particularly in community settings. While the exact configuration and content of services will vary from country to country, in all cases effective health systems will be required, including: a robust financing mechanism; a well-trained and adequately paid workforce; reliable information on which to base decisions and policies; well-maintained facilities and logistics systems to deliver quality medicines and technologies; and strong leadership and governance. Health-service provision within schools provides an important opportunity for health promotion, to screen for illness, and increases the accessibility of health services for in-school children.

43. Measures for fulfilling States' obligations to ensure access to nutritionally adequate, culturally appropriate and safe food and to combat malnutrition will need to be adopted according to the specific context. Effective direct nutrition interventions for pregnant women include addressing anaemia and folic acid and iodine deficiency and providing calcium supplementation. Prevention and management of pre-eclampsia and eclampsia, should be ensured for all women of reproductive age to benefit their health and ensure healthy foetal and infant development.

CEDAW Committee General Recommendations

General Recommendation No. 24: Women and health

21. States parties should report on measures taken to eliminate barriers that women face in access to health-care services and what measures they have taken to ensure women timely and affordable access to such services. Barriers include requirements or conditions that prejudice women's access, such as high fees for health-care services, the requirement for preliminary authorization

by spouse, parent or hospital authorities, distance from health facilities and the absence of convenient and affordable public transport.

27. States parties should include in their reports how they supply free services where necessary to ensure safe pregnancies, childbirth and post-partum periods for women. Many women are at risk of death or disability from pregnancy-related causes because they lack the funds to obtain or access the necessary services, which include antenatal, maternity and post-natal services. The Committee notes that it is the duty of States parties to ensure women's right to safe motherhood and emergency obstetric services and they should allocate to these services the maximum extent of available resources.

31. States parties should also, in particular:

31.b Ensure the removal of all barriers to women's access to health services, education and information, including in the area of sexual and reproductive health, and, in particular, allocate resources for programmes directed at adolescents for the prevention and treatment of sexually transmitted diseases, including HIV/AIDS;

Human Rights Committee (CCPR) General Comments

General Comment No. 6: The right to life

5. Moreover, the Committee has noted that the right to life has been too often narrowly interpreted. The expression "inherent right to life" cannot properly be understood in a restrictive manner, and the protection of this right requires that States adopt positive measures. In this connection, the Committee considers that it would be desirable for States parties to take all possible measures to reduce infant mortality and to increase life expectancy, especially in adopting measures to eliminate malnutrition and epidemics.

General Comment No. 28: The equality of rights between men and women

10. When reporting on the right to life protected by article 6, States parties should provide data on birth rates and on pregnancy and childbirth related deaths of women. Gender disaggregated data should be provided on infant mortality rates. States parties should give information on any measures taken by the State to help women prevent unwanted pregnancies, and to ensure that they do not have to undergo life threatening clandestine abortions. States parties should also report on measures to protect women from practices that violate their right to life, such as female infanticide, the burning of widows and dowry killings. The Committee also wishes to have information on the particular impact on women of poverty and deprivation that may pose a threat to their lives.

Committee on Economic, Social and Cultural Rights General Comments

General Comment No. 14: The right to the highest attainable standard of health

14. "The provision for the reduction of the stillbirth rate and of infant mortality and for the healthy development of the child" (art. 12.2 (a)) may be understood as requiring measures to improve child and maternal health, sexual and reproductive health services, including access to family planning, pre- and post-natal care, emergency obstetric services and access to information, as well as to resources necessary to act on that information.

		<p>21. To eliminate discrimination against women, there is a need to develop and implement a comprehensive national strategy for promoting women's right to health throughout their life span. Such a strategy should include interventions aimed at the prevention and treatment of diseases affecting women, as well as policies to provide access to a full range of high quality and affordable health care, including sexual and reproductive services. A major goal should be reducing women's health risks, particularly lowering rates of maternal mortality and protecting women from domestic violence. The realization of women's right to health requires the removal of all barriers interfering with access to health services, education and information, including in the area of sexual and reproductive health. It is also important to undertake preventive, promotive and remedial action to shield women from the impact of harmful traditional cultural practices and norms that deny them their full reproductive rights.</p> <p><i>General Comment No. 16: The equal right of men and women to the enjoyment of all economic, social and cultural rights</i></p> <p>29. Article 12 of the Covenant requires States parties to undertake steps towards the full realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health. The implementation of article 3, in relation to article 12, requires at a minimum the removal of legal and other obstacles that prevent men and women from accessing and benefiting from health care on a basis of equality. This includes, inter alia, addressing the ways in which gender roles affect access to determinants of health, such as water and food; the removal of legal restrictions on reproductive health provisions; the prohibition of female genital mutilation; and the provision of adequate training for health care workers to deal with women's health issues.</p>
3.2	<p>By 2030, end preventable deaths of newborns and children under 5 years of age, with all countries aiming to reduce neonatal mortality to at least as low as 12 per 1,000 live births and under-5 mortality to at least as low as 25 per 1,000 live births</p>	<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Rights of the Child (CRC)</p> <p>24.1 States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services.</p> <p>24.2.f To develop preventive health care, guidance for parents and family planning education and services.</p> <p>24.2.a To diminish infant and child mortality;</p> <p>24.2.b To ensure the provision of necessary medical assistance and health care to all children with emphasis on the development of primary health care;</p> <p>24.2.c To combat disease and malnutrition, including within the framework of primary health care, through, inter alia, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking-water, taking into consideration the dangers and risks of environmental pollution;</p> <p>24.2.d To ensure appropriate pre-natal and post-natal health care for mothers;</p>

		<p>24.2.e To ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of child health and nutrition, the advantages of breastfeeding, hygiene and environmental sanitation and the prevention of accidents;</p> <p>24.3 States Parties shall take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children.</p> <p>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</p> <p>12.1 States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning.</p> <p>12.2 Notwithstanding the provisions of paragraph 1 of this article, States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.</p> <p>Convention on the Rights of Persons with Disabilities (CRPD)</p> <p>10 States Parties reaffirm that every human being has the inherent right to life and shall take all necessary measures to ensure its effective enjoyment by persons with disabilities on an equal basis with others.</p> <p>25.d Require health professionals to provide care of the same quality to persons with disabilities as to others, including on the basis of free and informed consent by, inter alia, raising awareness of the human rights, dignity, autonomy and needs of persons with disabilities through training and the promulgation of ethical standards for public and private health care;</p> <p>25.b Provide those health services needed by persons with disabilities specifically because of their disabilities, including early identification and intervention as appropriate, and services designed to minimize and prevent further disabilities, including among children and older persons;</p> <p>International Covenant on Economic, Social, and Cultural Rights (ICESCR)</p> <p>12.1 The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.</p> <p>12.2.a The provision for the reduction of the stillbirth-rate and of infant mortality and for the healthy development of the child;</p> <p>12.2.b The improvement of all aspects of environmental and industrial hygiene;</p> <p>12.2.c The prevention, treatment and control of epidemic, endemic, occupational and other diseases;</p> <p>12.2.d The creation of conditions which would assure to all medical service and medical attention in the event of sickness.</p>
--	--	---

International Covenant on Civil and Political Rights (ICCPR)

6.1 Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.

Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CRMW)

9 The right to life of migrant workers and members of their families shall be protected by law.

28 Migrant workers and members of their families shall have the right to receive any medical care that is urgently required for the preservation of their life or the avoidance of irreparable harm to their health on the basis of equality of treatment with nationals of the State concerned. Such emergency medical care shall not be refused them by reason of any irregularity with regard to stay or employment.

Universal Declaration of Human Rights (UDHR)

3 Everyone has the right to life, liberty and security of person.

25.1 Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

African Charter on Human and Peoples' Rights

16.1 Every individual shall have the right to enjoy the best attainable state of physical and mental health.

16.2 State Parties to the present Charter shall take the necessary measures to protect the health of their people and to ensure that they receive medical attention when they are sick.

African Charter on the Rights and Welfare of the Child

5.1 Every child has an inherent right to life. This right shall be protected by law.

5.2 States Parties to the present Charter shall ensure, to the maximum extent possible, the survival, protection and development of the child.

14.1. Every child shall have the right to enjoy the best attainable state of physical, mental and spiritual health.

14.2 States Parties to the present Charter shall undertake to pursue the full implementation of this right and in particular shall take measures:

14.2.a to reduce infant and child mortality rate;

		<p>Protocol to the American Convention on Human Rights 1988</p> <p>10.1 Everyone shall have the right to health, understood to mean the enjoyment of the highest level of physical, mental and social well-being.</p> <p>10.2 In order to ensure the exercise of the right to health, the States Parties agree to recognize health as a public good and, particularly, to adopt the following measures to ensure that right:</p> <p>10.2.a Primary health care, that is, essential health care made available to all individuals and families in the community;</p> <p>10.2.b Extension of the benefits of health services to all individuals subject to the State's jurisdiction;</p> <p>10.2.c Universal immunization against the principal infectious diseases;</p> <p>10.2.d Prevention and treatment of endemic, occupational and other diseases;</p> <p>10.2.e Education of the population on the prevention and treatment of health problems, and</p> <p>10.2.f Satisfaction of the health needs of the highest risk groups and of those whose poverty makes them the most vulnerable.</p> <p>European Social Charter (1996, revised)</p> <p>1.11 Everyone has the right to benefit from any measures enabling him to enjoy the highest possible standard of health attainable.</p> <p>11 With a view to ensuring the effective exercise of the right to protection of health, the Parties undertake, either directly or in cooperation with public or private organisations, to take appropriate measures designed inter alia:</p> <p>11.1 to remove as far as possible the causes of ill-health;</p> <p>11.2 to provide advisory and educational facilities for the promotion of health and the encouragement of individual responsibility in matters of health;</p> <p>11.3 to prevent as far as possible epidemic, endemic and other diseases, as well as accidents.</p> <p>➤ SUPPORTING REFERENCES (NOT LEGALLY BINDING)</p> <p>Beijing Platform of Action (1995)</p> <p>C.1 Increase women's access throughout the life cycle to appropriate, affordable and quality health care, information and related services.</p>
--	--	--

L.5. Eliminate discrimination against girls in health and nutrition.

International Conference on Population and Development (ICPD) (1994)

6.5 In attempting to address population growth concerns, countries should recognize the interrelationships between fertility and mortality levels and aim to reduce high levels of infant, child and maternal mortality so as to lessen the need for high fertility and reduce the occurrence of high-risk births.

CRC Committee General Comments

General Comment No. 7: Implementing child rights in early childhood

10. Right to life, survival and development. Article 6 refers to the child's inherent right to life and States parties' obligation to ensure, to the maximum extent possible, the survival and development of the child. States parties are urged to take all possible measures to improve perinatal care for mothers and babies, reduce infant and child mortality, and create conditions that promote the wellbeing of all young children during this critical phase of their lives. Malnutrition and preventable diseases continue to be major obstacles to realizing rights in early childhood. Ensuring survival and physical health are priorities, but States parties are reminded that article 6 encompasses all aspects of development, and that a young child's health and psychosocial wellbeing are in many respects interdependent. Both may be put at risk by adverse living conditions, neglect, insensitive or abusive treatment and restricted opportunities for realizing human potential. Young children growing up in especially difficult circumstances require particular attention (see section VI below). The Committee reminds States parties (and others concerned) that the right to survival and development can only be implemented in a holistic manner, through the enforcement of all the other provisions of the Convention, including rights to health, adequate nutrition, social security, an adequate standard of living, a healthy and safe environment, education and play (arts. 24, 27, 28, 29 and 31), as well as through respect for the responsibilities of parents and the provision of assistance and quality services (arts. 5 and 18). From an early age, children should themselves be included in activities promoting good nutrition and a healthy and disease preventing lifestyle.

27. Health-care provision. States parties should ensure that all children have access to the highest attainable standard of health care and nutrition during their early years, in order to reduce infant mortality and enable children to enjoy a healthy start in life (art. 24). In particular:

27.a States parties have a responsibility to ensure access to clean drinking water, adequate sanitation, appropriate immunization, good nutrition and medical services, which are essential for young children's health, as is a stress free environment. Malnutrition and disease have long term impacts on children's physical health and development. They affect children's mental state, inhibiting learning and social participation and reducing prospects for realizing their potential. The same applies to obesity and unhealthy lifestyles;

27.b States parties have a responsibility to implement children's right to health by encouraging education in child health and development, including about the advantages of breastfeeding, nutrition, hygiene and sanitation. Priority should also be given to the provision of appropriate prenatal and post-natal health care for mothers and infants in order to foster healthy family child

relationships, especially between a child and his or her mother (or other primary caregiver) (art. 24.2). Young children are themselves able to contribute to ensuring their personal health and encouraging healthy lifestyles among their peers, for example through participation in appropriate, child centred health education programmes;

General Comment No. 9: The rights of children with disabilities

31. The inherent right to life, survival and development is a right that warrants particular attention where children with disabilities are concerned. In many countries of the world children with disabilities are subject to a variety of practices that completely or partially compromise this right. In addition to being more vulnerable to infanticide, some cultures view a child with any form of disability as a bad omen that may “tarnish the family pedigree” and, accordingly, a certain designated individual from the community systematically kills children with disabilities. These crimes often go unpunished or perpetrators receive reduced sentences. States parties are urged to undertake all the necessary measures required to put an end to these practices, including raising public awareness, setting up appropriate legislation and enforcing laws that ensure appropriate punishment to all those who directly or indirectly violate the right to life, survival and development of children with disabilities.

General Comment No. 13: The right of the child to freedom from all forms of violence

15. Survival and development – the devastating impact of violence against children. Children’s survival and their “physical, mental, spiritual, moral and social development” (art. 27, para. 1) are severely negatively impacted by violence, as described below:

15.a The short- and long-term health consequences of violence against children and child maltreatment are widely recognized. They include: fatal injury; non-fatal injury (possibly leading to disability); physical health problems (including failure to thrive, later lung, heart and liver disease and sexually transmitted infections); cognitive impairment (including impaired school and work performance); psychological and emotional consequences (such as feelings of rejection and abandonment, impaired attachment, trauma, fear, anxiety, insecurity and shattered self-esteem); mental health problems (such as anxiety and depressive disorders, hallucinations, memory disturbances and suicide attempts); and health-risk behaviours (such as substance abuse and early initiation of sexual behaviour);

General Comment No. 15: The right of the child to the highest attainable standard of health

18. Among the key determinants of children’s health, nutrition and development are the realization of the mother’s right to health and the role of parents and other caregivers. A significant number of infant deaths occur during the neonatal period, related to the poor health of the mother prior to, and during, the pregnancy and the immediate post-partum period, and to suboptimal breastfeeding practices. The health and health-related behaviours of parents and other significant adults have a major impact on children’s health.

CEDAW Committee General Recommendations

General Recommendation No. 24: Women and health

21. States parties should report on measures taken to eliminate barriers that women face in access to health-care services and

what measures they have taken to ensure women timely and affordable access to such services. Barriers include requirements or conditions that prejudice women's access, such as high fees for health-care services, the requirement for preliminary authorization by spouse, parent or hospital authorities, distance from health facilities and the absence of convenient and affordable public transport.

27. States parties should include in their reports how they supply free services where necessary to ensure safe pregnancies, childbirth and post-partum periods for women. Many women are at risk of death or disability from pregnancy-related causes because they lack the funds to obtain or access the necessary services, which include antenatal, maternity and post-natal services. The Committee notes that it is the duty of States parties to ensure women's right to safe motherhood and emergency obstetric services and they should allocate to these services the maximum extent of available resources.

Human Rights Committee (CCPR) General Comments

General Comment No. 6: The right to life

5. Moreover, the Committee has noted that the right to life has been too often narrowly interpreted. The expression "inherent right to life" cannot properly be understood in a restrictive manner, and the protection of this right requires that States adopt positive measures. In this connection, the Committee considers that it would be desirable for States parties to take all possible measures to reduce infant mortality and to increase life expectancy, especially in adopting measures to eliminate malnutrition and epidemics.

Committee on Economic, Social and Cultural Rights General Comments

General Comment No. 14: The right to the highest attainable standard of health

14. "The provision for the reduction of the stillbirth rate and of infant mortality and for the healthy development of the child" (art. 12.2 (a)) may be understood as requiring measures to improve child and maternal health, sexual and reproductive health services, including access to family planning, pre- and post-natal care, emergency obstetric services and access to information, as well as to resources necessary to act on that information.

22. Article 12.2 (a) outlines the need to take measures to reduce infant mortality and promote the healthy development of infants and children. Subsequent international human rights instruments recognize that children and adolescents have the right to the enjoyment of the highest standard of health and access to facilities for the treatment of illness. The Convention on the Rights of the Child directs States to ensure access to essential health services for the child and his or her family, including pre- and post-natal care for mothers. The Convention links these goals with ensuring access to child friendly information about preventive and health promoting behaviour and support to families and communities in implementing these practices. Implementation of the principle of non-discrimination requires that girls, as well as boys, have equal access to adequate nutrition, safe environments, and physical as well as mental health services. There is a need to adopt effective and appropriate measures to abolish harmful traditional practices affecting the health of children, particularly girls, including early marriage, female genital mutilation, preferential feeding and care of male children. Children with disabilities should be given the opportunity to enjoy a fulfilling and decent life and to participate within their community.

<p>3.3</p>	<p>By 2030, end the epidemics of AIDS, tuberculosis, malaria and neglected tropical diseases and combat hepatitis, water-borne diseases and other communicable diseases</p>	<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Rights of the Child (CRC)</p> <p>24.1 States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services.</p> <p>24.2.f To develop preventive health care, guidance for parents and family planning education and services.</p> <p>24.2.a To diminish infant and child mortality;</p> <p>24.2.b To ensure the provision of necessary medical assistance and health care to all children with emphasis on the development of primary health care;</p> <p>24.2.c To combat disease and malnutrition, including within the framework of primary health care, through, inter alia, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking-water, taking into consideration the dangers and risks of environmental pollution;</p> <p>24.2.d To ensure appropriate pre-natal and post-natal health care for mothers;</p> <p>24.2.e To ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of child health and nutrition, the advantages of breastfeeding, hygiene and environmental sanitation and the prevention of accidents;</p> <p>24.3 States Parties shall take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children.</p> <p>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</p> <p>12.1 States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning.</p> <p>Convention on the Rights of Persons with Disabilities (CRPD)</p> <p>10 States Parties reaffirm that every human being has the inherent right to life and shall take all necessary measures to ensure its effective enjoyment by persons with disabilities on an equal basis with others.</p> <p>25.d Require health professionals to provide care of the same quality to persons with disabilities as to others, including on the basis of free and informed consent by, inter alia, raising awareness of the human rights, dignity, autonomy and needs of persons with disabilities through training and the promulgation of ethical standards for public and private health care;</p>
------------	---	---

		<p>25.b Provide those health services needed by persons with disabilities specifically because of their disabilities, including early identification and intervention as appropriate, and services designed to minimize and prevent further disabilities, including among children and older persons;</p> <p>International Covenant on Economic, Social, and Cultural Rights (ICESCR)</p> <p>12.1 The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.</p> <p>12.2.d The creation of conditions which would assure to all medical service and medical attention in the event of sickness.</p> <p>12.2.a The provision for the reduction of the stillbirth-rate and of infant mortality and for the healthy development of the child;</p> <p>12.2.b The improvement of all aspects of environmental and industrial hygiene;</p> <p>12.2.c The prevention, treatment and control of epidemic, endemic, occupational and other diseases;</p> <p>International Covenant on Civil and Political Rights (ICCPR)</p> <p>6.1 Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.</p> <p>Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CRMW)</p> <p>9 The right to life of migrant workers and members of their families shall be protected by law.</p> <p>28 Migrant workers and members of their families shall have the right to receive any medical care that is urgently required for the preservation of their life or the avoidance of irreparable harm to their health on the basis of equality of treatment with nationals of the State concerned. Such emergency medical care shall not be refused them by reason of any irregularity with regard to stay or employment.</p> <p>African Charter on Human and Peoples' Rights</p> <p>16.1 Every individual shall have the right to enjoy the best attainable state of physical and mental health.</p> <p>16.2 State Parties to the present Charter shall take the necessary measures to protect the health of their people and to ensure that they receive medical attention when they are sick.</p> <p>African Charter on the Rights and Welfare of the Child</p> <p>14.1. Every child shall have the right to enjoy the best attainable state of physical, mental and spiritual health.</p> <p>14.2 States Parties to the present Charter shall undertake to pursue the full implementation of this right and in particular shall take</p>
--	--	---

		<p>measures:</p> <p>14.2.a to reduce infant and child mortality rate;</p> <p>14.2.b to ensure the provision of necessary medical assistance and health care to all children with emphasis on the development of primary health care;</p> <p>14.2.g to integrate basic health service programmes in national development plans;</p> <p>Protocol to the American Convention on Human Rights 1988</p> <p>10.1 Everyone shall have the right to health, understood to mean the enjoyment of the highest level of physical, mental and social well-being.</p> <p>10.2 In order to ensure the exercise of the right to health, the States Parties agree to recognize health as a public good and, particularly, to adopt the following measures to ensure that right:</p> <p>10.2.a Primary health care, that is, essential health care made available to all individuals and families in the community;</p> <p>10.2.b Extension of the benefits of health services to all individuals subject to the State's jurisdiction;</p> <p>10.2.c Universal immunization against the principal infectious diseases;</p> <p>10.2.d Prevention and treatment of endemic, occupational and other diseases;</p> <p>10.2.e Education of the population on the prevention and treatment of health problems, and</p> <p>10.2.f Satisfaction of the health needs of the highest risk groups and of those whose poverty makes them the most vulnerable.</p> <p>European Social Charter (1996, revised)</p> <p>1.11 Everyone has the right to benefit from any measures enabling him to enjoy the highest possible standard of health attainable.</p> <p>11 With a view to ensuring the effective exercise of the right to protection of health, the Parties undertake, either directly or in cooperation with public or private organisations, to take appropriate measures designed inter alia:</p> <p>11.1 to remove as far as possible the causes of ill-health;</p> <p>11.2 to provide advisory and educational facilities for the promotion of health and the encouragement of individual responsibility in matters of health;</p>
--	--	--

11.3 to prevent as far as possible epidemic, endemic and other diseases, as well as accidents.

➤ **SUPPORTING REFERENCES (NOT LEGALLY BINDING)**

Beijing Platform of Action (1995)

C.1 Increase women's access throughout the life cycle to appropriate, affordable and quality health care, information and related services.

C.2 Strengthen preventive programmes that promote women's health.

C.3 Undertake gender-sensitive initiatives that address sexually transmitted diseases, HIV/AIDS, and sexual and reproductive health issues.

L.5. Eliminate discrimination against girls in health and nutrition.

International Conference on Population and Development (ICPD) (1994)

8.30 Governments should assess the demographic and development impact of HIV infection and AIDS. The AIDS pandemic should be controlled through a multisectoral approach that pays sufficient attention to its socio-economic ramifications, including the heavy burden on health infrastructure and household income, its negative impact on the labour force and productivity, and the increasing number of orphaned children. Multisectoral national plans and strategies to deal with AIDS should be integrated into population and development strategies. The socio-economic factors underlying the spread of HIV infection should be investigated, and programmes to address the problems faced by those left orphaned by the AIDS pandemic should be developed.

8.35 Responsible sexual behaviour, including voluntary sexual abstinence, for the prevention of HIV infection should be promoted and included in education and information programmes. Condoms and drugs for the prevention and treatment of sexually transmitted diseases should be made widely available and affordable and should be included in all essential drug lists. Effective action should be taken to further control the quality of blood products and equipment decontamination.

CRC Committee General Comments

General Comment No. 2: HIV/AIDS and the rights of the child

17. The Committee is concerned that health services are generally still insufficiently responsive to the needs of human beings below 18 years old, in particular adolescents. As the Committee has noted on numerous occasions, children are more likely to use services that are friendly and supportive, provide a range of services and information, are geared to their needs, ensure their opportunity to participate in decisions affecting their health, and are accessible, affordable, confidential, non-judgemental, do not require parental consent and do not discriminate. In the context of HIV/AIDS and taking into account the evolving capacities of the child, States parties are encouraged to ensure that health services employ trained personnel who fully respect the rights of children to privacy (art. 6) and non-discrimination in offering them access to HIV-related information, voluntary counselling and testing,

knowledge of their HIV status, confidential sexual and reproductive health services, free or low cost contraception, condoms and services, as well as HIV-related care and treatment if and when needed, including for the prevention and treatment of health problems related to HIV/AIDS e.g. tuberculosis and opportunistic infections.

19. The accessibility of voluntary, confidential HIV-counselling and testing services, with due attention to the evolving capacities of the child, is fundamental to the rights and health of children. These services are critical to children's ability to reduce their risk of acquiring or transmitting HIV, to accessing HIV-specific care, treatment and support, and to better plan for their futures. Consistent with the obligation under article 24 of the Convention to ensure that no child is deprived of her or his right of access to necessary health services, States parties should ensure access to voluntary, confidential HIV counselling and testing for all children.

23. To prevent MTCT of HIV, States parties must take steps, including the provision of essential drugs, e.g. antiretroviral drugs, appropriate antenatal, delivery and post-partum care, and making HIV voluntary counselling and testing services available to pregnant women and their partners. The Committee recognizes that antiretroviral drugs given to a woman during pregnancy and/or labour and, in some regimens, to her infant, has been shown to significantly reduce the risk of transmission from mother to child. However, in addition, State parties should provide support for mothers and children, including counselling on infant feeding options. States parties are reminded that counselling of HIV-positive mothers should include information about the risks and benefits of different infant feeding options, and guidance in selecting the option most likely to be suitable for their situation. Follow-up support is also required in order for women to be able to implement their selected option as safely as possible.

26. Adolescents, both girls and boys, are at risk of being infected with and affected by STDs, including HIV/AIDS. States should ensure that appropriate goods, services and information for the prevention and treatment of STDs, including HIV/AIDS, are available and accessible. To this end, States parties are urged (a) to develop effective prevention programmes, including measures aimed at changing cultural views about adolescents' need for contraception and STD prevention and addressing cultural and other taboos surrounding adolescent sexuality; (b) to adopt legislation to combat practices that either increase adolescents' risk of infection or contribute to the marginalization of adolescents who are already infected with STDs, including HIV; (c) to take measures to remove all barriers hindering the access of adolescents to information, preventive measures such as condoms, and care.

General Comment No. 7: Implementing child rights in early childhood

27. Health-care provision. States parties should ensure that all children have access to the highest attainable standard of health care and nutrition during their early years, in order to reduce infant mortality and enable children to enjoy a healthy start in life (art. 24). In particular:

27.c The Committee wishes to draw States parties' attention to the particular challenges of HIV/AIDS for early childhood. All necessary steps should be taken to: (i) prevent infection of parents and young children, especially by intervening in chains of transmission, especially between father and mother and from mother to baby; (ii) provide accurate diagnoses, effective treatment and other forms of support for both parents and young children who are infected by the virus (including antiretroviral therapies); and (iii) ensure adequate alternative care for children who have lost parents or other primary caregivers due to HIV/AIDS, including healthy and infected orphans. (See also general comment No. 3 (2003) on HIV/AIDS and the rights of the child.)

General Comment No. 20: Implementation of the rights of the child during adolescence

68. The Committee encourages States to address adolescents' diverse realities and ensure that they all have access to HIV testing and counselling, evidence-based HIV prevention and treatment programmes, and sexual and reproductive health services. States should involve adolescents in the development, implementation and evaluation of programmes for testing, treatment, care and prevention. Health services should employ trained personnel who fully respect the rights of adolescents to privacy and non-discrimination in offering HIV related information, testing, sexual and reproductive health services, contraception, condoms and HIV-related care and treatment including antiretroviral and other medicines, diagnostics and related technologies for the care of HIV/AIDS, related opportunistic infections and other conditions, good nutrition, and social, spiritual, and psychological support, as well as family, community and home-based care. The Committee encourages technical cooperation between States and, inter alia, the Joint United Nations Programme on HIV/AIDS (UNAIDS) and UNICEF.

CEDAW Committee General Recommendations

General Recommendation No. 15: Avoidance of discrimination against women in national strategies for the prevention and control of acquired immunodeficiency syndrome (AIDS)

- a. That States parties intensify efforts in disseminating information to increase public awareness of the risk of HIV infection and AIDS, especially in women and children, and of its effect on them;
- b. That programmes to combat AIDS should give special attention to the rights and needs of women and children, and to the factors relating to the reproductive role of women and their subordinate position in some societies which make them especially vulnerable to HIV infection;
- c. That States parties ensure the active participation of women in primary health care and take measures to enhance their role as care providers, health workers and educators in the prevention of infection with HIV;

31. States parties should also, in particular:

31.b Ensure the removal of all barriers to women's access to health services, education and information, including in the area of sexual and reproductive health, and, in particular, allocate resources for programmes directed at adolescents for the prevention and treatment of sexually transmitted diseases, including HIV/AIDS;

31.d That all States parties include in their reports under article 12 of the Convention information on the effects of AIDS on the situation of women and on the action taken to cater to the needs of those women who are infected and to prevent specific discrimination against women in response to AIDS.

Committee on Economic, Social and Cultural Rights General Comments

General Comment No. 14: The right to the highest attainable standard of health

16. "The prevention, treatment and control of epidemic, endemic, occupational and other diseases" (art. 12.2 (c)) requires the

		<p>establishment of prevention and education programmes for behaviour related health concerns such as sexually transmitted diseases, in particular HIV/AIDS, and those adversely affecting sexual and reproductive health, and the promotion of social determinants of good health, such as environmental safety, education, economic development and gender equity. The right to treatment includes the creation of a system of urgent medical care in cases of accidents, epidemics and similar health hazards, and the provision of disaster relief and humanitarian assistance in emergency situations. The control of diseases refers to States' individual and joint efforts to, inter alia, make available relevant technologies, using and improving epidemiological surveillance and data collection on a disaggregated basis, the implementation or enhancement of immunization programmes and other strategies of infectious disease control.</p>
<p>3.7</p>	<p>By 2030, ensure universal access to sexual and reproductive health-care services, including for family planning, information and education, and the integration of reproductive health into national strategies and programmes</p>	<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Rights of the Child (CRC)</p> <p>2.1 States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.</p> <p>2.2 States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.</p> <p>24.1 States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services.</p> <p>24.2.f To develop preventive health care, guidance for parents and family planning education and services.</p> <p>Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography (CRC OPSC)</p> <p>9.3 States Parties shall take all feasible measures with the aim of ensuring all appropriate assistance to victims of such offences, including their full social reintegration and their full physical and psychological recovery.</p> <p>10.2 States Parties shall promote international cooperation to assist child victims in their physical and psychological recovery, social reintegration and repatriation.</p> <p>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</p> <p>14.2.b To have access to adequate health care facilities, including information, counselling and services in family planning;</p> <p>16.1.e The same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights;</p>

16.2 The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.

Convention on the Rights of Persons with Disabilities (CRPD)

23.1.b The rights of persons with disabilities to decide freely and responsibly on the number and spacing of their children and to have access to age-appropriate information, reproductive and family planning education are recognized, and the means necessary to enable them to exercise these rights are provided;

International Covenant on Economic, Social, and Cultural Rights (ICESCR)

10.2 Special protection should be accorded to mothers during a reasonable period before and after childbirth. During such period working mothers should be accorded paid leave or leave with adequate social security benefits.

12.1 The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.

12.2.d The creation of conditions which would assure to all medical service and medical attention in the event of sickness.

Universal Declaration of Human Rights (UDHR)

16.1 Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.

African Charter on Human and Peoples' Rights

9.1 Every individual shall have the right to receive information.

16.1 Every individual shall have the right to enjoy the best attainable state of physical and mental health.

16.2 State Parties to the present Charter shall take the necessary measures to protect the health of their people and to ensure that they receive medical attention when they are sick.

African Charter on the Rights and Welfare of the Child

14.1. Every child shall have the right to enjoy the best attainable state of physical, mental and spiritual health.

14.2 States Parties to the present Charter shall undertake to pursue the full implementation of this right and in particular shall take measures:

14.2.a to reduce infant and child mortality rate;

14.2.b to ensure the provision of necessary medical assistance and health care to all children with emphasis on the development of

		<p>primary health care;</p> <p>14.2.f to develop preventive health care and family life education and provision of service;</p> <p>14.2.g to integrate basic health service programmes in national development plans;</p> <p>21.1 States Parties to the present Charter shall take all appropriate measures to eliminate harmful social and cultural practices affecting the welfare, dignity, normal growth and development of the child and in particular:</p> <p>21.1.a those customs and practices prejudicial to the health or life of the child; and</p> <p>21.2.b those customs and practices discriminatory to the child on the grounds of sex or other status.</p> <p>21.2. Child marriage and the betrothal of girls and boys shall be prohibited and effective action, including legislation, shall be taken to specify the minimum age of marriage to be 18 years and make registration of all marriages in an official registry compulsory.</p> <p>Protocol to the American Convention on Human Rights 1988</p> <p>10.1 Everyone shall have the right to health, understood to mean the enjoyment of the highest level of physical, mental and social well-being.</p> <p>10.2 In order to ensure the exercise of the right to health, the States Parties agree to recognize health as a public good and, particularly, to adopt the following measures to ensure that right:</p> <p>10.2.a Primary health care, that is, essential health care made available to all individuals and families in the community;</p> <p>10.2.b Extension of the benefits of health services to all individuals subject to the State's jurisdiction;</p> <p>10.2.c Universal immunization against the principal infectious diseases;</p> <p>10.2.d Prevention and treatment of endemic, occupational and other diseases;</p> <p>10.2.e Education of the population on the prevention and treatment of health problems, and</p> <p>10.2.f Satisfaction of the health needs of the highest risk groups and of those whose poverty makes them the most vulnerable.</p> <p>Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women</p> <p>4 Every woman has the right to the recognition, enjoyment, exercise and protection of all human rights and freedoms embodied in regional and international human rights instruments. These rights include, among others:</p>
--	--	---

		<p>4.a The right to have her life respected;</p> <p>4.b The right to have her physical, mental and moral integrity respected;</p> <p>European Convention on Human Rights</p> <p>14 The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.</p> <p>Protocol to the European Convention on Human Rights No. 12</p> <p>1.1 The enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.</p> <p>1.2 No one shall be discriminated against by any public authority on any ground such as those mentioned in paragraph 1.</p> <p>European Social Charter (1996, revised)</p> <p>1.11 Everyone has the right to benefit from any measures enabling him to enjoy the highest possible standard of health attainable.</p> <p>11 With a view to ensuring the effective exercise of the right to protection of health, the Parties undertake, either directly or in cooperation with public or private organisations, to take appropriate measures designed inter alia:</p> <p>11.1 to remove as far as possible the causes of ill-health;</p> <p>11.2 to provide advisory and educational facilities for the promotion of health and the encouragement of individual responsibility in matters of health;</p> <p>11.3 to prevent as far as possible epidemic, endemic and other diseases, as well as accidents.</p> <p>➤ SUPPORTING REFERENCES (NOT LEGALLY BINDING)</p> <p>Beijing Platform of Action (1995)</p> <p>C.1 Increase women's access throughout the life cycle to appropriate, affordable and quality health care, information and related services.</p> <p>C.2 Strengthen preventive programmes that promote women's health.</p>
--	--	---

L.5. Eliminate discrimination against girls in health and nutrition.

International Conference on Population and Development (ICPD) (1994)

7.6. All countries should strive to make accessible through the primary health-care system, reproductive health to all individuals of appropriate ages as soon as possible and no later than the year 2015. Reproductive health care in the context of primary health care should, inter alia, include: family-planning counselling, information, education, communication and services; education and services for prenatal care, safe delivery and post-natal care, especially breast-feeding and infant and women's health care; prevention and appropriate treatment of infertility; abortion as specified in paragraph 8.25, including prevention of abortion and the management of the consequences of abortion; treatment of reproductive tract infections; sexually transmitted diseases and other reproductive health conditions; and information, education and counselling, as appropriate, on human sexuality, reproductive health and responsible parenthood. Referral for family-planning services and further diagnosis and treatment for complications of pregnancy, delivery and abortion, infertility, reproductive tract infections, breast cancer and cancers of the reproductive system, sexually transmitted diseases, including HIV/AIDS should always be available, as required. Active discouragement of harmful practices, such as female genital mutilation, should also be an integral component of primary health care, including reproductive health-care programmes.

7.7. Reproductive health-care programmes should be designed to serve the needs of women, including adolescents, and must involve women in the leadership, planning, decision-making, management, implementation, organization and evaluation of services. Governments and other organizations should take positive steps to include women at all levels of the health-care system.

7.8. Innovative programmes must be developed to make information, counselling and services for reproductive health accessible to adolescents and adult men. Such programmes must both educate and enable men to share more equally in family planning and in domestic and child-rearing responsibilities and to accept the major responsibility for the prevention of sexually transmitted diseases.

7.15 Governments and the international community should use the full means at their disposal to support the principle of voluntary choice in family planning.

7.37 Support should be given to integral sexual education and services for young people, with the support and guidance of their parents and in line with the Convention on the Rights of the Child, that stress responsibility of males for their own sexual health and fertility and that help them exercise those responsibilities. Educational efforts should begin within the family unit, in the community and in the schools at an appropriate age, but must also reach adults, in particular men, through non-formal education and a variety of community-based efforts.

7.46 Countries, with the support of the international community, should protect and promote the rights of adolescents to reproductive health education, information and care and greatly reduce the number of adolescent pregnancies.

CRC Committee General Comments

General Comment No. 2: HIV/AIDS and the rights of the child

9. Children have the right not to have their lives arbitrarily taken, as well as to benefit from economic and social policies which will allow them to survive into adulthood and develop in the broadest sense of the word. State obligation to realize the right to survival, life and development also highlights the need to give careful attention to sexuality as well as to the behaviours and lifestyle of children, even if they do not conform to the society's determination of what is acceptable under prevailing cultural norms for a particular age group. In this regard, the female child is often subject to harmful traditional practices such as early and or forced marriage, which violate her rights and make her more vulnerable to HIV infection, including because such practices often interrupt access to education and information. Effective prevention programmes are only those that acknowledge the realities of the lives of adolescents, while addressing sexuality by ensuring equal access to appropriate information, life-skills, and to preventive measures.

General Comment No. 3: Adolescent health and development in the context of the Convention on the Rights of the Child

12. The Committee calls upon States parties to develop and implement, in a manner consistent with adolescents' evolving capacities, legislation, policies and programmes to promote the health and development of adolescents by (a) providing parents (or legal guardians) with appropriate assistance through the development of institutions, facilities and services that adequately support the well-being of adolescents, including, when needed, the provision of material assistance and support with regard to nutrition, clothing and housing (art. 27 (3)); (b) providing adequate information and parental support to facilitate the development of a relationship of trust and confidence in which issues regarding, for example, sexuality and sexual behaviour and risky lifestyles can be openly discussed and acceptable solutions found that respect the adolescent's rights (art. 27 (3)); (c) providing adolescent mothers and fathers with support and guidance for both their own and their children's well-being (art. 24 (f), 27 (2-3)); (d) giving, while respecting the values and norms of ethnic and other minorities, special attention, guidance and support to adolescents and parents (or legal guardians), whose traditions and norms may differ from those in the society where they live; and (e) ensuring that interventions in the family to protect the adolescent and, when necessary, separate her/him from the family, e.g. in case of abuse or neglect, are in accordance with applicable laws and procedures. Such laws and procedures should be reviewed to ensure that they conform to the principles of the Convention.

24. In light of articles 3, 17 and 24 of the Convention, States parties should provide adolescents with access to sexual and reproductive information, including on family planning and contraceptives, the dangers of early pregnancy, the prevention of HIV/AIDS and the prevention and treatment of sexually transmitted diseases (STDs). In addition, States parties should ensure that they have access to appropriate information, regardless of their marital status and whether their parents or guardians consent. It is essential to find proper means and methods of providing information that is adequate and sensitive to the particularities and specific rights of adolescent girls and boys. To this end, States parties are encouraged to ensure that adolescents are actively involved in the design and dissemination of information through a variety of channels beyond the school, including youth organizations, religious, community and other groups and the media.

26. Adolescents, both girls and boys, are at risk of being infected with and affected by STDs, including HIV/AIDS. States should ensure that appropriate goods, services and information for the prevention and treatment of STDs, including HIV/AIDS, are available and accessible. To this end, States parties are urged (a) to develop effective prevention programmes, including measures aimed at changing cultural views about adolescents' need for contraception and STD prevention and addressing cultural and other taboos surrounding adolescent sexuality; (b) to adopt legislation to combat practices that either increase adolescents' risk of

infection or contribute to the marginalization of adolescents who are already infected with STDs, including HIV; (c) to take measures to remove all barriers hindering the access of adolescents to information, preventive measures such as condoms, and care.

27. Adolescent girls should have access to information on the harm that early marriage and early pregnancy can cause, and those who become pregnant should have access to health services that are sensitive to their rights and particular needs. States parties should take measures to reduce maternal morbidity and mortality in adolescent girls, particularly caused by early pregnancy and unsafe abortion practices, and to support adolescent parents. Young mothers, especially where support is lacking, may be prone to depression and anxiety, compromising their ability to care for their child. The Committee urges States parties (a) to develop and implement programmes that provide access to sexual and reproductive health services, including family planning, contraception and safe abortion services where abortion is not against the law, adequate and comprehensive obstetric care and counselling; (b) to foster positive and supportive attitudes towards adolescent parenthood for their mothers and fathers; and (c) to develop policies that will allow adolescent mothers to continue their education.

General Comment No. 15: The right of the child to the highest attainable standard of health

31. In accordance with their evolving capacities, children should have access to confidential counselling and advice without parental or legal guardian consent, where this is assessed by the professionals working with the child to be in the child's best interests. States should clarify the legislative procedures for the designation of appropriate caregivers for children without parents or legal guardians, who can consent on the child's behalf or assist the child in consenting, depending on the child's age and maturity. States should review and consider allowing children to consent to certain medical treatments and interventions without the permission of a parent, caregiver, or guardian, such as HIV testing and sexual and reproductive health services, including education and guidance on sexual health, contraception and safe abortion.

General Comment No. 15: The right of the child to the highest attainable standard of health

31. In accordance with their evolving capacities, children should have access to confidential counselling and advice without parental or legal guardian consent, where this is assessed by the professionals working with the child to be in the child's best interests. States should clarify the legislative procedures for the designation of appropriate caregivers for children without parents or legal guardians, who can consent on the child's behalf or assist the child in consenting, depending on the child's age and maturity. States should review and consider allowing children to consent to certain medical treatments and interventions without the permission of a parent, caregiver, or guardian, such as HIV testing and sexual and reproductive health services, including education and guidance on sexual health, contraception and safe abortion.

56. Given the high rates of pregnancy among adolescents globally and the additional risks of associated morbidity and mortality, States should ensure that health systems and services are able to meet the specific sexual and reproductive health needs of adolescents, including family planning and safe abortion services. States should work to ensure that girls can make autonomous and informed decisions on their reproductive health. Discrimination based on adolescent pregnancy, such as expulsion from schools, should be prohibited, and opportunities for continuous education should be ensured.

57. Taking into account that boys and men are crucial to planning and ensuring healthy pregnancies and deliveries, States should integrate education, awareness and dialogue opportunities for boys and men into their policies and plans for sexual, reproductive

and children's health services.

60. Sexual and reproductive health education should include self-awareness and knowledge about the body, including anatomical, physiological and emotional aspects, and should be accessible to all children, girls and boys. It should include content related to sexual health and well-being, such as information about body changes and maturation processes, and designed in a manner through which children are able to gain knowledge regarding reproductive health and the prevention of gender-based violence, and adopt responsible sexual behaviour.

69. Family planning services should be situated within comprehensive sexual and reproductive health services and should encompass sexuality education, including counselling. They can be considered part of the continuum of services described in article 24, paragraph 2 (d), and should be designed to enable all couples and individuals to make sexual and reproductive decisions freely and responsibly, including the number, spacing and timing of their children, and to give them the information and means to do so. Attention should be given to ensuring confidential, universal access to goods and services for both married and unmarried female and male adolescents. States should ensure that adolescents are not deprived of any sexual and reproductive health information or services due to providers' conscientious objections.

70. Short-term contraceptive methods such as condoms, hormonal methods and emergency contraception should be made easily and readily available to sexually active adolescents. Long-term and permanent contraceptive methods should also be provided. The Committee recommends that States ensure access to safe abortion and post-abortion care services, irrespective of whether abortion itself is legal.

General Comment No. 20: Implementation of the rights of the child

64. The Committee also urges States to adopt or integrate a comprehensive gender-sensitive sexual and reproductive health policy for adolescents, emphasising that unequal access by adolescents to such information and services amounts to discrimination. It draws attention to the fact that lack of access to these services contribute to adolescent girls being the most at-risk group of dying or suffering serious or lifelong injuries in pregnancy and childbirth. All adolescents must have access to confidential adolescent-responsive and non-discriminatory reproductive and sexual health information and services, available both on and off-line, including family planning, contraception, counselling, pre-conception care, maternal care, menstrual hygiene, sexually transmitted infections, diagnosis and treatment, and contraception, as well as safe abortion services.

65. No prohibitions should exist in accessing services, such as requirements for parental or partner consent (see para 43). In addition, particular efforts need to be made to overcome barriers of stigma and fear experienced by, for example, adolescent girls, those with disabilities and LGBTI adolescents, in accessing such services. Furthermore, the Committee urges States to decriminalize abortion, ensure that girls have access to safe abortion, review legislation with a view to guaranteeing the best interests of pregnant adolescents, and ensure that their views are always heard and respected in abortion decisions.

66. Age-appropriate, comprehensive and inclusive sexual and reproductive health education, based on scientific evidence and human rights standards, should be part of the mandatory school curriculum, with special attention given to relationships, responsible parenthood and sexual behaviour, and preventing early pregnancy and sexually transmitted infections.

CEDAW Committee General Recommendations

General Recommendation No. 19: Violence against women

22. Compulsory sterilization or abortion adversely affects women’s physical and mental health, and infringes the right of women to decide on the number and spacing of their children.

General Recommendation No. Equality in marriage and family relations

22. Some reports disclose coercive practices which have serious consequences for women, such as forced pregnancies, abortions or sterilization. Decisions 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, as provided in article 10 (h) of the Convention.

General Recommendation No. 24: Women and health

18. The issues of HIV/AIDS and other sexually transmitted diseases are central to the rights of women and adolescent girls to sexual health. Adolescent girls and women in many countries lack adequate access to information and services necessary to ensure sexual health. As a consequence of unequal power relations based on gender, women and adolescent girls are often unable to refuse sex or insist on safe and responsible sex practices. Harmful traditional practices, such as female genital mutilation, polygamy, as well as marital rape, may also expose girls and women to the risk of contracting HIV/AIDS and other sexually transmitted diseases. Women in prostitution are also particularly vulnerable to these diseases. States parties should ensure, without prejudice or discrimination, the right to sexual health information, education and services for all women and girls, including those who have been trafficked, even if they are not legally resident in the country. In particular, States parties should ensure the rights of female and male adolescents to sexual and reproductive health education by properly trained personnel in specially designed programmes that respect their right to privacy and confidentiality.

21. States parties should report on measures taken to eliminate barriers that women face in access to health-care services and what measures they have taken to ensure women timely and affordable access to such services. Barriers include requirements or conditions that prejudice women’s access, such as high fees for health-care services, the requirement for preliminary authorization by spouse, parent or hospital authorities, distance from health facilities and the absence of convenient and affordable public transport.

25. Women with disabilities, of all ages, often have difficulty with physical access to health services. Women with mental disabilities are particularly vulnerable, while there is limited understanding, in general, of the broad range of risks to mental health to which women are disproportionately susceptible as a result of gender discrimination, violence, poverty, armed conflict, dislocation and other forms of social deprivation. States parties should take appropriate measures to ensure that health services are sensitive to the needs of women with disabilities and are respectful of their human rights and dignity.

27. States parties should include in their reports how they supply free services where necessary to ensure safe pregnancies,

childbirth and post-partum periods for women. Many women are at risk of death or disability from pregnancy-related causes because they lack the funds to obtain or access the necessary services, which include antenatal, maternity and post-natal services. The Committee notes that it is the duty of States parties to ensure women's right to safe motherhood and emergency obstetric services and they should allocate to these services the maximum extent of available resources.

31.c Prioritize the prevention of unwanted pregnancy through family planning and sex education and reduce maternal mortality rates through safe motherhood services and prenatal assistance. When possible, legislation criminalizing abortion should be amended, in order to withdraw punitive measures imposed on women who undergo abortion;

Committee on Economic, Social and Cultural Rights General Comments

General Comment No. 14: The right to the highest attainable standard of health

14. "The provision for the reduction of the stillbirth rate and of infant mortality and for the healthy development of the child" (art. 12.2 (a)) may be understood as requiring measures to improve child and maternal health, sexual and reproductive health services, including access to family planning, pre-and post-natal care, emergency obstetric services and access to information, as well as to resources necessary to act on that information.

21. To eliminate discrimination against women, there is a need to develop and implement a comprehensive national strategy for promoting women's right to health throughout their life span. Such a strategy should include interventions aimed at the prevention and treatment of diseases affecting women, as well as policies to provide access to a full range of high quality and affordable health care, including sexual and reproductive services. A major goal should be reducing women's health risks, particularly lowering rates of maternal mortality and protecting women from domestic violence. The realization of women's right to health requires the removal of all barriers interfering with access to health services, education and information, including in the area of sexual and reproductive health. It is also important to undertake preventive, promotive and remedial action to shield women from the impact of harmful traditional cultural practices and norms that deny them their full reproductive rights.

23. States parties should provide a safe and supportive environment for adolescents that ensures the opportunity to participate in decisions affecting their health, to build life skills, to acquire appropriate information, to receive counselling and to negotiate the health behaviour choices they make. The realization of the right to health of adolescents is dependent on the development of youth friendly health care, which respects confidentiality and privacy and includes appropriate sexual and reproductive health services.

General Comment No. 20: Non-discrimination

29. Age is a prohibited ground of discrimination in several contexts. The Committee has highlighted the need to address discrimination against unemployed older persons in finding work, or accessing professional training or retraining, and against older persons living in poverty with unequal access to universal old-age pensions due to their place of residence. In relation to young persons, unequal access by adolescents to sexual and reproductive health information and services amounts to discrimination.

General Comment No. 22: The right to sexual and reproductive health

		<p>12. An adequate number of functioning health - care facilities, services, goods and program me s should be available to provide the population with the fullest possible range of sexual and reproductive health care. This includes ensuring the availability of facilities, goods and services for the guarantee of the underlying determinants of the realization of the right to sexual and reproductive health, such as safe and potable drinking water and adequate sanitation facilities, hospitals and clinics.</p> <p>13. Ensuring the availability of trained medical and professional personnel and skilled providers who are trained to perform the full range of sexual and reproductive health - care services is a critical component of ensuring availability. Essential medicines should also be available, including a wide range of contraceptive methods, such as condoms and emergency contraception, medicines for abortion and for post - abortion care, and medicines, including generic medicines, for the prevention and treatment of sexually transmitted infections and HIV.</p> <p>15. Health facilities, goods, information and services related to sexual and reproductive health care should be accessible to all individuals and groups without discrimination and free from barriers. As elaborated in the Committee’s general comment No. 14, accessibility includes physical accessibility, affordability and information accessibility. Physical accessibility</p> <p>16. Health facilities, goods, information and services related to sexual and reproductive health care must be available within safe physical and geographical reach for all, so that persons in need can receive timely services and information. Physical accessibility should be ensured for all, especially persons belonging to disadvantaged and marginalized groups, including, but not limited to, persons living in rural and remote areas, persons with disabilities, refugees and internally displaced persons, stateless persons and persons in detention. When dispensing sexual and reproductive services to remote areas is impracticable, substantive equality calls for positive measures to ensure that persons in need have communication and transportation to such services.</p> <p>17. Publicly or privately provided sexual and reproductive health services must be affordable for all. Essential goods and services, including those related to the underlying determinants of sexual and reproductive health, must be provided at no cost or based on the principle of equality to ensure that individuals and families are not disproportionately burdened with health expenses. People without sufficient means should be provided with the support necessary to cover the costs of health insurance and access to health facilities providing sexual and reproductive health information, goods and services.</p> <p>18. Information accessibility includes the right to seek, receive and disseminate information and ideas concerning sexual and reproductive health issues generally, and also for individuals to receive specific information on their particular health status. All individuals and groups, including adolescents and youth, have the right to evidence-based information on all aspects of sexual and reproductive health, including maternal health, contraceptives, family planning, sexually transmitted infections, HIV prevention, safe abortion and post-abortion care, infertility and fertility options, and reproductive cancer.</p> <p>19. Such information must be provided in a manner consistent with the needs of the individual and the community, taking into consideration, for example, age, gender, language ability, educational level, disability, sexual orientation, gender identity and intersex status. Information accessibility should not impair the right to have personal health data and information treated with privacy and confidentiality.</p>
3.8	Achieve universal health coverage,	➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)

<p>including financial risk protection, access to quality essential health-care services and access to safe, effective, quality and affordable essential medicines and vaccines for all</p>	<p>Convention on the Rights of the Child (CRC)</p> <p>24.1 States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services.</p> <p>24.2.f To develop preventive health care, guidance for parents and family planning education and services.</p> <p>24.2.a To diminish infant and child mortality;</p> <p>24.2.b To ensure the provision of necessary medical assistance and health care to all children with emphasis on the development of primary health care;</p> <p>24.2.c To combat disease and malnutrition, including within the framework of primary health care, through, inter alia, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking-water, taking into consideration the dangers and risks of environmental pollution;</p> <p>24.2.d To ensure appropriate pre-natal and post-natal health care for mothers;</p> <p>24.2.e To ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of child health and nutrition, the advantages of breastfeeding, hygiene and environmental sanitation and the prevention of accidents;</p> <p>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</p> <p>12.1 States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning.</p> <p>Convention on the Rights of Persons with Disabilities (CRPD)</p> <p>25.f Prevent discriminatory denial of health care or health services or food and fluids on the basis of disability.</p> <p>25.a Provide persons with disabilities with the same range, quality and standard of free or affordable health care and programmes as provided to other persons, including in the area of sexual and reproductive health and population-based public health programmes;</p> <p>25.b Provide those health services needed by persons with disabilities specifically because of their disabilities, including early identification and intervention as appropriate, and services designed to minimize and prevent further disabilities, including among children and older persons;</p>
---	--

		<p>25.d Require health professionals to provide care of the same quality to persons with disabilities as to others, including on the basis of free and informed consent by, inter alia, raising awareness of the human rights, dignity, autonomy and needs of persons with disabilities through training and the promulgation of ethical standards for public and private health care;</p> <p>25.e Prohibit discrimination against persons with disabilities in the provision of health insurance, and life insurance where such insurance is permitted by national law, which shall be provided in a fair and reasonable manner;</p> <p>International Covenant on Economic, Social, and Cultural Rights (ICESCR)</p> <p>9 The States Parties to the present Covenant recognize the right of everyone to social security, including social insurance.</p> <p>12.1 The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.</p> <p>12.2.a The provision for the reduction of the stillbirth-rate and of infant mortality and for the healthy development of the child;</p> <p>12.2.b The improvement of all aspects of environmental and industrial hygiene;</p> <p>12.2.c The prevention, treatment and control of epidemic, endemic, occupational and other diseases;</p> <p>12.2.d The creation of conditions which would assure to all medical service and medical attention in the event of sickness.</p> <p>Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CRMW)</p> <p>28 Migrant workers and members of their families shall have the right to receive any medical care that is urgently required for the preservation of their life or the avoidance of irreparable harm to their health on the basis of equality of treatment with nationals of the State concerned. Such emergency medical care shall not be refused them by reason of any irregularity with regard to stay or employment.</p> <p>43.1 Migrant workers shall enjoy equality of treatment with nationals of the State of employment in relation to:</p> <p>Universal Declaration of Human Rights (UDHR)</p> <p>25.1 Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.</p> <p>African Charter on Human and Peoples' Rights</p> <p>16.1 Every individual shall have the right to enjoy the best attainable state of physical and mental health.</p>
--	--	---

16.2 State Parties to the present Charter shall take the necessary measures to protect the health of their people and to ensure that they receive medical attention when they are sick.

African Charter on the Rights and Welfare of the Child

14.2 States Parties to the present Charter shall undertake to pursue the full implementation of this right and in particular shall take measures:

14.2.b to ensure the provision of necessary medical assistance and health care to all children with emphasis on the development of primary health care;

14.2.e to ensure appropriate health care for expectant and nursing mothers;

14.2.f to develop preventive health care and family life education and provision of service;

14.2.g to integrate basic health service programmes in national development plans;

Protocol to the American Convention on Human Rights 1988

3 The State Parties to this Protocol undertake to guarantee the exercise of the rights set forth herein without discrimination of any kind for reasons related to race, colour, sex, language, religion, political or other opinions, national or social origin, economic status, birth or any other social condition.

10.1 Everyone shall have the right to health, understood to mean the enjoyment of the highest level of physical, mental and social well-being.

10.2 In order to ensure the exercise of the right to health, the States Parties agree to recognize health as a public good and, particularly, to adopt the following measures to ensure that right:

10.2.a Primary health care, that is, essential health care made available to all individuals and families in the community;

10.2.b Extension of the benefits of health services to all individuals subject to the State's jurisdiction;

10.2.c Universal immunization against the principal infectious diseases;

10.2.d Prevention and treatment of endemic, occupational and other diseases;

10.2.e Education of the population on the prevention and treatment of health problems, and

10.2.f Satisfaction of the health needs of the highest risk groups and of those whose poverty makes them the most vulnerable.

European Convention on Human Rights

14 The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

Protocol to the European Convention on Human Rights No. 12

1.1 The enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

1.2 No one shall be discriminated against by any public authority on any ground such as those mentioned in paragraph 1.

European Social Charter (1996, revised)

1.11 Everyone has the right to benefit from any measures enabling him to enjoy the highest possible standard of health attainable.

1.13 Anyone without adequate resources has the right to social and medical assistance.

1.14 Everyone has the right to benefit from social welfare services.

1.30 Everyone has the right to protection against poverty and social exclusion.

11 With a view to ensuring the effective exercise of the right to protection of health, the Parties undertake, either directly or in cooperation with public or private organisations, to take appropriate measures designed inter alia:

11.1 to remove as far as possible the causes of ill-health;

11.2 to provide advisory and educational facilities for the promotion of health and the encouragement of individual responsibility in matters of health;

11.3 to prevent as far as possible epidemic, endemic and other diseases, as well as accidents.

➤ **SUPPORTING REFERENCES (NOT LEGALLY BINDING)**

Beijing Platform of Action (1995)

C.1 Increase women's access throughout the life cycle to appropriate, affordable and quality health care, information and related services.

C.2 Strengthen preventive programmes that promote women's health.

L.5. Eliminate discrimination against girls in health and nutrition.

International Conference on Population and Development (ICPD) (1994)

3.29. Governments at the appropriate level, with the support of the international community and regional and subregional organizations, should formulate and implement population policies and programmes to support the objectives and actions agreed upon in Agenda 21, other Conference outcomes and other international environmental agreements, taking into account the common but differentiated responsibilities reflected in those agreements. Consistent with the framework and priorities set forth in Agenda 21, the following actions, inter alia, are recommended to help achieve population and environment integration:

3.29.b. Take measures aimed at the eradication of poverty, with special attention to income-generation and employment strategies directed at the rural poor and those living within or on the edge of fragile ecosystems;

8.4 All countries should make access to basic health care and health promotion the central strategies for reducing mortality and morbidity. Sufficient resources should be assigned so that primary health services attain full coverage of the population. Governments should strengthen health and nutrition information, education and communication activities so as to enable people to increase their control over and improve their health. Governments should provide the necessary backup facilities to meet the demand created.

CRC Committee General Comment

General Comment No. 3: Adolescent health and development in the context of the Convention on the Rights of the Child

2. States parties have the obligation to ensure that all human beings below 18 enjoy all the rights set forth in the Convention without discrimination (art. 2), including with regard to “race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status”. These grounds also cover adolescents’ sexual orientation and health status (including HIV/AIDS and mental health). Adolescents who are subject to discrimination are more vulnerable to abuse, other types of violence and exploitation, and their health and development are put at greater risk. They are therefore entitled to special attention and protection from all segments of society.

22. Adolescents have the right to access adequate information essential for their health and development and for their ability to participate meaningfully in society. It is the obligation of States parties to ensure that all adolescent girls and boys, both in and out of school, are provided with, and not denied, accurate and appropriate information on how to protect their health and development and practise healthy behaviours. This should include information on the use and abuse, of tobacco, alcohol and other substances, safe and respectful social and sexual behaviours, diet and physical activity.

25. Under article 24 of the Convention, States parties are urged to provide adequate treatment and rehabilitation for adolescents with mental disorders, to make the community aware of the early signs and symptoms and the seriousness of these conditions, and to protect adolescents from undue pressures, including psychosocial stress. States parties are also urged to combat discrimination and stigma surrounding mental disorders, in line with their obligations under article 2. Every adolescent with a mental disorder has the right to be treated and cared for, as far as possible, in the community in which he or she lives. Where hospitalization or placement in a psychiatric institution is necessary, this decision should be made in accordance with the principle of the best interests of the child. In the event of hospitalization or institutionalization, the patient should be given the maximum possible opportunity to enjoy all his or her rights as recognized under the Convention, including the rights to education and to have access to

		<p>recreational activities. Where appropriate, adolescents should be separated from adults. States parties must ensure that adolescents have access to a personal representative other than a family member to represent their interests, when necessary and appropriate. In accordance with article 25 of the Convention, States parties should undertake periodic review of the placement of adolescents in hospitals or psychiatric institutions.</p> <p><i>General Comment No. 6: Treatment of unaccompanied and separated children outside their country of origin</i></p> <p>46. When implementing the right to enjoy the highest attainable standard of health and facilities for the treatment of illness and rehabilitation of health under article 24 of the Convention, States are obligated to ensure that unaccompanied and separated children have the same access to health care as children who are ... nationals...</p> <p><i>General Comment No. 9: The rights of children with disabilities</i></p> <p>51. Attainment of the highest possible standard of health as well as access and affordability of quality healthcare is an inherent right for all children. Children with disabilities are often left out because of several challenges, including discrimination, inaccessibility due to the lack of information and/or financial resources, transportation, geographic distribution and physical access to health care facilities. Another factor is the absence of targeted health care programmes that address the specific needs of children with disabilities. Health policies should be comprehensive and address early detection of disabilities, early intervention, including psychological and physical treatment, rehabilitation including physical aids, for example limb prosthesis, mobility devices, hearing aids and visual aids.</p> <p><i>General Comment No. Indigenous children and their rights under the Convention</i></p> <p>50. The Committee urges States parties to take special measures to ensure that indigenous children are not discriminated against enjoying the highest attainable standard of health. The Committee is concerned over the high rates of mortality among indigenous children and notes that States parties have a positive duty to ensure that indigenous children have equal access to health services and to combat malnutrition as well as infant, child and maternal mortality.</p> <p>51. States parties should take the necessary steps to ensure ease of access to health-care services for indigenous children. Health services should to the extent possible be community based and planned and administered in cooperation with the peoples concerned. Special consideration should be given to ensure that health-care services are culturally sensitive and that information about these is available in indigenous languages. Particular attention should be given to ensuring access to health care for indigenous peoples who reside in rural and remote areas or in areas of armed conflict or who are migrant workers, refugees or displaced. States parties should furthermore pay special attention to the needs of indigenous children with disabilities and ensure that relevant programmes and policies are culturally sensitive.</p> <p><i>General Comment No. 15: The right of the child to the highest attainable standard of health</i></p> <p>9. Gender-based discrimination is particularly pervasive, affecting a wide range of outcomes, from female infanticide/foeticide to discriminatory infant and young child feeding practices, gender stereotyping and access to services. Attention should be given to the differing needs of girls and boys, and the impact of gender-related social norms and values on the health and development of</p>
--	--	---

		<p>boys and girls. Attention also needs to be given to harmful gender-based practices and norms of behaviour that are ingrained in traditions and customs and undermine the right to health of girls and boys</p> <p>10. All policies and programmes affecting children’s health should be grounded in a broad approach to gender equality that ensures young women’s full political participation; social and economic empowerment; recognition of equal rights related to sexual and reproductive health; and equal access to information, education, justice and security, including the elimination of all forms of sexual and gender-based violence.</p> <p>11. Children in disadvantaged situations and under-served areas should be a focus of efforts to fulfil children’s right to health. States should identify factors at national and subnational levels that create vulnerabilities for children or that disadvantage certain groups of children. These factors should be addressed when developing laws, regulations, policies, programmes and services for children’s health, and work towards ensuring equity.</p> <p>38. The Committee is concerned by the increase in mental ill-health among adolescents, including developmental and behavioural disorders; depression; eating disorders; anxiety; psychological trauma resulting from abuse, neglect, violence or exploitation; alcohol, tobacco and drug use; obsessive behaviour, such as excessive use of and addiction to the Internet and other technologies; and self-harm and suicide. There is growing recognition of the need for increased attention for behavioural and social issues that undermine children’s mental health, psychosocial wellbeing and emotional development. The Committee cautions against over-medicalization and institutionalization, and urges States to undertake an approach based on public health and psychosocial support to address mental ill-health among children and adolescents and to invest in primary care approaches that facilitate the early detection and treatment of children’s psychosocial, emotional and mental problems.</p> <p>40. There is a need to recognize the particular challenges to children’s health for children affected by humanitarian emergencies, including those resulting in large-scale displacements due to natural or man-made disasters. All possible measures should be taken to ensure that children have uninterrupted access to health services, to (re)unite them with their families and to protect them not only with physical support, such as food and clean water, but also to encourage special parental or other psychosocial care to prevent or address fear and traumas.</p> <p>55. The Committee recommends that social protection interventions include ensuring universal coverage or financial access to care, paid parental leave and other social security benefits, and legislation to restrict the inappropriate marketing and promotion of breast-milk substitutes.</p> <p>CEDAW Committee General Recommendations</p> <p><i>General Recommendation No. 34: Rights of rural women</i></p> <p>39. States parties should safeguard the right of rural women and girls to adequate health care, and ensure:</p> <p>39.a That high-quality health-care services and facilities are physically accessible to and affordable for rural women, including older women, heads of household and women with disabilities (provided free of charge when necessary), culturally acceptable to them and staffed with trained medical personnel. Services should provide: primary health care, including family planning; access to contraception, including emergency contraception, and to safe abortion and high-quality post-abortion care, regardless of whether</p>
--	--	---

abortion is legal; prenatal, perinatal, postnatal and obstetric services; HIV prevention and treatment services, including emergency intervention following rape; mental health services; counselling on nutrition, the feeding of infants and young children; mammography and other gynaecological examinations services; the prevention and treatment of non-communicable diseases, such as cancer; access to essential medicines, including pain relief; and palliative care;

39.b The adequate financing of health-care systems in rural areas, in particular with regard to sexual and reproductive health and rights;

Committee on Economic, Social and Cultural Rights General Comments

General Comment No. 14: The right to the highest attainable standard of health

17. “The creation of conditions which would assure to all medical service and medical attention in the event of sickness” (art. 12.2 (d)), both physical and mental, includes the provision of equal and timely access to basic preventive, curative, rehabilitative health services and health education; regular screening programmes; appropriate treatment of prevalent diseases, illnesses, injuries and disabilities, preferably at community level; the provision of essential drugs; and appropriate mental health treatment and care. A further important aspect is the improvement and furtherance of participation of the population in the provision of preventive and curative health services, such as the organization of the health sector, the insurance system and, in particular, participation in political decisions relating to the right to health taken at both the community and national levels.

General Comment No. 19: The right to social security

13. States parties have an obligation to guarantee that health systems are established to provide adequate access to health services for all. In cases in which the health system foresees private or mixed plans, such plans should be affordable, in conformity with the essential elements enunciated in the present general comment. The Committee notes the particular importance of the right to social security in the context of endemic diseases such as HIV/AIDS, tuberculosis and malaria, and the need to provide access to preventive and curative measures.

14. Cash benefits should be provided to those incapable of working due to ill health to cover periods of loss of earnings. Persons suffering from long periods of sickness should qualify for disability benefits.

23. All persons should be covered by the social security system, especially individuals belonging to the most disadvantaged and marginalized groups, without discrimination on any of the grounds prohibited under article 2, paragraph 2, of the Covenant. In order to ensure universal coverage, non-contributory schemes will be necessary.

Committee on Migrant Workers General Comments

General Comment No. 2: The rights of migrant workers in an irregular situation and members of their families

72. Article 28 of the Convention provides for migrant workers and members of their families to have the right to receive any medical care that is urgently required for the preservation of their life or the avoidance of irreparable harm to their health on the basis of equality of treatment with nationals. Article 28, however, read together with other international human rights instruments, may

		create broader obligations for States parties to both instruments. Article 12 of the International Covenant on Economic, Social and Cultural Rights provides for the right to the highest attainable standard of health for all persons. States parties are therefore obliged to ensure that all persons, irrespective of their migration status, have effective access to at least a minimum level of health care on a non-discriminatory basis. The Committee on Economic, Social and Cultural Rights considers this to encompass primary health care, as well as preventive, curative and palliative health services. The Committee on the Rights of the Child holds that every migrant child is entitled to the same health care as nationals under article 24 of the Convention on the Rights of the Child. To that effect, States parties shall ensure, inter alia, that all migrant workers and members of their families have access to essential medicines and that migrant children are provided with immunization against the major infectious diseases. They shall ensure that migrant women have access to appropriate prenatal and postnatal health care, safe reproductive health services, and to emergency obstetric care.
--	--	---

GOAL 4: QUALITY EDUCATION

SDG Targets		Corresponding human rights mechanisms and other supporting references
4.1	By 2030, ensure that all girls and boys complete free, equitable and quality primary and secondary education leading to relevant and effective learning outcomes	<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Rights of the Child (CRC)</p> <p>28.1.a Make primary education compulsory and available free to all;</p> <p>28.1.b Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;</p> <p>28.1.d Make educational and vocational information and guidance available and accessible to all children;</p> <p>28.1.e Take measures to encourage regular attendance at schools and the reduction of drop-out rates.</p> <p>28.2 States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention.</p> <p>28.3 States Parties shall promote and encourage international cooperation in matters relating to education, in particular with a view to contributing to the elimination of ignorance and illiteracy throughout the world and facilitating access to scientific and technical knowledge and modern teaching methods. In this regard, particular account shall be taken of the needs of developing countries.</p> <p>29.1.b The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations</p>

		<p>29.1.c The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;</p> <p>29.1.d The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;</p> <p>29.1.e The development of respect for the natural environment.</p> <p>29.1.a The development of the child's personality, talents and mental and physical abilities to their fullest potential;</p> <p>29.2 No part of the present article or article 28 shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principle set forth in paragraph 1 of the present article and to the requirements that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.</p> <p>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</p> <p>10.d The same opportunities to benefit from scholarships and other study grants;</p> <p>10.e The same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women;</p> <p>10.f The reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely;</p> <p>10.g The same Opportunities to participate actively in sports and physical education;</p> <p>10.a The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training;</p> <p>10.h Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.</p> <p>10.b Access to the same curricula, the same examinations, teaching staff with qualifications of the same standard and school premises and equipment of the same quality;</p> <p>10.c The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods;</p>
--	--	---

Convention on the Rights of Persons with Disabilities (CRPD)

24.1.b The development by persons with disabilities of their personality, talents and creativity, as well as their mental and physical abilities, to their fullest potential;

24.1.c Enabling persons with disabilities to participate effectively in a free society.

24.1.a The full development of human potential and sense of dignity and self-worth, and the strengthening of respect for human rights, fundamental freedoms and human diversity;

24.2.e Effective individualized support measures are provided in environments that maximize academic and social development, consistent with the goal of full inclusion.

24.2.a Persons with disabilities are not excluded from the general education system on the basis of disability, and that children with disabilities are not excluded from free and compulsory primary education, or from secondary education, on the basis of disability;

24.2.b Persons with disabilities can access an inclusive, quality and free primary education and secondary education on an equal basis with others in the communities in which they live;

24.2.c Reasonable accommodation of the individual's requirements is provided;

24.2.d Persons with disabilities receive the support required, within the general education system, to facilitate their effective education;

International Covenant on Economic, Social, and Cultural Rights (ICESCR)

13.1 The States Parties to the present Covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace.

13.2.b Secondary education in its different forms, including technical and vocational secondary education, shall be made generally available and accessible to all by every appropriate means, and in particular by the progressive introduction of free education;

13.2.d Fundamental education shall be encouraged or intensified as far as possible for those persons who have not received or completed the whole period of their primary education;

13.2.e The development of a system of schools at all levels shall be actively pursued, an adequate fellowship system shall be established, and the material conditions of teaching staff shall be continuously improved.

13.2.a Primary education shall be compulsory and available free to all;

14 Each State Party to the present Covenant which, at the time of becoming a Party, has not been able to secure in its metropolitan territory or other territories under its jurisdiction compulsory primary education, free of charge, undertakes, within two years, to work out and adopt a detailed plan of action for the progressive implementation, within a reasonable number of years, to be fixed in the plan, of the principle of compulsory education free of charge for all.

Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CRMW)

30 Each child of a migrant worker shall have the basic right of access to education on the basis of equality of treatment with nationals of the State concerned. Access to public pre-school educational institutions or schools shall not be refused or limited by reason of the irregular situation with respect to stay or employment of either parent or by reason of the irregularity of the child's stay in the State of employment.

Universal Declaration of Human Rights (UDHR)

26.1 Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

26.2 Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

African Charter on Human and Peoples' Rights

17.1 Every individual shall have the right to education

African Charter on the Rights and Welfare of the Child

11.1 Every child shall have the right to an education.

11.3 States Parties to the present Charter shall take all appropriate measures with a view to achieving the full realization of this right and shall in particular:

11.3.a provide free and compulsory basic education;

11.3.b encourage the development of secondary education in its different forms and to progressively make it free and accessible to all;

11.3.c make the higher education accessible to all on the basis of capacity and ability by every appropriate means;

11.3.d take measures to encourage regular attendance at schools and the reduction of drop-out rates;

11.3.e take special measures in respect of female, gifted and disadvantaged children, to ensure equal access to education for all sections of the community.

Protocol to the American Convention on Human Rights 1988

3 The State Parties to this Protocol undertake to guarantee the exercise of the rights set forth herein without discrimination of any kind for reasons related to race, colour, sex, language, religion, political or other opinions, national or social origin, economic status, birth or any other social condition.

13.3 The States Parties to this Protocol recognize that in order to achieve the full exercise of the right to education:

13.3.a Primary education should be compulsory and accessible to all without cost;

13.3.b Secondary education in its different forms, including technical and vocational secondary education, should be made generally available and accessible to all by every appropriate means, and in particular, by the progressive introduction of free education;

Protocol to the European Convention on Human Rights No. 12

1.1 The enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

1.2 No one shall be discriminated against by any public authority on any ground such as those mentioned in paragraph 1.

European Social Charter (1996, revised)

17 With a view to ensuring the effective exercise of the right of children and young persons to grow up in an environment which encourages the full development of their personality and of their physical and mental capacities, the Parties undertake, either directly or in co-operation with public and private organisations, to take all appropriate and necessary measures designed:

17.2 To provide to children and young persons a free primary and secondary education as well as to encourage regular attendance at schools.

EU Framework Convention for the Protection of National Minorities

12.3 The Parties undertake to promote equal opportunities for access to education at all levels for persons belonging to national minorities.

➤ **SUPPORTING REFERENCES (NOT LEGALLY BINDING)**

International Conference on Population and Development (ICPD) (1994)

11.6 The eradication of illiteracy is one of the prerequisites for human development. All countries should consolidate the progress made in the 1990s towards providing universal access to primary education, as agreed upon at the World Conference on Education for All, held at Jomtien, Thailand, in 1990. All countries should further strive to ensure the complete access to primary school or an equivalent level of education by both girls and boys as quickly as possible, and in any case before the year 2015. Attention should also be given to the quality and type of education, including recognition of traditional values. Countries that have achieved the goal of universal primary education are urged to extend education and training to, and facilitate access to and completion of education at secondary school and higher levels.

CRC Committee General Comments

General Comment No. 2: HIV/AIDS and the rights of the child

5. Discrimination is responsible for heightening the vulnerability of children to HIV and AIDS, as well as seriously impacting the lives of children who are affected by HIV/AIDS, or are themselves HIV infected. Girls and boys of parents living with HIV/AIDS are often the victims of stigma and discrimination as they too are often assumed to be infected. As a result of discrimination children are denied access to information, education (reference to general comment No. 1 on the aims of education), health or social care services or from community life. At its extreme, discrimination against HIV-infected children has resulted in their abandonment by their family, community and/or society. Discrimination also fuels the epidemic by making children in particular those belonging to certain groups like children living in remote or rural areas where services are less accessible, more vulnerable to infection. These children are thereby doubly victimized.

General Comment No. Indigenous children and their rights under the Convention

60. In order for indigenous children to enjoy their right to education on equal footing with non-indigenous children, States parties should ensure a range of special measures to this effect. States parties should allocate targeted financial, material and human resources in order to implement policies and programmes which specifically seek to improve the access to education for indigenous children. As established by article 27 of the ILO Convention No. 169, education programmes and services should be developed and implemented in cooperation with the peoples concerned to address their specific needs. Furthermore, governments should recognize the right of indigenous peoples to establish their own educational institutions and facilities, provided that such institutions meet minimum standards established by the competent authority in consultation with these peoples. States should undertake all reasonable efforts to ensure that indigenous communities are aware of the value and importance of education and of the significance of community support for school enrolment.

CEDAW Committee General Recommendations

Joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child on harmful practices

69. The Committees recommend that the States parties to the Conventions:

69.a Provide universal, free and compulsory primary education that is girl friendly, including in remote and rural areas, consider making secondary education mandatory while also providing economic incentives for pregnant girls and adolescent mothers to complete secondary school and establish non-discriminatory return policies;

General Recommendation No. 34: Rights of rural women

43. States parties should protect the right of rural girls and women to education, and ensure that: (a) High - quality education is accessible to and affordable for all rural women and girls, including those with disabilities, by improving educational infrastructures in rural areas, increasing the number of qualified teachers, including women, and ensuring that primary education is compulsory and provided free of charge and that education is provided in local languages and in a culturally appropriate manner;

Committee on Economic, Social and Cultural Rights General Comments

General Comment No. 11: Plan of action for primary education

2. The right to education, recognized in articles 13 and 14 of the Covenant, as well as in a variety of other international treaties, such as the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women, is of vital importance. It has been variously classified as an economic right, a social right and a cultural right. It is all of these. It is also, in many ways, a civil right and a political right, since it is central to the full and effective realization of those rights as well. In this respect, the right to education epitomizes the indivisibility and interdependence of all human rights.

5. Article 14 contains a number of elements which warrant some elaboration in the light of the Committee's extensive experience in examining State party reports.

6. Compulsory. The element of compulsion serves to highlight the fact that neither parents, nor guardians, nor the State are entitled to treat as optional the decision as to whether the child should have access to primary education. Similarly, the prohibition of gender discrimination in access to education, required also by articles 2 and 3 of the Covenant, is further underlined by this requirement. It should be emphasized, however, that the education offered must be adequate in quality, relevant to the child and must promote the realization of the child's other rights.

7. Free of charge. The nature of this requirement is unequivocal. The right is expressly formulated so as to ensure the availability of primary education without charge to the child, parents or guardians. Fees imposed by the Government, the local authorities or the school, and other direct costs, constitute disincentives to the enjoyment of the right and may jeopardize its realization. They are also often highly regressive in effect. Their elimination is a matter which must be addressed by the required plan of action. Indirect costs, such as compulsory levies on parents (sometimes portrayed as being voluntary, when in fact they are not), or the obligation to wear a relatively expensive school uniform, can also fall into the same category. Other indirect costs may be permissible, subject to the Committee's examination on a case by case basis. This provision of compulsory primary education in no way conflicts with the right recognized in article 13.3 of the Covenant for parents and guardians "to choose for their children schools other than those established by the public authorities".

Committee on the Elimination of Racial Discrimination General Recommendation

		<p><i>General Recommendation No. 29: on article 1, paragraph 1, of the Convention (Descent)</i></p> <p>(rr) Ensure that public and private education systems include children of all communities and do not exclude any children on the basis of descent;</p> <p>Committee on Migrant Workers General Comments</p> <p><i>General Comment No. 1: on migrant domestic workers</i></p> <p>57. States parties shall ensure that all migrant children, independently of their migration status, have access to free and compulsory primary education as well as to secondary education on the basis of equality of treatment with nationals of the State concerned (article 30), and that the domestic work carried out by children does not interfere with their education. Schools should not be required to report data on the regular or irregular status of pupils to immigration authorities.</p> <p><i>General Comment No. 2: on the rights of migrant workers in an irregular situation and members of their families</i></p> <p>75. Article 30 of the Convention protects the “basic right of access to education” of all children of migrant workers “on the basis of equality of treatment with nationals of the State concerned.” Article 30 also provides that access to public preschool educational institutions or schools shall be without prejudice to the migration status of the child concerned or parents of the child. The Committee, in accordance with article 13 of the International Covenant on Economic, Social and Cultural Rights, is of the view that States parties must provide free and compulsory primary education for all, including children of migrant workers, regardless of their migration status. As such, States parties have an obligation to eliminate all direct costs of schooling, such as school fees, as well as alleviate the adverse impact of indirect costs, such as expenses for school materials and uniforms. Access to secondary education by children of migrant workers must be ensured on the basis of equality of treatment with nationals. Accordingly, whenever children who are nationals have access to free secondary education, States parties must ensure equal access by children of migrant workers, irrespective of their migration status. Similarly, when States parties provide different forms of secondary education, including vocational education, they should also make them accessible to children of migrant workers. The same principle applies to free preschool education or to scholarship schemes. Therefore, whenever children who are nationals have access to free preschool education or scholarships, States parties must ensure equal access by children of migrant workers, irrespective of their migration status.</p> <p>77. To ensure access to education, the Committee is also of the view that States parties shall not require schools to report or share data on the regular or irregular status of pupils or their parents to immigration authorities or conduct immigration enforcement operations on or near school premises, as this would limit access to education by children of migrant workers. States parties should also clearly inform school administrators, teachers and parents that they are not required to do so either and provide them with training on the educational rights of children of migrant workers.</p>
--	--	---

<p>4.2</p>	<p>By 2030, ensure that all girls and boys have access to quality early childhood development, care and pre-primary education so that they are ready for primary education</p>		<p>This SDG target cannot be explicitly supported by any legally binding human rights obligation. The corresponding human rights obligations listed below are all INDIRECTLY and IMPLICITLY related to the SDG target.</p> <p>While international law does require States Parties to guarantee free and compulsory primary education for all children, it does not explicitly require them to guarantee early childhood education. However, although it is not a legally binding requirement, General Comment of the CRC Committee No. 7 (below) does explain why ECCD is important to prepare children for success in their primary education.</p>
		<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Rights of the Child (CRC)</p> <p>28.1.a Make primary education compulsory and available free to all;</p> <p>28.1.b Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;</p> <p>28.1.d Make educational and vocational information and guidance available and accessible to all children;</p> <p>28.1.e Take measures to encourage regular attendance at schools and the reduction of drop-out rates.</p> <p>29.2 No part of the present article or article 28 shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principle set forth in paragraph 1 of the present article and to the requirements that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.</p> <p>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</p> <p>10.d The same opportunities to benefit from scholarships and other study grants;</p> <p>10.e The same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women;</p> <p>10.f The reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely;</p> <p>10.g The same Opportunities to participate actively in sports and physical education;</p>	

		<p>10.a The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training;</p> <p>10.h Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.</p> <p>10.b Access to the same curricula, the same examinations, teaching staff with qualifications of the same standard and school premises and equipment of the same quality;</p> <p>10.c The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods;</p> <p>Convention on the Rights of Persons with Disabilities (CRPD)</p> <p>24.1.b The development by persons with disabilities of their personality, talents and creativity, as well as their mental and physical abilities, to their fullest potential;</p> <p>24.1.c Enabling persons with disabilities to participate effectively in a free society.</p> <p>24.1.a The full development of human potential and sense of dignity and self-worth, and the strengthening of respect for human rights, fundamental freedoms and human diversity;</p> <p>24.2.e Effective individualized support measures are provided in environments that maximize academic and social development, consistent with the goal of full inclusion.</p> <p>24.2.a Persons with disabilities are not excluded from the general education system on the basis of disability, and that children with disabilities are not excluded from free and compulsory primary education, or from secondary education, on the basis of disability;</p> <p>24.2.b Persons with disabilities can access an inclusive, quality and free primary education and secondary education on an equal basis with others in the communities in which they live;</p> <p>24.2.c Reasonable accommodation of the individual's requirements is provided;</p> <p>24.2.d Persons with disabilities receive the support required, within the general education system, to facilitate their effective education;</p> <p>International Covenant on Economic, Social, and Cultural Rights (ICESCR)</p> <p>13.1 The States Parties to the present Covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a free</p>
--	--	--

	<p>society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace.</p> <p>13.2.b Secondary education in its different forms, including technical and vocational secondary education, shall be made generally available and accessible to all by every appropriate means, and in particular by the progressive introduction of free education;</p> <p>13.2.d Fundamental education shall be encouraged or intensified as far as possible for those persons who have not received or completed the whole period of their primary education;</p> <p>13.2.e The development of a system of schools at all levels shall be actively pursued, an adequate fellowship system shall be established, and the material conditions of teaching staff shall be continuously improved.</p> <p>13.2.a Primary education shall be compulsory and available free to all;</p> <p>14 Each State Party to the present Covenant which, at the time of becoming a Party, has not been able to secure in its metropolitan territory or other territories under its jurisdiction compulsory primary education, free of charge, undertakes, within two years, to work out and adopt a detailed plan of action for the progressive implementation, within a reasonable number of years, to be fixed in the plan, of the principle of compulsory education free of charge for all.</p> <p>Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CRMW)</p> <p>30 Each child of a migrant worker shall have the basic right of access to education on the basis of equality of treatment with nationals of the State concerned. Access to public pre-school educational institutions or schools shall not be refused or limited by reason of the irregular situation with respect to stay or employment of either parent or by reason of the irregularity of the child's stay in the State of employment.</p> <p>Universal Declaration of Human Rights (UDHR)</p> <p>26.1 Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.</p> <p>26.2 Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.</p> <p>African Charter on Human and Peoples' Rights</p> <p>17.1 Every individual shall have the right to education</p> <p>African Charter on the Rights and Welfare of the Child</p>
--	---

		<p>11.1 Every child shall have the right to an education.</p> <p>11.3 States Parties to the present Charter shall take all appropriate measures with a view to achieving the full realization of this right and shall in particular:</p> <p>11.3.a provide free and compulsory basic education;</p> <p>11.3.b encourage the development of secondary education in its different forms and to progressively make it free and accessible to all;</p> <p>11.3.c make the higher education accessible to all on the basis of capacity and ability by every appropriate means;</p> <p>11.3.d take measures to encourage regular attendance at schools and the reduction of drop-out rates;</p> <p>11.3.3 take special measures in respect of female, gifted and disadvantaged children, to ensure equal access to education for all sections of the community.</p> <p>Protocol to the American Convention on Human Rights 1988</p> <p>3 The State Parties to this Protocol undertake to guarantee the exercise of the rights set forth herein without discrimination of any kind for reasons related to race, colour, sex, language, religion, political or other opinions, national or social origin, economic status, birth or any other social condition.</p> <p>European Convention on Human Rights</p> <p>14 The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.</p> <p>Protocol to the European Convention on Human Rights No. 12</p> <p>1.1 The enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.</p> <p>1.2 No one shall be discriminated against by any public authority on any ground such as those mentioned in paragraph 1.</p> <p>EU Framework Convention for the Protection of National Minorities</p> <p>12.3 The Parties undertake to promote equal opportunities for access to education at all levels for persons belonging to national minorities.</p>
--	--	--

➤ **SUPPORTING REFERENCES (NOT LEGALLY BINDING)**

Beijing Platform of Action (1995)

B.6 Promote lifelong education and training for girls and women.

L.4 Eliminate discrimination against girls in education, skills development and training.

CRC Committee General Comments

General Comment No. 7: Implementing child rights in early childhood

5. A positive agenda for early childhood. The Committee encourages States parties to construct a positive agenda for rights in early childhood. A shift away from traditional beliefs that regard early childhood mainly as a period for the socialization of the immature human being towards mature adult status is required. The Convention requires that children, including the very youngest children, be respected as persons in their own right. Young children should be recognized as active members of families, communities and societies, with their own concerns, interests and points of view. For the exercise of their rights, young children have particular requirements for physical nurturance, emotional care and sensitive guidance, as well as for time and space for social play, exploration and learning. These requirements can best be planned for within a framework of laws, policies and programmes for early childhood, including a plan for implementation and independent monitoring, for example through the appointment of a children's rights commissioner, and through assessments of the impact of laws and policies on children (see general comment No. 2 (2002) on the role of independent human rights institutions, para. 19).

24. Access to services, especially for the most vulnerable. The Committee calls on States parties to ensure that all young children (and those with primary responsibility for their wellbeing) are guaranteed access to appropriate and effective services, including programmes of health, care and education specifically designed to promote their wellbeing. Particular attention should be paid to the most vulnerable groups of young children and to those who are at risk of discrimination (art. 2). This includes girls, children living in poverty, children with disabilities, children belonging to indigenous or minority groups, children from migrant families, children who are orphaned or lack parental care for other reasons, children living in institutions, children living with mothers in prison, refugee and asylum seeking children, children infected with or affected by HIV/AIDS, and children of alcohol or drug addicted parents (see also section VI).

28. Early childhood education. The Convention recognizes the right of the child to education, and primary education should be made compulsory and available free to all (art. 28). The Committee recognizes with appreciation that some States parties are planning to make one year of preschool education available and free of cost for all children. The Committee interprets the right to education during early childhood as beginning at birth and closely linked to young children's right to maximum development (art. 6.2). Linking education to development is elaborated in article 29.1: "States parties agree that the education of the child shall be directed to: (a) the development of the child's personality, talents and mental and physical abilities to their fullest potential". General Comment No. 1 on the aims of education explains that the goal is to "empower the child by developing his or her skills, learning and other capacities, human dignity, self-esteem and self-confidence" and that this must be achieved in ways that are child-centred,

		child friendly and reflect the rights and inherent dignity of the child (para. 2). States parties are reminded that children’s right to education include all children, and that girls should be enabled to participate in education, without discrimination of any kind (art. 2).
4.3	By 2030, ensure equal access for all women and men to affordable and quality technical, vocational and tertiary education, including university	<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Rights of the Child (CRC)</p> <p>28.1.c Make higher education accessible to all on the basis of capacity by every appropriate means;</p> <p>28.1.d Make educational and vocational information and guidance available and accessible to all children;</p> <p>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</p> <p>10.a The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training;</p> <p>14.2.d To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, inter alia, the benefit of all community and extension services, in order to increase their technical proficiency;</p> <p>Convention on the Rights of Persons with Disabilities (CRPD)</p> <p>24.5 States Parties shall ensure that persons with disabilities are able to access general tertiary education, vocational training, adult education and lifelong learning without discrimination and on an equal basis with others. To this end, States Parties shall ensure that reasonable accommodation is provided to persons with disabilities.</p> <p>International Covenant on Economic, Social, and Cultural Rights (ICESCR)</p> <p>3 The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the present Covenant.</p> <p>6.2 The steps to be taken by a State Party to the present Covenant to achieve the full realization of this right shall include technical and vocational guidance and training programmes, policies and techniques to achieve steady economic, social and cultural development and full and productive employment under conditions safeguarding fundamental political and economic freedoms to the individual.</p> <p>13.2.c Higher education shall be made equally accessible to all, on the basis of capacity, by every appropriate means, and in particular by the progressive introduction of free education;</p> <p>Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CRMW)</p> <p>43.1.a Access to educational institutions and services subject to the admission requirements and other regulations of the institutions and services concerned;</p> <p>43.1.b Access to vocational guidance and placement services;</p>

		<p>43.1.c Access to vocational training and retraining facilities and institutions;</p> <p>45.1.b Access to vocational guidance and training institutions and services, provided that requirements for participation are met;</p> <p>Universal Declaration of Human Rights (UDHR)</p> <p>26.1 Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.</p> <p>26.2 Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.</p> <p>African Charter on Human and Peoples' Rights</p> <p>17.1 Every individual shall have the right to education</p> <p>African Charter on the Rights and Welfare of the Child</p> <p>11.6 States Parties to the present Charter shall have all appropriate measures to ensure that children who become pregnant before completing their education shall have an opportunity to continue with their education on the basis of their individual ability.</p> <p>Protocol to the American Convention on Human Rights 1988</p> <p>3 The State Parties to this Protocol undertake to guarantee the exercise of the rights set forth herein without discrimination of any kind for reasons related to race, colour, sex, language, religion, political or other opinions, national or social origin, economic status, birth or any other social condition.</p> <p>6.1 Everyone has the right to work, which includes the opportunity to secure the means for living a dignified and decent existence by performing a freely elected or accepted lawful activity.</p> <p>6.2 The State Parties undertake to adopt measures that will make the right to work fully effective, especially with regard to the achievement of full employment, vocational guidance, and the development of technical and vocational training projects, in particular those directed to the disabled. The States Parties also undertake to implement and strengthen programs that help to ensure suitable family care, so that women may enjoy a real opportunity to exercise the right to work.</p> <p>13.3 The States Parties to this Protocol recognize that in order to achieve the full exercise of the right to education:</p> <p>13.3.c Higher education should be made equally accessible to all, on the basis of individual capacity, by every appropriate means, and in particular, by the progressive introduction of free education;</p> <p>European Social Charter (1996, revised)</p>
--	--	---

1.9 Everyone has the right to appropriate facilities for vocational guidance with a view to helping him choose an occupation suited to his personal aptitude and interests.

1.10 Everyone has the right to appropriate facilities for vocational training.

➤ **SUPPORTING REFERENCES (NOT LEGALLY BINDING)**

Beijing Platform of Action (1995)

B.1 Ensure equal access to education.

B.3 Improve women's access to vocational training, science and technology, and continuing education.

B.4 Develop non-discriminatory education and training.

B.6 Promote lifelong education and training for girls and women.

L.4 Eliminate discrimination against girls in education, skills development and training.

International Conference on Population and Development (ICPD) (1994)

4.18 Beyond the achievement of the goal of universal primary education in all countries before the year 2015, all countries are urged to ensure the widest and earliest possible access by girls and women to secondary and higher levels of education, as well as to vocational education and technical training, bearing in mind the need to improve the quality and relevance of that education.

6.13 Countries should aim to meet the needs and aspirations of youth, particularly in the areas of formal and non-formal education, training, employment opportunities, housing and health, thereby ensuring their integration and participation in all spheres of society, including participation in the political process and preparation for leadership roles.

6.14 Governments should formulate, with the active support of non-governmental organizations and the private sector, training and employment programmes. Primary importance should be given to meeting the basic needs of young people, improving their quality of life, and increasing their contribution to sustainable development.

11.7 Investments in education and job training should be given high priority in development budgets at all levels, and should take into account the range and level of future workforce skill requirements.

Committee on Economic, Social and Cultural Rights General Comments

General Comment No. 15: The right to education

15. Technical and vocational education (TVE) forms part of both the right to education and the right to work (art. 6 (2)). Article 13 (2) (b) presents TVE as part of secondary education, reflecting the particular importance of TVE at this level of education. Article 6 (2), however, does not refer to TVE in relation to a specific level of education; it comprehends that TVE has a wider role, helping “to achieve steady economic, social and cultural development and full and productive employment”. Also, the Universal Declaration of

		<p>Human Rights states that “[t]echnical and professional education shall be made generally available” (art. 26 (1)). Accordingly, the Committee takes the view that TVE forms an integral element of all levels of education.</p> <p><i>General Comment No. 16: The equal right of men and women to the enjoyment of all economic, social and cultural rights</i></p> <p>23. Article 6, paragraph 1, of the Covenant requires States parties to safeguard the right of everyone to the opportunity to gain a living by work which is freely chosen or accepted and to take the necessary steps to achieve the full realization of this right. Implementing article 3, in relation to article 6, requires inter alia, that in law and in practice, men and women have equal access to jobs at all levels and all occupations and that vocational training and guidance programmes, in both the public and private sectors, provide men and women with the skills, information and knowledge necessary for them to benefit equally from the right to work.</p>
4.4	By 2030, substantially increase the number of youth and adults who have relevant skills, including technical and vocational skills, for employment, decent jobs and entrepreneurship	<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Rights of the Child (CRC)</p> <p>28.1.c Make higher education accessible to all on the basis of capacity by every appropriate means;</p> <p>28.1.d Make educational and vocational information and guidance available and accessible to all children;</p> <p>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</p> <p>10.a The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training;</p> <p>14.2.d To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, inter alia, the benefit of all community and extension services, in order to increase their technical proficiency;</p> <p>Convention on the Rights of Persons with Disabilities (CRPD)</p> <p>24.5 States Parties shall ensure that persons with disabilities are able to access general tertiary education, vocational training, adult education and lifelong learning without discrimination and on an equal basis with others. To this end, States Parties shall ensure that reasonable accommodation is provided to persons with disabilities.</p> <p>International Covenant on Economic, Social, and Cultural Rights (ICESCR)</p> <p>3 The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the present Covenant.</p> <p>6.2 The steps to be taken by a State Party to the present Covenant to achieve the full realization of this right shall include technical and vocational guidance and training programmes, policies and techniques to achieve steady economic, social and cultural</p>

		<p>development and full and productive employment under conditions safeguarding fundamental political and economic freedoms to the individual.</p> <p>13.2.c Higher education shall be made equally accessible to all, on the basis of capacity, by every appropriate means, and in particular by the progressive introduction of free education;</p> <p>Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CRMW)</p> <p>43.1.a Access to educational institutions and services subject to the admission requirements and other regulations of the institutions and services concerned;</p> <p>43.1.b Access to vocational guidance and placement services;</p> <p>43.1.c Access to vocational training and retraining facilities and institutions;</p> <p>45.1.b Access to vocational guidance and training institutions and services, provided that requirements for participation are met;</p> <p>Universal Declaration of Human Rights (UDHR)</p> <p>26.1 Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.</p> <p>26.2 Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.</p> <p>Protocol to the American Convention on Human Rights 1988</p> <p>6.1 Everyone has the right to work, which includes the opportunity to secure the means for living a dignified and decent existence by performing a freely elected or accepted lawful activity.</p> <p>6.2 The State Parties undertake to adopt measures that will make the right to work fully effective, especially with regard to the achievement of full employment, vocational guidance, and the development of technical and vocational training projects, in particular those directed to the disabled. The States Parties also undertake to implement and strengthen programs that help to ensure suitable family care, so that women may enjoy a real opportunity to exercise the right to work.</p> <p>European Social Charter (1996, revised)</p> <p>1.9 Everyone has the right to appropriate facilities for vocational guidance with a view to helping him choose an occupation suited to his personal aptitude and interests.</p>
--	--	---

1.10 Everyone has the right to appropriate facilities for vocational training.

➤ **SUPPORTING REFERENCES (NOT LEGALLY BINDING)**

Beijing Platform of Action (1995)

B.5 Allocate sufficient resources for and monitor the implementation of educational reforms.

B.6 Promote lifelong education and training for girls and women.

International Conference on Population and Development (ICPD) (1994)

6.13 Countries should aim to meet the needs and aspirations of youth, particularly in the areas of formal and non-formal education, training, employment opportunities, housing and health, thereby ensuring their integration and participation in all spheres of society, including participation in the political process and preparation for leadership roles.

6.14 Governments should formulate, with the active support of non-governmental organizations and the private sector, training and employment programmes. Primary importance should be given to meeting the basic needs of young people, improving their quality of life, and increasing their contribution to sustainable development.

11.7 Investments in education and job training should be given high priority in development budgets at all levels, and should take into account the range and level of future workforce skill requirements.

CRC Committee General Comments

General Comment No. 9: The rights of children with disabilities

69. Career development and vocational skills should be included in the school curriculum. Career awareness and vocational skills should be incorporated into the years of compulsory education. In countries where compulsory education does not go beyond the elementary school years, vocational training beyond elementary school should be mandatory for children with disabilities. Governments must establish policies and allocate sufficient funds for vocational training.

General Comment No. 20: Implementation of the rights of the child during adolescence

90. Accordingly, the Committee recommends that States adopt a transitional approach towards achieving a balance which acknowledges the positive role of work in adolescents' lives while promoting their safety and education. This approach should be developed in collaboration with adolescents and other key stakeholders to reflect children's best interests within the prevailing economic opportunities and limitations. Schooling and introduction to appropriate forms of work should be coordinated to facilitate both in the lives of adolescents. Social protection policies should guarantee a standard of living adequate to adolescents' development, and effective mechanisms be introduced for regulation of their work and redress when they are victims of exploitation. The protection of all children below 18 from hazardous work must be stipulated with a clear list of specific occupations and tasks requiring more maturity, but general bans on work for adolescent who have reached the minimum working age, which must be

		<p>above compulsory school age, are counterproductive. Priority effort should be directed toward preventing harmful work and working conditions, with special attention to girls involved in domestic labour and other often "invisible" workers.</p> <p>CEDAW Committee General Recommendations</p> <p><i>Joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child on harmful practices</i></p> <p>69. The Committees recommend that the States parties to the Conventions:</p> <p>69.e Ensure access to non-formal education programmes for girls who have dropped out of regular schooling, or who have never enrolled and are illiterate, and monitor the quality of those programmes;</p> <p>Committee on Economic, Social and Cultural Rights General Comments</p> <p><i>General Comment No. 15: The right to education</i></p> <p>15. Technical and vocational education (TVE) forms part of both the right to education and the right to work (art. 6 (2)). Article 13 (2) (b) presents TVE as part of secondary education, reflecting the particular importance of TVE at this level of education. Article 6 (2), however, does not refer to TVE in relation to a specific level of education; it comprehends that TVE has a wider role, helping "to achieve steady economic, social and cultural development and full and productive employment". Also, the Universal Declaration of Human Rights states that "[t]echnical and professional education shall be made generally available" (art. 26 (1)). Accordingly, the Committee takes the view that TVE forms an integral element of all levels of education.</p>
4.5	By 2030, eliminate gender disparities in education and ensure equal access to all levels of education and vocational training for the vulnerable, including persons with disabilities, indigenous peoples and children in vulnerable situations	<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Rights of the Child (CRC)</p> <p>2.1 States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.</p> <p>28.1.b Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;</p> <p>28.1.c Make higher education accessible to all on the basis of capacity by every appropriate means;</p> <p>28.1.d Make educational and vocational information and guidance available and accessible to all children;</p> <p>28.1.e Take measures to encourage regular attendance at schools and the reduction of drop-out rates.</p>

		<p>28.1.a Make primary education compulsory and available free to all;</p> <p>28.3 States Parties shall promote and encourage international cooperation in matters relating to education, in particular with a view to contributing to the elimination of ignorance and illiteracy throughout the world and facilitating access to scientific and technical knowledge and modern teaching methods. In this regard, particular account shall be taken of the needs of developing countries.</p> <p>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</p> <p>10.a The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training;</p> <p>10.b Access to the same curricula, the same examinations, teaching staff with qualifications of the same standard and school premises and equipment of the same quality;</p> <p>10.c The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods;</p> <p>10.d The same opportunities to benefit from scholarships and other study grants;</p> <p>10.e The same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women;</p> <p>10.f The reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely;</p> <p>10.g The same Opportunities to participate actively in sports and physical education;</p> <p>10.h Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.</p> <p>Convention on the Rights of Persons with Disabilities (CRPD)</p> <p>24.1.c Enabling persons with disabilities to participate effectively in a free society.</p> <p>24.1.a The full development of human potential and sense of dignity and self-worth, and the strengthening of respect for human rights, fundamental freedoms and human diversity;</p> <p>24.1.b The development by persons with disabilities of their personality, talents and creativity, as well as their mental and physical abilities, to their fullest potential;</p>
--	--	--

		<p>24.2.a Persons with disabilities are not excluded from the general education system on the basis of disability, and that children with disabilities are not excluded from free and compulsory primary education, or from secondary education, on the basis of disability;</p> <p>24.2.b Persons with disabilities can access an inclusive, quality and free primary education and secondary education on an equal basis with others in the communities in which they live;</p> <p>24.2.c Reasonable accommodation of the individual's requirements is provided;</p> <p>24.2.d Persons with disabilities receive the support required, within the general education system, to facilitate their effective education;</p> <p>24.2.e Effective individualized support measures are provided in environments that maximize academic and social development, consistent with the goal of full inclusion.</p> <p>International Covenant on Economic, Social, and Cultural Rights (ICESCR)</p> <p>2.2 The States Parties to the present Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.</p> <p>3 The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the present Covenant.</p> <p>13.1 The States Parties to the present Covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace.</p> <p>13.2.d Fundamental education shall be encouraged or intensified as far as possible for those persons who have not received or completed the whole period of their primary education;</p> <p>13.2.e The development of a system of schools at all levels shall be actively pursued, an adequate fellowship system shall be established, and the material conditions of teaching staff shall be continuously improved.</p> <p>13.2.a Primary education shall be compulsory and available free to all;</p> <p>13.2.b Secondary education in its different forms, including technical and vocational secondary education, shall be made generally available and accessible to all by every appropriate means, and in particular by the progressive introduction of free education;</p> <p>13.2.c Higher education shall be made equally accessible to all, on the basis of capacity, by every appropriate means, and in particular by the progressive introduction of free education;</p>
--	--	---

14 Each State Party to the present Covenant which, at the time of becoming a Party, has not been able to secure in its metropolitan territory or other territories under its jurisdiction compulsory primary education, free of charge, undertakes, within two years, to work out and adopt a detailed plan of action for the progressive implementation, within a reasonable number of years, to be fixed in the plan, of the principle of compulsory education free of charge for all.

Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CRMW)

30 Each child of a migrant worker shall have the basic right of access to education on the basis of equality of treatment with nationals of the State concerned. Access to public pre-school educational institutions or schools shall not be refused or limited by reason of the irregular situation with respect to stay or employment of either parent or by reason of the irregularity of the child's stay in the State of employment.

43.1.a Access to educational institutions and services subject to the admission requirements and other regulations of the institutions and services concerned;

43.1.b Access to vocational guidance and placement services;

43.1.c Access to vocational training and retraining facilities and institutions;

45.1.b Access to vocational guidance and training institutions and services, provided that requirements for participation are met;

Universal Declaration of Human Rights (UDHR)

26.1 Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

African Charter on Human and Peoples' Rights

17.1 Every individual shall have the right to education

African Charter on the Rights and Welfare of the Child

3 Every child shall be entitled to the enjoyment of the rights and freedoms recognized and guaranteed in this Charter irrespective of the child's or his/her parents' or legal guardians' race, ethnic group, colour, sex, language, religion, political or other opinion, national and social origin, fortune, birth or other status.

13.1 Every child who is mentally or physically disabled shall have the right to special measures of protection in keeping with his physical and moral needs and under conditions which ensure his dignity, promote his self-reliance and active participation in the community.

Protocol to the American Convention on Human Rights 1988

		<p>3 The State Parties to this Protocol undertake to guarantee the exercise of the rights set forth herein without discrimination of any kind for reasons related to race, colour, sex, language, religion, political or other opinions, national or social origin, economic status, birth or any other social condition.</p> <p>6.1 Everyone has the right to work, which includes the opportunity to secure the means for living a dignified and decent existence by performing a freely elected or accepted lawful activity.</p> <p>6.2 The State Parties undertake to adopt measures that will make the right to work fully effective, especially with regard to the achievement of full employment, vocational guidance, and the development of technical and vocational training projects, in particular those directed to the disabled. The States Parties also undertake to implement and strengthen programs that help to ensure suitable family care, so that women may enjoy a real opportunity to exercise the right to work.</p> <p>13.1 Everyone has the right to education.</p> <p>18 Everyone affected by a diminution of his physical or mental capacities is entitled to receive special attention designed to help him achieve the greatest possible development of his personality. The States Parties agree to adopt such measures as may be necessary for this purpose and, especially, to:</p> <p>18.a Undertake programs specifically aimed at providing the handicapped with the resources and environment needed for attaining this goal, including work programs consistent with their possibilities and freely accepted by them or their legal representatives, as the case may be;</p> <p>European Convention on Human Rights</p> <p>14 The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.</p> <p>Protocol to the European Convention on Human Rights No. 12</p> <p>1.1 The enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.</p> <p>1.2 No one shall be discriminated against by any public authority on any ground such as those mentioned in paragraph 1.</p> <p>European Social Charter (1996, revised)</p> <p>1.9 Everyone has the right to appropriate facilities for vocational guidance with a view to helping him choose an occupation suited to his personal aptitude and interests.</p> <p>1.10 Everyone has the right to appropriate facilities for vocational training.</p>
--	--	---

		<p>1.15 Disabled persons have the right to independence, social integration and participation in the life of the community.</p> <p>15 With a view to ensuring to persons with disabilities, irrespective of age and the nature and origin of their disabilities, the effective exercise of the right to independence, social integration and participation in the life of the community, the Parties undertake, in particular:</p> <p>15.1 to take the necessary measures to provide persons with disabilities with guidance, education and vocational training in the framework of general schemes wherever possible or, where this is not possible, through specialised bodies, public or private;</p> <p>15.2 to promote their access to employment through all measures tending to encourage employers to hire and keep in employment persons with disabilities in the ordinary working environment and to adjust the working conditions to the needs of the disabled or, where this is not possible by reason of the disability, by arranging for or creating sheltered employment according to the level of disability. In certain cases, such measures may require recourse to specialised placement and support services;</p> <p>15.3 to promote their full social integration and participation in the life of the community in particular through measures, including technical aids, aiming to overcome barriers to communication and mobility and enabling access to transport, housing, cultural activities and leisure.</p> <p>EU Framework Convention for the Protection of National Minorities</p> <p>12.3 The Parties undertake to promote equal opportunities for access to education at all levels for persons belonging to national minorities.</p> <p>➤ SUPPORTING REFERENCES (NOT LEGALLY BINDING)</p> <p>Beijing Platform of Action (1995)</p> <p>B.1 Ensure equal access to education.</p> <p>B.2 Eradicate illiteracy among women.</p> <p>B.3 Improve women's access to vocational training, science and technology, and continuing education.</p> <p>B.4 Develop non-discriminatory education and training.</p> <p>L.4 Eliminate discrimination against girls in education, skills development and training.</p> <p>International Conference on Population and Development (ICPD) (1994)</p> <p>4.4. Countries should act to empower women and should take steps to eliminate inequalities between men and women as soon as possible by:</p>
--	--	--

		<p>4.4.b Promoting the fulfilment of women's potential through education, skill development and employment, giving paramount importance to the elimination of poverty, illiteracy and ill health among women;</p> <p>6.13 Countries should aim to meet the needs and aspirations of youth, particularly in the areas of formal and non-formal education, training, employment opportunities, housing and health, thereby ensuring their integration and participation in all spheres of society, including participation in the political process and preparation for leadership roles.</p> <p>6.14 Governments should formulate, with the active support of non-governmental organizations and the private sector, training and employment programmes. Primary importance should be given to meeting the basic needs of young people, improving their quality of life, and increasing their contribution to sustainable development.</p> <p>6.25 Governments and other important institutions in society should recognize the distinct perspective of indigenous people on aspects of population and development and, in consultation with indigenous people and in collaboration with concerned non-governmental and intergovernmental organizations, should address their specific needs, including needs for primary health care and reproductive health services. All human rights violations and discrimination, especially all forms of coercion, must be eliminated.</p> <p>6.31 Governments at all levels should develop the infrastructure to address the needs of persons with disabilities, in particular with regard to their education, training and rehabilitation.</p> <p>11.7 Investments in education and job training should be given high priority in development budgets at all levels, and should take into account the range and level of future workforce skill requirements.</p> <p>11.8 Countries should take affirmative steps to keep girls and adolescents in school by building more community schools, by training teachers to be more gender sensitive, by providing scholarships and other appropriate incentives and by sensitizing parents to the value of educating girls, with a view to closing the gender gap in primary and secondary school education by the year 2005. Countries should also supplement those efforts by making full use of non-formal education opportunities. Pregnant adolescents should be enabled to continue their schooling.</p> <p>Vienna Declaration and Programme of Action</p> <p>64 The place of disabled persons is everywhere. Persons with disabilities should be guaranteed equal opportunity through the elimination of all socially determined barriers, be they physical, financial, social or psychological, which exclude or restrict full participation in society.</p> <p>CRC Committee General Comments</p> <p><i>General Comment No. 3: Adolescent health and development in the context of the Convention on the Rights of the Child</i></p> <p>15. The Committee also stresses that in accordance with article 23 (3) of the Convention, the special rights of adolescents with disabilities should be taken into account and assistance provided to ensure that the disabled child/adolescent has effective access</p>
--	--	--

to and receives good quality education. States should recognize the principle of equal primary, secondary and tertiary educational opportunities for disabled children/adolescents, where possible in regular schools.

General Comment No. 6: Treatment of unaccompanied and separated children outside their country of origin

41. States should ensure that access to education is maintained during all phases of the displacement cycle. Every unaccompanied and separated child, irrespective of status, shall have full access to education in the country that they have entered in line with articles 28, 29 (1) (c), 30 and 32 of the Convention and the general principles developed by the Committee. Such access should be granted without discrimination and in particular, separated and unaccompanied girls shall have equal access to formal and informal education, including vocational training at all levels. Access to quality education should also be ensured for children with special needs, in particular children with disabilities.

General Comment No. 7: Implementing child rights in early childhood

36.d Children with disabilities (art. 23). Early childhood is the period during which disabilities are usually identified and the impact on children's wellbeing and development recognized. Young children should never be institutionalized solely on the grounds of disability. It is a priority to ensure that they have equal opportunities to participate fully in education and community life, including by the removal of barriers that impede the realization of their rights. Young disabled children are entitled to appropriate specialist assistance, including support for their parents (or other caregivers). Disabled children should at all times be treated with dignity and in ways that encourage their self-reliance. (See also the recommendations from the Committee's 1997 day of general discussion on "The rights of children with disabilities" contained in document CRC/C/66);

General Comment No. 9: The rights of children with disabilities

14. Regarding the specifics of paragraphs 2 and 3 of article 23, the Committee makes the following observations:

14.b Care and assistance shall be designed to ensure that children with disabilities have effective access to and benefit from education, training, health care services, recovery services, preparation for employment and recreation opportunities. The Committee when dealing with specific articles of the Convention will elaborate on the measures necessary to achieve this.

62. Children with disabilities have the same right to education as all other children and shall enjoy this right without any discrimination and on the basis of equal opportunity as stipulated in the Convention. For this purpose, effective access of children with disabilities to education has to be ensured to promote "the development of the child's personality, talents and mental and physical abilities to their fullest potential (see articles 28 and 29 of the Convention and the Committee's general comment No. 1 (2001) on the aims of education). The Convention recognizes the need for modification to school practices and for training of regular teachers to prepare them to teach children with diverse abilities and ensure that they achieve positive educational outcomes.

66. Inclusive education should be the goal of educating children with disabilities. The manner and form of inclusion must be dictated by the individual educational needs of the child, since the education of some children with disabilities requires a kind of support which may not be readily available in the regular school system. The Committee notes the explicit commitment towards the goal of inclusive education contained in the draft convention on the rights of persons with disabilities and the obligation for States to ensure

that persons including children with disabilities are not excluded from the general education system on the basis of disability and that they receive the support required, within the general education system, to facilitate their effective education. It encourages States parties which have not yet begun a programme towards inclusion to introduce the necessary measures to achieve this goal. However, the Committee underlines that the extent of inclusion within the general education system may vary. A continuum of services and programme options must be maintained in circumstances where fully inclusive education is not feasible to achieve in the immediate future.

General Comment No. Indigenous children and their rights under the Convention

60. In order for indigenous children to enjoy their right to education on equal footing with non-indigenous children, States parties should ensure a range of special measures to this effect. States parties should allocate targeted financial, material and human resources in order to implement policies and programmes which specifically seek to improve the access to education for indigenous children. As established by article 27 of the ILO Convention No. 169, education programmes and services should be developed and implemented in cooperation with the peoples concerned to address their specific needs. Furthermore, governments should recognize the right of indigenous peoples to establish their own educational institutions and facilities, provided that such institutions meet minimum standards established by the competent authority in consultation with these peoples. States should undertake all reasonable efforts to ensure that indigenous communities are aware of the value and importance of education and of the significance of community support for school enrolment.

General Comment No. 20: Implementation of the rights of the child during adolescence

75. The Committee is deeply concerned at the failure of many States to achieve equality in enrolment of boys and girls. Investment in girls' secondary education is not only an obligation under Articles 2, 6 and 28, but it also serves to protect girls from forced marriage, sexual exploitation and early pregnancies, as well as contributing significantly towards girls', and their subsequent children's future economic potential. However, the Committee recognises that provision of education alone is insufficient to achieve real change. Investment must also be made in strategies, including promotion of positive gender relations and social norms, addressing sexual and gender-based violence, role models, family support and economic empowerment of women, to overcome the cultural, economic and social barriers that impede access for girls. States must also recognise the growing phenomenon of lower enrolment and retention of boys and identify the causes and adopt appropriate measures to support their continued participation in education.

CEDAW Committee General Recommendations

Joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child on harmful practices

69. The Committees recommend that the States parties to the Conventions:

69.a Provide universal, free and compulsory primary education that is girl friendly, including in remote and rural areas, consider making secondary education mandatory while also providing economic incentives for pregnant girls and adolescent mothers to complete secondary school and establish non - discriminatory return policies;

		<p><i>General Recommendation No. 34: Rights of rural women</i></p> <p>43. States parties should protect the right of rural girls and women to education, and ensure that:</p> <p>43.a High-quality education is accessible to and affordable for all rural women and girls, including those with disabilities, by improving educational infrastructures in rural areas, increasing the number of qualified teachers, including women, and ensuring that primary education is compulsory and provided free of charge and that education is provided in local languages and in a culturally appropriate manner;</p> <p>43.g Pregnant girls in rural schools are not expelled during pregnancy and allowed to return to school following childbirth, and childcare facilities and breastfeeding rooms , as well as counselling on childcare and breastfeeding, are made available;</p> <p>43.h Schools in rural areas have adequate water facilities and separate, safe, sheltered latrines for girls and offer hygiene education and resources for menstrual hygiene, with special focus on girls with disabilities;</p> <p>Committee on Economic, Social and Cultural Rights General Comments</p> <p><i>General Comment No. 5: Persons with disabilities</i></p> <p>24. The “technical and vocational guidance and training programmes” required under article 6 (2) of the Covenant should reflect the needs of all persons with disabilities, take place in integrated settings, and be planned and implemented with the full involvement of representatives of persons with disabilities.</p> <p><i>General Comment No. 16: The equal right of men and women to the enjoyment of all economic, social and cultural rights</i></p> <p>30. Article 13, paragraph 1, of the Covenant requires States parties to recognize the right of everyone to education and in paragraph 2 (a) stipulates that primary education shall be compulsory and available free to all. Implementing article 3, in relation to article 13, requires, inter alia, the adoption of legislation and policies to ensure the same admission criteria for boys and girls at all levels of education. States parties should ensure, in particular through information and awareness raising campaigns, that families desist from giving preferential treatment to boys when sending their children to school, and that curricula promote equality and non-discrimination. States parties must create favourable conditions to ensure the safety of children, in particular girls, on their way to and from school.</p>
4.6	By 2030, ensure that all youth and a substantial proportion of adults, both men and women, achieve literacy and numeracy	<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Rights of the Child (CRC)</p> <p>28.1 States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:</p> <p>28.1.a Make primary education compulsory and available free to all;</p>

		<p>28.1.b Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;</p> <p>28.1.c Make higher education accessible to all on the basis of capacity by every appropriate means;</p> <p>28.1.d Make educational and vocational information and guidance available and accessible to all children;</p> <p>28.1.e Take measures to encourage regular attendance at schools and the reduction of drop-out rates.</p> <p>28.2 States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention.</p> <p>28.3 States Parties shall promote and encourage international cooperation in matters relating to education, in particular with a view to contributing to the elimination of ignorance and illiteracy throughout the world and facilitating access to scientific and technical knowledge and modern teaching methods. In this regard, particular account shall be taken of the needs of developing countries.</p> <p>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</p> <p>10.e The same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women;</p> <p>10.f The reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely;</p> <p>Convention on the Rights of Persons with Disabilities (CRPD)</p> <p>24.1.b The development by persons with disabilities of their personality, talents and creativity, as well as their mental and physical abilities, to their fullest potential;</p> <p>24.1.c Enabling persons with disabilities to participate effectively in a free society.</p> <p>24.1.a The full development of human potential and sense of dignity and self-worth, and the strengthening of respect for human rights, fundamental freedoms and human diversity;</p> <p>24.2.e Effective individualized support measures are provided in environments that maximize academic and social development, consistent with the goal of full inclusion.</p> <p>24.2.a Persons with disabilities are not excluded from the general education system on the basis of disability, and that children with disabilities are not excluded from free and compulsory primary education, or from secondary education, on the basis of disability;</p> <p>24.2.b Persons with disabilities can access an inclusive, quality and free primary education and secondary education on an equal basis with others in the communities in which they live;</p> <p>24.2.c Reasonable accommodation of the individual's requirements is provided;</p>
--	--	--

24.2.d Persons with disabilities receive the support required, within the general education system, to facilitate their effective education;

24.3 States Parties shall enable persons with disabilities to learn life and social development skills to facilitate their full and equal participation in education and as members of the community. To this end, States Parties shall take appropriate measures, including:

International Covenant on Economic, Social, and Cultural Rights (CESCR)

13.1 The States Parties to the present Covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace.

13.2.d Fundamental education shall be encouraged or intensified as far as possible for those persons who have not received or completed the whole period of their primary education;

14 Each State Party to the present Covenant which, at the time of becoming a Party, has not been able to secure in its metropolitan territory or other territories under its jurisdiction compulsory primary education, free of charge, undertakes, within two years, to work out and adopt a detailed plan of action for the progressive implementation, within a reasonable number of years, to be fixed in the plan, of the principle of compulsory education free of charge for all.

Universal Declaration of Human Rights (UDHR)

26.1 Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

African Charter on Human and Peoples' Rights

17.1 Every individual shall have the right to education

Protocol to the American Convention on Human Rights 1988

13.1 Everyone has the right to education.

EU Framework Convention for the Protection of National Minorities

12.3 The Parties undertake to promote equal opportunities for access to education at all levels for persons belonging to national minorities.

➤ **SUPPORTING REFERENCES (NOT LEGALLY BINDING)**

Beijing Platform of Action (1995)

B.2 Eradicate illiteracy among women.

L.4 Eliminate discrimination against girls in education, skills development and training.

International Conference on Population and Development (ICPD) (1994)

11.6 The eradication of illiteracy is one of the prerequisites for human development. All countries should consolidate the progress made in the 1990s towards providing universal access to primary education, as agreed upon at the World Conference on Education for All, held at Jomtien, Thailand, in 1990. All countries should further strive to ensure the complete access to primary school or an equivalent level of education by both girls and boys as quickly as possible, and in any case before the year 2015. Attention should also be given to the quality and type of education, including recognition of traditional values. Countries that have achieved the goal of universal primary education are urged to extend education and training to, and facilitate access to and completion of education at secondary school and higher levels.

Vienna Declaration and Programme of Action

79 States should strive to eradicate illiteracy and should direct education towards the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. The World Conference on Human Rights calls on all States and institutions to include human rights, humanitarian law, democracy and rule of law as subjects in the curricula of all learning institutions in formal and non-formal settings.

CEDAW Committee General Recommendations

Joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child on harmful practices

69. The Committees recommend that the States parties to the Conventions:

69.e Ensure access to non-formal education programmes for girls who have dropped out of regular schooling, or who have never enrolled and are illiterate, and monitor the quality of those programmes;

General Recommendation No. 34: Right of rural women

43.i Adult literacy programmes are provided for women in rural areas;

Committee on Economic, Social and Cultural Rights General Comments

General Comment No. 13: The right to education

24. It should be emphasized that enjoyment of the right to fundamental education is not limited by age or gender; it extends to children, youth and adults, including older persons. Fundamental education, therefore, is an integral component of adult education and lifelong learning. Because fundamental education is a right of all age groups, curricula and delivery systems must be devised which are suitable for students of all ages.

<p>4.7</p>	<p>By 2030, ensure that all learners acquire the knowledge and skills needed to promote sustainable development, including, among others, through education for sustainable development and sustainable lifestyles, human rights, gender equality, promotion of a culture of peace and non-violence, global citizenship and appreciation of cultural diversity and of culture's contribution to sustainable development</p>	<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Rights of the Child (CRC)</p> <p>29.1.b The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations</p> <p>29.1.c The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;</p> <p>29.1.d The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;</p> <p>29.1.e The development of respect for the natural environment.</p> <p>29.1.a The development of the child's personality, talents and mental and physical abilities to their fullest potential;</p> <p>30 In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language.</p> <p>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</p> <p>10.c The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods;</p> <p>10.h Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.</p> <p>Convention on the Rights of Persons with Disabilities (CRPD)</p> <p>24.3.b Facilitating the learning of sign language and the promotion of the linguistic identity of the deaf community;</p> <p>24.3.c Ensuring that the education of persons, and in particular children, who are blind, deaf or deafblind, is delivered in the most appropriate languages and modes and means of communication for the individual, and in environments which maximize academic and social development.</p> <p>24.3.a Facilitating the learning of Braille, alternative script, augmentative and alternative modes, means and formats of communication and orientation and mobility skills, and facilitating peer support and mentoring;</p>
------------	---	--

International Covenant on Economic, Social, and Cultural Rights (ICESCR)

13.1 The States Parties to the present Covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace.

International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)

7 States Parties undertake to adopt immediate and effective measures, particularly in the fields of teaching, education, culture and information, with a view to combating prejudices which lead to racial discrimination and to promoting understanding, tolerance and friendship among nations and racial or ethnical groups, as well as to propagating the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights, the United Nations Declaration on the Elimination of All Forms of Racial Discrimination, and this Convention.

International Covenant on Civil and Political Rights (ICCPR)

27 In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language.

Universal Declaration of Human Rights (UDHR)

26.2 Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

African Charter on Human and Peoples' Rights

17.1 Every individual shall have the right to education

African Charter on the Rights and Welfare of the Child

11.2 The education of the child shall be directed to:

11.2.a the promotion and development of the child's personality, talents and mental and physical abilities to their fullest potential;

11.2.b fostering respect for human rights and fundamental freedoms with particular reference to those set out in the provisions of various African instruments on human and peoples' rights and international human rights declarations and conventions;

11.2.c the preservation and strengthening of positive African morals, traditional values and cultures;

		<p>11.2.d the preparation of the child for responsible life in a free society, in the spirit of understanding tolerance, dialogue, mutual respect and friendship among all peoples ethnic, tribal and religious groups;</p> <p>11.2.e the preservation of national independence and territorial integrity;</p> <p>11.2.f the promotion and achievements of African Unity and Solidarity;</p> <p>11.2.g the development of respect for the environment and natural resources;</p> <p>11.2.h the promotion of the child's understanding of primary health care.</p> <p>Protocol to the American Convention on Human Rights 1988</p> <p>13.2 The States Parties to this Protocol agree that education should be directed towards the full development of the human personality and human dignity and should strengthen respect for human rights, ideological pluralism, fundamental freedoms, justice and peace. They further agree that education ought to enable everyone to participate effectively in a democratic and pluralistic society and achieve a decent existence and should foster understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups and promote activities for the maintenance of peace.</p> <p>13.2 The States Parties to this Protocol agree that education should be directed towards the full development of the human personality and human dignity and should strengthen respect for human rights, ideological pluralism, fundamental freedoms, justice and peace. They further agree that education ought to enable everyone to participate effectively in a democratic and pluralistic society and achieve a decent existence and should foster understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups and promote activities for the maintenance of peace.</p> <p>EU Framework Convention for the Protection of National Minorities</p> <p>6.1 The Parties shall encourage a spirit of tolerance and intercultural dialogue and take effective measures to promote mutual respect and understanding and co-operation among all persons living on their territory, irrespective of those persons' ethnic, cultural, linguistic or religious identity, in particular in the fields of education, culture and the media.</p> <p>12.1 The Parties shall, where appropriate, take measures in the fields of education and research to foster knowledge of the culture, history, language and religion of their national minorities and of the majority.</p> <p>➤ SUPPORTING REFERENCES (NOT LEGALLY BINDING)</p> <p>Beijing Platform of Action (1995)</p> <p>B.4 Develop non-discriminatory education and training.</p> <p>International Conference on Population and Development (ICPD) (1994)</p>
--	--	--

		<p>4.19 Schools, the media and other social institutions should seek to eliminate stereotypes in all types of communication and educational materials that reinforce existing inequities between males and females and undermine girls' self-esteem. Countries must recognize that, in addition to expanding education for girls, teachers' attitudes and practices, school curricula and facilities must also change to reflect a commitment to eliminate all gender bias, while recognizing the specific needs of the girl child.</p> <p>11.16 Information, education and communication efforts should raise awareness through public education campaigns on such priority issues as: safe motherhood, reproductive health and rights, maternal and child health and family planning, discrimination against and valorisation of the girl child and persons with disabilities; child abuse; violence against women; male responsibility; gender equality; sexually transmitted diseases, including HIV/AIDS; responsible sexual behaviour; teenage pregnancy; racism and xenophobia; ageing populations; and unsustainable consumption and production patterns. More education is needed in all societies on the implications of population-environment relationships, in order to influence behavioural change and consumer lifestyles and to promote sustainable management of natural resources. The media should be a major instrument for expanding knowledge and motivation.</p> <p>Vienna Declaration and Programme of Action</p> <p>80 Human rights education should include peace, democracy, development and social justice, as set forth in international and regional human rights instruments, in order to achieve common understanding and awareness with a view to strengthening universal commitment to human rights.</p> <p>CRC Committee General Comments</p> <p><i>General Comment No. 1: The aims of education</i></p> <p>2. Article 29 (1) not only adds to the right to education recognized in article 28 a qualitative dimension which reflects the rights and inherent dignity of the child; it also insists upon the need for education to be child centred, child friendly and empowering, and it highlights the need for educational processes to be based upon the very principles it enunciates. The education to which every child has a right is one designed to provide the child with life skills, to strengthen the child's capacity to enjoy the full range of human rights and to promote a culture which is infused by appropriate human rights values. The goal is to empower the child by developing his or her skills, learning and other capacities, human dignity, self-esteem and self-confidence. "Education" in this context goes far beyond formal schooling to embrace the broad range of life experiences and learning processes which enable children, individually and collectively, to develop their personalities, talents and abilities and to live a full and satisfying life within society.</p> <p><i>General Comment No. 7: Implementing child rights in early childhood</i></p> <p>33. Human rights education in early childhood. In light of article 29 and the Committee's general comment No. 1 (2001), the Committee also recommends that States parties include human rights education within early childhood education. Such education should be participatory and empowering to children, providing them with practical opportunities to exercise their rights and responsibilities in ways adapted to their interests, concerns and evolving capacities. Human rights education of young children</p>
--	--	--

should be anchored in everyday issues at home, in childcare centres, in early education programmes and other community settings with which young children can identify.

General Comment No. Indigenous children and their rights under the Convention

56. Article 29 of the Convention sets out that the aims of education for all children should be directed to, among other objectives, the development of respect for the child's cultural identity, language and values and for civilizations different from his or her own. Further objectives include the preparation of the child for responsible life in a free society, in the spirit of understanding peace, tolerance, equality of sexes and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin. The aims of education apply to education for all children and States should ensure these are adequately reflected in the curricula, content of materials, teaching methods and policies. States are encouraged to refer to the Committee's general comment No. 1 on the aims of education for further guidance.

General Comment No. 17: The right of the child to rest, leisure, play, recreational activities, cultural life and the arts

27. Articles 28 and 29: Education must be directed to the development of the child's personality, talents and mental and physical abilities to the fullest potential. Implementation of the rights under article 31 is essential to achieving compliance with the right provided for in article 29. For children to optimize their potential, they require opportunities for cultural and artistic development as well as participation in sports and games. The Committee also emphasizes that the rights under article 31 are of positive benefit to children's educational development; inclusive education and inclusive play are mutually reinforcing and should be facilitated during the course of every day throughout early childhood education and care (preschool) as well as primary and secondary school. While relevant and necessary for children of all ages, play is particularly significant in the early years of schooling. Research has shown that play is an important means through which children learn.

CEDAW Committee General Recommendations

Joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child on harmful practices

69. The Committees recommend that the States parties to the Conventions:

69.c Include in the educational curriculum information on human rights, including those of women and children, gender equality and self-awareness and contribute to eliminating gender stereotypes and fostering an environment of non-discrimination ;

Committee on Economic, Social and Cultural Rights General Comments

General Comment No. 21: The right of everyone to take part in cultural life

26. Children play a fundamental role as the bearers and transmitters of cultural values from generation to generation. States parties should take all the steps necessary to stimulate and develop children's full potential in the area of cultural life, with due regard for the rights and responsibilities of their parents or guardians. In particular, when taking into consideration their obligations under the Covenant and other human rights instruments on the right to education, including with regard to the aims of education, States

		<p>should recall that the fundamental aim of educational development is the transmission and enrichment of common cultural and moral values in which the individual and society find their identity and worth. Thus, education must be culturally appropriate, include human rights education, enable children to develop their personality and cultural identity and to learn and understand cultural values and practices of the communities to which they belong, as well as those of other communities and societies.</p> <p>27. The Committee wishes to recall in this regard that educational programmes of States parties should respect the cultural specificities of national or ethnic, linguistic and religious minorities as well as indigenous peoples, and incorporate in those programmes their history, knowledge and technologies, as well as their social, economic and cultural values and aspirations. Such programmes should be included in school curricula for all, not only for minorities and indigenous peoples. States parties should adopt measures and spare no effort to ensure that educational programmes for minorities and indigenous groups are conducted on or in their own language, taking into consideration the wishes expressed by communities and in the international human rights standards in this area. Educational programmes should also transmit the necessary knowledge to enable everyone to participate fully and on an equal footing in their own and in national communities.</p> <p>Committee on the Elimination of Racial Discrimination General Recommendations</p> <p><i>General Recommendation No. 35: Combatting racist hate speech</i></p> <p>32. The school systems in States parties represent an important focus for the dissemination of human rights information and perspectives. School curricula, textbooks and teaching materials should be informed by and address human rights themes and seek to promote mutual respect and tolerance among nations and racial and ethnic groups.</p> <p>33. Appropriate educational strategies in line with the requirements of article 7 include intercultural education, including intercultural bilingual education, based on equality of respect and esteem and genuine mutuality, supported by adequate human and financial resources. Programmes of intercultural education should represent a genuine balance of interests and should not function in intention or effect as vehicles of cultural assimilation.</p> <p>34. Measures should be adopted in the field of education aimed at encouraging knowledge of the history, culture and traditions of “racial or ethnical” groups present in the State party, including indigenous peoples and persons of African descent. Educational materials should, in the interests of promoting mutual respect and understanding, endeavour to highlight the contribution of all groups to the social, economic and cultural enrichment of the national identity and to national, economic and social progress.</p>
4.a	Build and upgrade education facilities that are child, disability and gender sensitive and provide safe, non-violent, inclusive and effective learning	<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Rights of the Child (CRC)</p> <p>2.1 States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.</p>

<p>environments for all</p>	<p>23.1 States Parties recognize that a mentally or physically disabled child should enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community.</p> <p>23.2 States Parties recognize the right of the disabled child to special care and shall encourage and ensure the extension, subject to available resources, to the eligible child and those responsible for his or her care, of assistance for which application is made and which is appropriate to the child's condition and to the circumstances of the parents or others caring for the child.</p> <p>23.3 Recognizing the special needs of a disabled child, assistance extended in accordance with paragraph 2 of the present article shall be provided free of charge, whenever possible, taking into account the financial resources of the parents or others caring for the child, and shall be designed to ensure that the disabled child has effective access to and receives education, training, health care services, rehabilitation services, preparation for employment and recreation opportunities in a manner conducive to the child's achieving the fullest possible social integration and individual development, including his or her cultural and spiritual development</p> <p>23.4 States Parties shall promote, in the spirit of international cooperation, the exchange of appropriate information in the field of preventive health care and of medical, psychological and functional treatment of disabled children, including dissemination of and access to information concerning methods of rehabilitation, education and vocational services, with the aim of enabling States Parties to improve their capabilities and skills and to widen their experience in these areas. In this regard, particular account shall be taken of the needs of developing countries.</p> <p>28.2 States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention.</p> <p>29.1 States Parties agree that the education of the child shall be directed to:</p> <p>29.1.a The development of the child's personality, talents and mental and physical abilities to their fullest potential;</p> <p>29.1.b The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;</p> <p>29.1.c The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;</p> <p>29.1.d The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;</p> <p>29.1.e The development of respect for the natural environment.</p> <p>Convention on the Rights of Persons with Disabilities (CRPD)</p> <p>9.1.a Buildings, roads, transportation and other indoor and outdoor facilities, including schools, housing, medical facilities and workplaces;</p>
-----------------------------	---

		<p>9.1.b Information, communications and other services, including electronic services and emergency services.</p> <p>14.2 In realizing this right, States Parties shall ensure that:</p> <p>24.2.a Persons with disabilities are not excluded from the general education system on the basis of disability, and that children with disabilities are not excluded from free and compulsory primary education, or from secondary education, on the basis of disability;</p> <p>24.2.b Persons with disabilities can access an inclusive, quality and free primary education and secondary education on an equal basis with others in the communities in which they live;</p> <p>24.2.c Reasonable accommodation of the individual's requirements is provided;</p> <p>24.2.d Persons with disabilities receive the support required, within the general education system, to facilitate their effective education;</p> <p>24.2.e Effective individualized support measures are provided in environments that maximize academic and social development, consistent with the goal of full inclusion.</p> <p>24.3 States Parties shall enable persons with disabilities to learn life and social development skills to facilitate their full and equal participation in education and as members of the community. To this end, States Parties shall take appropriate measures, including:</p> <p>24.2.a Facilitating the learning of Braille, alternative script, augmentative and alternative modes, means and formats of communication and orientation and mobility skills, and facilitating peer support and mentoring;</p> <p>24.2.b Facilitating the learning of sign language and the promotion of the linguistic identity of the deaf community;</p> <p>24.2.c Ensuring that the education of persons, and in particular children, who are blind, deaf or deafblind, is delivered in the most appropriate languages and modes and means of communication for the individual, and in environments which maximize academic and social development.</p> <p>24.4 In order to help ensure the realization of this right, States Parties shall take appropriate measures to employ teachers, including teachers with disabilities, who are qualified in sign language and/or Braille, and to train professionals and staff who work at all levels of education. Such training shall incorporate disability awareness and the use of appropriate augmentative and alternative modes, means and formats of communication, educational techniques and materials to support persons with disabilities.</p> <p>24.5 States Parties shall ensure that persons with disabilities are able to access general tertiary education, vocational training, adult education and lifelong learning without discrimination and on an equal basis with others. To this end, States Parties shall ensure that reasonable accommodation is provided to persons with disabilities.</p> <p>International Covenant on Economic, Social, and Cultural Rights (ICESCR)</p>
--	--	--

		<p>13.2.e The development of a system of schools at all levels shall be actively pursued, an adequate fellowship system shall be established, and the material conditions of teaching staff shall be continuously improved.</p> <p>African Charter on the Rights and Welfare of the Child</p> <p>11.3.e take special measures in respect of female, gifted and disadvantaged children, to ensure equal access to education for all sections of the community.</p> <p>Protocol to the American Convention on Human Rights 1988</p> <p>3 The State Parties to this Protocol undertake to guarantee the exercise of the rights set forth herein without discrimination of any kind for reasons related to race, colour, sex, language, religion, political or other opinions, national or social origin, economic status, birth or any other social condition.</p> <p>13.1 Everyone has the right to education.</p> <p>13.3 The States Parties to this Protocol recognize that in order to achieve the full exercise of the right to education:</p> <p>13.3.e Programs of special education should be established for the handicapped, so as to provide special instruction and training to persons with physical disabilities or mental deficiencies.</p> <p>18 Everyone affected by a diminution of his physical or mental capacities is entitled to receive special attention designed to help him achieve the greatest possible development of his personality. The States Parties agree to adopt such measures as may be necessary for this purpose and, especially, to:</p> <p>18.a Undertake programs specifically aimed at providing the handicapped with the resources and environment needed for attaining this goal, including work programs consistent with their possibilities and freely accepted by them or their legal representatives, as the case may be;</p> <p>18.c Include the consideration of solutions to specific requirements arising from needs of this group as a priority component of their urban development plans;</p> <p>European Convention on Human Rights</p> <p>14 The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.</p> <p>Protocol to the European Convention on Human Rights No. 12</p>
--	--	---

1.1 The enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

1.2 No one shall be discriminated against by any public authority on any ground such as those mentioned in paragraph 1.

European Social Charter (1996, revised)

1.15 Disabled persons have the right to independence, social integration and participation in the life of the community.

➤ **SUPPORTING REFERENCES (NOT LEGALLY BINDING)**

Beijing Platform of Action (1995)

B.4 Develop non-discriminatory education and training.

International Conference on Population and Development (ICPD) (1994)

11.8 Countries should take affirmative steps to keep girls and adolescents in school by building more community schools, by training teachers to be more gender sensitive, by providing scholarships and other appropriate incentives and by sensitizing parents to the value of educating girls, with a view to closing the gender gap in primary and secondary school education by the year 2005. Countries should also supplement those efforts by making full use of non-formal education opportunities. Pregnant adolescents should be enabled to continue their schooling.

Vienna Declaration and Programme of Action

64 The place of disabled persons is everywhere. Persons with disabilities should be guaranteed equal opportunity through the elimination of all socially determined barriers, be they physical, financial, social or psychological, which exclude or restrict full participation in society.

CRC Committee General Comments

General Comment No. 1: The aims of education

10. Discrimination on the basis of any of the grounds listed in article 2 of the Convention, whether it is overt or hidden, offends the human dignity of the child and is capable of undermining or even destroying the capacity of the child to benefit from educational opportunities. While denying a child's access to educational opportunities is primarily a matter which relates to article 28 of the Convention, there are many ways in which failure to comply with the principles contained in article 29 (1) can have a similar effect. To take an extreme example, gender discrimination can be reinforced by practices such as a curriculum which is inconsistent with the principles of gender equality, by arrangements which limit the benefits girls can obtain from the educational opportunities offered, and by unsafe or unfriendly environments which discourage girls' participation. Discrimination against children with disabilities is also pervasive in many formal educational systems and in a great many informal educational settings, including in the home. Children with HIV/AIDS are also heavily discriminated against in both settings. All such discriminatory practices are in direct

contradiction with the requirements in article 29 (1) (a) that education be directed to the development of the child's personality, talents and mental and physical abilities to their fullest potential.

General Comment No. 9: The rights of children with disabilities

65. Early childhood education is of particular relevance for children with disabilities as often their disabilities and special needs are first recognized in these institutions. Early intervention is of utmost importance to help children to develop their full potential. If a child is identified as having a disability or developmental delay at an early stage, the child has much better opportunities to benefit from early childhood education which should be designed to respond to her or his individual needs. Early childhood education provided by the State, the community or civil society institutions can provide important assistance to the well-being and development of all children with disabilities (see the Committee's general comment No. 7 (2005) on implementing child rights in early childhood). Primary education, including primary school and, in many States parties, also secondary school, has to be provided for children with disabilities free of costs. All schools should be without communicational barriers as well as physical barriers impeding the access of children with reduced mobility. Also higher education, accessible on the basis of capacities, has to be accessible for qualified adolescents with disabilities. In order to fully exercise their right to education, many children need personal assistance, in particular, teachers trained in methodology and techniques, including appropriate languages, and other forms of communication, for teaching children with a diverse range of abilities capable of using child-centred and individualised teaching strategies, and appropriate and accessible teaching materials, equipment and assistive devices, which States parties should provide to the maximum extent of available resources.

66. Inclusive education should be the goal of educating children with disabilities. The manner and form of inclusion must be dictated by the individual educational needs of the child, since the education of some children with disabilities requires a kind of support which may not be readily available in the regular school system. The Committee notes the explicit commitment towards the goal of inclusive education contained in the draft convention on the rights of persons with disabilities and the obligation for States to ensure that persons including children with disabilities are not excluded from the general education system on the basis of disability and that they receive the support required, within the general education system, to facilitate their effective education. It encourages States parties which have not yet begun a programme towards inclusion to introduce the necessary measures to achieve this goal. However, the Committee underlines that the extent of inclusion within the general education system may vary. A continuum of services and programme options must be maintained in circumstances where fully inclusive education is not feasible to achieve in the immediate future.

CEDAW Committee General Recommendations

General Recommendation No. 34: Rights of rural women

43. States parties should protect the right of rural girls and women to education, and ensure that:

43.a High-quality education is accessible to and affordable for all rural women and girls, including those with disabilities, by improving educational infrastructures in rural areas, increasing the number of qualified teachers, including women, and ensuring that primary education is compulsory and provided free of charge and that education is provided in local languages and in a culturally appropriate manner;

43.b Systematic training is provided for teaching personnel at all levels of the education system on the rights of rural girls and women and on the need to combat discriminatory sex-based and gender-based, ethnic and other stereotypes that limit the educational opportunities of rural women and girls. Curricula should be reviewed to eliminate discriminatory stereotypes about the roles and responsibilities of women and men in the family and in society;

43.h Schools in rural areas have adequate water facilities and separate, safe, sheltered latrines for girls and offer hygiene education and resources for menstrual hygiene, with special focus on girls with disabilities;

Committee on Economic, Social and Cultural Rights General Comments

General Comment No. 5: Persons with disabilities

35. School programmes in many countries today recognize that persons with disabilities can best be educated within the general education system. Thus the Standard Rules provide that “States should recognize the principle of equal primary, secondary and tertiary educational opportunities for children, youth and adults with disabilities, in integrated settings”. In order to implement such an approach, States should ensure that teachers are trained to educate children with disabilities within regular schools and that the necessary equipment and support are available to bring persons with disabilities up to the same level of education as their non-disabled peers. In the case of deaf children, for example, sign language should be recognized as a separate language to which the children should have access and whose importance should be acknowledged in their overall social environment.

General Comment No. 13: The right to education

6.a Availability: Functioning educational institutions and programmes have to be available in sufficient quantity within the jurisdiction of the State party. What they require to function depends upon numerous factors, including the developmental context within which they operate; for example, all institutions and programmes are likely to require buildings or other protection from the elements, sanitation facilities for both sexes, safe drinking water, trained teachers receiving domestically competitive salaries, teaching materials, and so on; while some will also require facilities such as a library, computer facilities and information technology;

6.b Accessibility: Educational institutions and programmes have to be accessible to everyone, without discrimination, within the jurisdiction of the State party. Accessibility has three overlapping dimensions: Non-discrimination: education must be accessible to all, especially the most vulnerable groups, in law and fact, without discrimination on any of the prohibited grounds (see paras. 31 37 on non-discrimination); Physical accessibility: education has to be within safe physical reach, either by attendance at some reasonably convenient geographic location (e.g. a neighbourhood school) or via modern technology (e.g. access to a “distance learning” programme); Economic accessibility: education has to be affordable to all. This dimension of accessibility is subject to the differential wording of article 13 (2) in relation to primary, secondary and higher education: whereas primary education shall be available “free to all”, States parties are required to progressively introduce free secondary and higher education;

6.d Adaptability: education has to be flexible so it can adapt to the needs of changing societies and communities and respond to the needs of students within their diverse social and cultural settings.

27. While the Covenant requires that “the material conditions of teaching staff shall be continuously improved”, in practice the general working conditions of teachers have deteriorated, and reached unacceptably low levels, in many States parties in recent

		<p>years. Not only is this inconsistent with article 13 (2) (e), but it is also a major obstacle to the full realization of students' right to education. The Committee also notes the relationship between articles 13 (2) (e), 2 (2), 3 and 6 8 of the Covenant, including the right of teachers to organize and bargain collectively; draws the attention of States parties to the joint UNESCO ILO Recommendation Concerning the Status of Teachers (1966) and the UNESCO Recommendation Concerning the Status of Higher Education Teaching Personnel (1997); and urges States parties to report on measures they are taking to ensure that all teaching staff enjoy the conditions and status commensurate with their role.</p> <p>Committee on the Rights of Persons with Disabilities General Comments</p> <p><i>General Comment No. 2: Accessibility</i></p> <p>17. Article 9, paragraph 1, requires States parties to identify and eliminate obstacles and barriers to accessibility to, inter alia:</p> <p>17.a Buildings, roads, transportation and other indoor and outdoor facilities, including schools, housing, medical facilities and workplaces;</p>
<p>4.c</p>	<p>By 2030, substantially increase the supply of qualified teachers, including through international cooperation for teacher training in developing countries, especially least developed countries and small island developing States</p>	<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Rights of the Child (CRC)</p> <p>28.3 States Parties shall promote and encourage international cooperation in matters relating to education, in particular with a view to contributing to the elimination of ignorance and illiteracy throughout the world and facilitating access to scientific and technical knowledge and modern teaching methods. In this regard, particular account shall be taken of the needs of developing countries.</p> <p>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</p> <p>10.b Access to the same curricula, the same examinations, teaching staff with qualifications of the same standard and school premises and equipment of the same quality;</p> <p>Convention on the Rights of Persons with Disabilities (CRPD)</p> <p>24.4 In order to help ensure the realization of this right, States Parties shall take appropriate measures to employ teachers, including teachers with disabilities, who are qualified in sign language and/or Braille, and to train professionals and staff who work at all levels of education. Such training shall incorporate disability awareness and the use of appropriate augmentative and alternative modes, means and formats of communication, educational techniques and materials to support persons with disabilities.</p> <p>International Covenant on Economic, Social, and Cultural Rights (ICESCR)</p> <p>13.2.e The development of a system of schools at all levels shall be actively pursued, an adequate fellowship system shall be established, and the material conditions of teaching staff shall be continuously improved.</p> <p>African Charter on Human and Peoples' Rights</p>

		<p>17.1 Every individual shall have the right to education;</p> <p>➤ SUPPORTING REFERENCES (NOT LEGALLY BINDING)</p> <p>Beijing Platform of Action (1995)</p> <p>B.5 Allocate sufficient resources for and monitor the implementation of educational reforms.</p> <p>Committee on Economic, Social and Cultural Rights General Comments</p> <p><i>General Comment No. 13: The right to education</i></p> <p>6.a Availability. Functioning educational institutions and programmes have to be available in sufficient quantity within the jurisdiction of the State party. What they require to function depends upon numerous factors, including the developmental context within which they operate; for example, all institutions and programmes are likely to require buildings or other protection from the elements, sanitation facilities for both sexes, safe drinking water, trained teachers receiving domestically competitive salaries, teaching materials, and so on; while some will also require facilities such as a library, computer facilities and information technology;</p>
--	--	---

GOAL 5: GENDER EQUALITY

SDG Targets	Corresponding human rights mechanisms and other supporting references
-------------	---

5.1	<p>End all forms of discrimination against all women and girls everywhere</p>	<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Rights of the Child (CRC)</p> <p>2.1 States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.</p> <p>Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography (CRC OPSC)</p> <p>Preamble: Recognizing that girl children, are at greater risk of sexual exploitation and that girl children are disproportionately represented among the sexually exploited;</p> <p>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</p> <p>2.a To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle;</p> <p>2.b To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;</p>
-----	---	--

		<p>2.c To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;</p> <p>2.f To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;</p> <p>3 States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women , for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men</p> <p>6 States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.</p> <p>15.1 States Parties shall accord to women equality with men before the law.</p> <p>15.2 States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. In particular, they shall give women equal rights to conclude contracts and to administer property and shall treat them equally in all stages of procedure in courts and tribunals.</p> <p>15.3 States Parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed at restricting the legal capacity of women shall be deemed null and void.</p> <p>15.4 States Parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile.</p> <p>Convention on the Rights of Persons with Disabilities (CRPD)</p> <p>6.1 States Parties recognize that women and girls with disabilities are subject to multiple discrimination, and in this regard shall take measures to ensure the full and equal enjoyment by them of all human rights and fundamental freedoms.</p> <p>6.2 States Parties shall take all appropriate measures to ensure the full development, advancement and empowerment of women, for the purpose of guaranteeing them the exercise and enjoyment of the human rights and fundamental freedoms set out in the present Convention.</p> <p>28.1.b To ensure access by persons with disabilities, in particular women and girls with disabilities and older persons with disabilities, to social protection programmes and poverty reduction programmes;</p> <p>International Covenant on Economic, Social, and Cultural Rights (ICESCR)</p> <p>2.2 The States Parties to the present Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.</p> <p>3 The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the present Covenant.</p>
--	--	--

		<p>International Covenant on Civil and Political Rights (ICCPR)</p> <p>3 The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the present Covenant.</p> <p>Universal Declaration of Human Rights (UDHR)</p> <p>2 Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.</p> <p>African Charter on Human and Peoples' Rights</p> <p>3.1 Every individual shall be equal before the law</p> <p>3.2 Every individual shall be entitled to equal protection of the law</p> <p>18.3 The State shall ensure the elimination of every discrimination against women and also ensure the protection of the rights of women and the child as stipulated in international declarations and conventions.</p> <p>African Charter on the Rights and Welfare of the Child</p> <p>3 Every child shall be entitled to the enjoyment of the rights and freedoms recognized and guaranteed in this Charter irrespective of the child's or his/her parents' or legal guardians' race, ethnic group, colour, sex, language, religion, political or other opinion, national and social origin, fortune, birth or other status.</p> <p>5.1 Every child has an inherent right to life. This right shall be protected by law.</p> <p>5.2 States Parties to the present Charter shall ensure, to the maximum extent possible, the survival, protection and development of the child.</p> <p>21.1 States Parties to the present Charter shall take all appropriate measures to eliminate harmful social and cultural practices affecting the welfare, dignity, normal growth and development of the child and in particular:</p> <p>21.1.a those customs and practices prejudicial to the health or life of the child; and</p> <p>21.2.b those customs and practices discriminatory to the child on the grounds of sex or other status.</p> <p>21.2. Child marriage and the betrothal of girls and boys shall be prohibited and effective action, including legislation, shall be taken to specify the minimum age of marriage to be 18 years and make registration of all marriages in an official registry compulsory.</p> <p>27.1 States Parties to the present Charter shall undertake to protect the child from all forms of sexual exploitation and sexual abuse and shall in particular take measures to prevent:</p>
--	--	--

		<p>27.1.a the inducement, coercion or encouragement of a child to engage in any sexual activity;</p> <p>27.1.b the use of children in prostitution or other sexual practices;</p> <p>27.1.c the use of children in pornographic activities, performances and materials.</p> <p>Protocol to the American Convention on Human Rights 1988</p> <p>3 The State Parties to this Protocol undertake to guarantee the exercise of the rights set forth herein without discrimination of any kind for reasons related to race, colour, sex, language, religion, political or other opinions, national or social origin, economic status, birth or any other social condition.</p> <p>Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women</p> <p>3 Every woman has the right to be free from violence in both the public and private spheres.</p> <p>4 Every woman has the right to the recognition, enjoyment, exercise and protection of all human rights and freedoms embodied in regional and international human rights instruments. These rights include, among others:</p> <p>4.a The right to have her life respected;</p> <p>4.b The right to have her physical, mental and moral integrity respected;</p> <p>4.c The right to personal liberty and security;</p> <p>4.d The right not to be subjected to torture;</p> <p>4.e The rights to have the inherent dignity of her person respected and her family protected;</p> <p>4.f The right to equal protection before the law and of the law;</p> <p>4.g The right to simple and prompt recourse to a competent court for protection against acts that violate her rights;</p> <p>4.h The right to associate freely;</p> <p>4.i The right of freedom to profess her religion and beliefs within the law; and</p> <p>4.j The right to have equal access to the public service of her country and to take part in the conduct of public affairs, including decision-making.</p> <p>5 Every woman is entitled to the free and full exercise of her civil, political, economic, social and cultural rights, and may rely on the full protection of those rights as embodied in regional and international instruments on human rights. The States Parties recognize that violence against women prevents and nullifies the exercise of these rights.</p> <p>6 The right of every woman to be free from violence includes, among others:</p>
--	--	---

		<p>6.a The right of women to be free from all forms of discrimination; and</p> <p>6.b The right of women to be valued and educated free of stereotyped patterns of behaviour and social and cultural practices based on concepts of inferiority or subordination.</p> <p>European Convention on Human Rights</p> <p>14 The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.</p> <p>Protocol to the European Convention on Human Rights No. 12</p> <p>1.1 The enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.</p> <p>1.2 No one shall be discriminated against by any public authority on any ground such as those mentioned in paragraph 1.</p> <p>European Social Charter (1996, revised)</p> <p>20 With a view to ensuring the effective exercise of the right to equal opportunities and equal treatment in matters of employment and occupation without discrimination on the grounds of sex, the Parties undertake to recognise that right and to take appropriate measures to ensure or promote its application in the following fields:</p> <p>20.a access to employment, protection against dismissal and occupational reintegration;</p> <p>20.b vocational guidance, training, retraining and rehabilitation;</p> <p>20.c terms of employment and working conditions, including remuneration;</p> <p>20.d career development, including promotion.</p> <p>Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention)</p> <p>12.1 Parties shall take the necessary measures to promote changes in the social and cultural patterns of behaviour of women and men with a view to eradicating prejudices, customs, traditions and all other practices which are based on the idea of the inferiority of women or on stereotyped roles for women and men</p> <p>12.5 Parties shall ensure that culture, custom, religion, tradition or so - called “honour” shall not be considered as justification for any acts of violence covered by the scope of this Convention.</p> <p>UN Security Council Resolution 1325</p>
--	--	--

1 Urges Member States to ensure increased representation of women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management, and resolution of conflict;

➤ **SUPPORTING REFERENCES (NOT LEGALLY BINDING)**

Beijing Platform of Action (1995)

C.1 Increase women's access throughout the life cycle to appropriate, affordable and quality health care, information and related services.

D.1 Take integrated measures to prevent and eliminate violence against women.

I.1 Promote and protect the human rights of women, through the full implementation of all human rights instruments, especially the Convention on the Elimination of All Forms of Discrimination against Women.

I.2 Ensure equality and non-discrimination under the law and in practice.

J.2 Promote a balanced and non-stereotyped portrayal of women in the media.

L.1 Eliminate all forms of discrimination against the girl-child.

L.2 Eliminate negative cultural attitudes and practices against girls.

L.3 Promote and protect the rights of the girl-child and increase awareness of her needs and potential.

L.8. Promote the girl-child's awareness of and participation in social, economic and political life.

International Conference on Population and Development (ICPD) (1994)

3.18 Existing inequities and barriers to women in the workforce should be eliminated and women's participation in all policy-making and implementation, as well as their access to productive resources, and ownership of land, and their right to inherit property should be promoted and strengthened. Governments, non-governmental organizations and the private sector should invest in, promote, monitor and evaluate the education and skill development of women and girls and the legal and economic rights of women, and in all aspects of reproductive health, including family planning and sexual health, in order to enable them to effectively contribute to and benefit from economic growth and sustainable development.

Vienna Declaration and Programme of Action

38 In particular, the World Conference on Human Rights stresses the importance of working towards the elimination of violence against women in public and private life, the elimination of all forms of sexual harassment, exploitation and trafficking in women, the elimination of gender bias in the administration of justice and the eradication of any conflicts which may arise between the rights of women and the harmful effects of certain traditional or customary practices, cultural prejudices and religious extremism. The World Conference on Human Rights calls upon the General Assembly to adopt the draft declaration on violence against women and urges States to combat violence against women in accordance with its provisions. Violations of the human rights of women in situations of armed conflict are violations of the fundamental principles of international human rights and humanitarian law. All violations of this

kind, including in particular murder, systematic rape, sexual slavery, and forced pregnancy, require a particularly effective response.

49 The World Conference on Human Rights supports all measures by the United Nations and its specialized agencies to ensure the effective protection and promotion of human rights of the girl child. The World Conference on Human Rights urges States to repeal existing laws and regulations and remove customs and practices which discriminate against and cause harm to the girl child.

CRC Committee General Comments

General Comment No. 2: HIV/AIDS and the rights of the child

6. Of particular concern is gender-based discrimination combined with taboos or negative or judgemental attitudes to sexual activity of girls, often limiting their access to preventive measures and other services. Of concern also is discrimination based on sexual orientation. In the design of HIV/AIDS related strategies, and in keeping with their obligations under the Convention, State parties must give careful consideration to prescribed gender norms within their societies with a view to eliminating gender-based discrimination as these impact on the vulnerability of both girls and boys to HIV/AIDS. States parties should in particular recognize that discrimination in the context of HIV/AIDS often impacts girls more severely than boys.

General Comment No. 17: The right of the child to rest, leisure, play, recreational activities, cultural life and the arts

48. Girls: A combination of significant burdens of domestic responsibilities and sibling and family care, protective concerns on the part of parents, lack of appropriate facilities and cultural assumptions imposing limitations on the expectations and behaviour of girls can serve to diminish their opportunities to enjoy the rights provided for in article 31, particularly in the adolescent years. In addition, gender differentiation in what is considered girls' and boys' play and which is widely reinforced by parents, caregivers, the media and producers/manufacturers of games and toys serve to maintain traditional gender-role divisions in society. Evidence indicates that whereas boys' games prepare them for successful performance in a wide range of professional and other settings in modern society, girls' games, in contrast, tend to direct them towards the private sphere of the home and future roles as wives and mothers. Adolescent boys and girls are often discouraged from engaging in joint recreational activities. Furthermore, girls generally have lower participation rates in physical activities and organized games as a consequence of either external cultural or self-imposed exclusion or lack of appropriate provision. This pattern is of concern in the light of the proven physical, psychological, social and intellectual benefits associated with participation in sports activities. Given these widespread and pervasive barriers impeding girls' realization of their rights under article 31, the Committee urges States parties to take action to challenge gender stereotypes which serve to compound and reinforce patterns of discrimination and inequality of opportunity.

General Comment No. 15: The right to the highest attainable standard of health

9. Gender-based discrimination is particularly pervasive, affecting a wide range of outcomes, from female infanticide/foeticide to discriminatory infant and young child feeding practices, gender stereotyping and access to services. Attention should be given to the differing needs of girls and boys, and the impact of gender-related social norms and values on the health and development of boys and girls. Attention also needs to be given to harmful gender-based practices and norms of behaviour that are ingrained in traditions and customs and undermine the right to health of girls and boys.

General Comment No. 20: Implementation of the rights of the child during adolescence

28. Girls: It is during adolescence that gender inequalities become more significant. Discrimination, inequality and stereotyping against girls often intensifies as they reach adolescence leading to greater violation of their rights, including forced marriage, unwanted pregnancies, gender-based physical, mental and sexual violence, abuse and exploitation and trafficking. Cultural norms ascribing lower status to girls begin to take greater effect, leading to increased likelihood of confinement to the home, lack of access to secondary education, limited opportunities for development, leisure, recreation and income generation, access to cultural life and the arts, burdensome domestic chores, and child care responsibilities. In many countries, girls report lower levels of health and life satisfaction than boys, a difference that gradually increases with age.

29. States need to invest in pro-active measures to challenge patriarchal gender norms and stereotyping, as well as legal reforms to address both direct and indirect discrimination against girls, in cooperation with all stakeholders, including civil society, men and women, traditional and religious leaders and boys and girls themselves. Explicit measures are also needed in all policies and programmes to guarantee the rights of girls on an equal basis with boys.

30. Boys: Traditional concepts of masculinity and gender norms linked to violence and dominance can also compromise boys' rights. Pressures to take on, for example, exploitative labour, imposition of harmful initiation rites, exposure to violence, gangs, coercion into militia, extremist groups and trafficking, are pervasive, alongside denial of the vulnerability of boys to physical and sexual abuse and exploitation, and a consequent lack of protective services.

31. The Committee urges the introduction of measures to address these rights violations, while also encouraging States to challenge negative perceptions of boys, overcome machismo cultural values, and promote greater recognition of the gender dimension of the abuses they experience. Recognition must also be afforded to the importance of engagement with boys and men, as well as girls and women, in all measures introduced to achieve gender equality.

36. The Committee strongly endorses the rights of adolescents to freedom of expression and respect for their emerging autonomy, and deplores the imposition of treatments to try to change sexual orientation and gender identity, and that transgender identity and same-sex attraction are often pathologised as psychiatric disorders. It urges States to eliminate such practices, and to repeal all laws criminalizing or otherwise discriminating against individuals on the basis of their sexual orientation or gender identity. Measures are also needed to ensure that adolescents who belong to LGBTI groups or from LGBTI families are not subjected to any forms of violence, discrimination or bullying by raising public awareness and by putting in place safety and support measures for adolescents in need of protection.

CEDAW Committee General Recommendations

General Recommendation No. 6: Effective machinery and publicity

1. Establish and/or strengthen effective national machinery, institutions and procedures, at a high level of Government, and with adequate resources, commitment and authority to:

1.a Advise on the impact on women of all government policies;

1.b Monitor the situation of women comprehensively;

1.c Help formulate new policies and effectively carry out strategies and measures to eliminate discrimination;

General Recommendation No. 25: Temporary special measures

12. Certain groups of women, in addition to suffering from discrimination directed against them as women, may also suffer from multiple forms of discrimination based on additional grounds such as race, ethnic or religious identity, disability, age, class, caste or other factors. Such discrimination may affect these groups of women primarily, or to a different degree or in different ways than men. States parties may need to take specific temporary special measures to eliminate such multiple forms of discrimination against women and its compounded negative impact on them.

General Recommendation No. 27: on the core obligations of States parties under article 2 of the Convention on the Elimination of All Forms of Discrimination against Women

21. States parties in particular are obliged to promote the equal rights of girls since girls are part of the larger community of women and are more vulnerable to discrimination in such areas as access to basic education, trafficking, maltreatment, exploitation and violence. All these situations of discrimination are aggravated when the victims are adolescents. Therefore, States shall pay attention to the specific needs of (adolescent) girls by providing education on sexual and reproductive health and carrying out programmes that are aimed at the prevention of HIV/AIDS, sexual exploitation and teenage pregnancy.

Joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child on harmful practices

69. The Committees recommend that the States parties to the Conventions:

69.f Engage men and boys in creating an enabling environment that supports the empowerment of women and girls.

General Recommendation No. 32 on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women

31. The Committee notes that women's claims to asylum are regularly classified under the "social group" ground in the definition of a refugee, which may reinforce the stereotyped notions of women as dependent victims. Article 5 of the Convention requires States parties to assess women's claims to asylum without prejudices and stereotyped notions of women that are based on the inferiority or superiority of either sex. Gender stereotyping affects the right of women to a fair and just asylum process and the asylum authorities must take precautions not to create standards that are based on preconceived notions of gender-based violence and persecution. In addition, women are active agents who play important roles as political leaders, members of Governments or opposition groups, journalists, human rights defenders and activists, lawyers and judges, among others. They are targeted on account of their political opinions and/or activities, including the expression of women's rights. Accordingly, article 7 of the Convention requires States parties to take action to realize equality for women in political and public life. It may therefore be appropriate that women bring claims to asylum on gender-related persecution grounds or political, religious, racial and ethnic grounds, including in situations in which they were compelled to flee their country of origin owing to external aggression, occupation, foreign domination or serious civil strife.

General Recommendation No. 34: Rights of rural women

15 States parties should eliminate all forms of discrimination against disadvantaged and marginalized groups of rural women. For example, States parties should ensure that disadvantaged and marginalized groups of rural women, including those belonging to

indigenous, Afro-descendent, ethnic and religious minorities, heads of household, peasants, pastoralists, fisherfolk, landless women, migrants and conflict-affected rural women, are protected from intersecting forms of discrimination and have access to education, employment, water and sanitation and health care, among others. States parties should develop policies and programmes ensuring the equal enjoyment of rights by rural women with disabilities, including by ensuring the accessibility of infrastructures and services. States parties should similarly ensure that older rural women have access to social services and adequate social protection, as well as economic resources and the empowerment to live life with dignity, including through access to financial services and social security.

Human Rights Committee (CCPR) General Comment

General Comment No. 28: The equality of rights between men and women

16. As regards article 12, States parties should provide information on any legal provision or any practice which restricts women's right to freedom of movement, for example the exercise of marital powers over the wife or of parental powers over adult daughters; legal or de facto requirements which prevent women from travelling, such as the requirement of consent of a third party to the issuance of a passport or other type of travel documents to an adult woman. States parties should also report on measures taken to eliminate such laws and practices and to protect women against them, including reference to available domestic remedies (see general comment No. 27, paragraphs 6 and 18).

28. The obligation of States parties to protect children (art. 24) should be carried out equally for boys and girls. States parties should report on measures taken to ensure that girls are treated equally to boys in education, in feeding and in health care, and provide the Committee with disaggregated data in this respect. States parties should eradicate, both through legislation and any other appropriate measures, all cultural or religious practices which jeopardize the freedom and wellbeing of female children.

30. Discrimination against women is often intertwined with discrimination on other grounds such as race, colour, language, religion, political or other opinion, national or social origin, property, birth or other status. States parties should address the ways in which any instances of discrimination on other grounds affect women in a particular way, and include information on the measures taken to counter these effects.

31. The right to equality before the law and freedom from discrimination, protected by article 26, requires States to act against discrimination by public and private agencies in all fields. Discrimination against women in areas such as social security laws (communications Nos. 172/84, Broeks v. Netherlands, Views of 9 April 1987; 182/84, Zwaan de Vries v. the Netherlands, Views of 9 April 1987; 218/1986, Vos v. the Netherlands, Views of 29 March 1989) as well as in the area of citizenship or rights of non-citizens in a country (communication No. 035/1978, Aumeeruddy Cziffra et al. v. Mauritius, Views adopted 9 April 1981) violates article 26. The commission of so called "honour crimes" which remain unpunished constitutes a serious violation of the Covenant and in particular of articles 6, 14 and 26. Laws which impose more severe penalties on women than on men for adultery or other offences also violate the requirement of equal treatment. The Committee has also often observed in reviewing States parties' reports that a large proportion of women are employed in areas which are not protected by labour laws and that prevailing customs and traditions discriminate against women, particularly with regard to access to better paid employment and to equal pay for work of equal value. States parties should review their legislation and practices and take the lead in implementing all measures necessary to eliminate discrimination against women in all fields, for example by prohibiting discrimination by private actors in areas such as employment,

		<p>education, political activities and the provision of accommodation, goods and services. States parties should report on all these measures and provide information on the remedies available to victims of such discrimination.</p> <p>Committee on Economic, Social and Cultural Rights General Comments</p> <p><i>General Comment No. 16: The equal right of men and women to the enjoyment of all economic, social and cultural rights</i></p> <p>16. The equal right of men and women to the enjoyment of economic, social and cultural rights is a mandatory and immediate obligation of States parties.</p>
5.2	Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation	<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Rights of the Child (CRC)</p> <p>2.1 States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.</p> <p>2.2 States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.</p> <p>19.1 States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.</p> <p>19.2 Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.</p> <p>34.a The inducement or coercion of a child to engage in any unlawful sexual activity;</p> <p>34.b The exploitative use of children in prostitution or other unlawful sexual practices;</p> <p>34.c The exploitative use of children in pornographic performances and materials.</p> <p>35 States Parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form.</p> <p>Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography (CRC OPSC)</p>

Preamble: Recognizing that girl children, are at greater risk of sexual exploitation and that girl children are disproportionately represented among the sexually exploited;

Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)

5 States Parties shall take all appropriate measures: (a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women;

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

16.2 The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.

Convention on the Rights of Persons with Disabilities (CRPD)

16.1 States Parties shall take all appropriate legislative, administrative, social, educational and other measures to protect persons with disabilities, both within and outside the home, from all forms of exploitation, violence and abuse, including their gender-based aspects

16.2 States Parties shall also take all appropriate measures to prevent all forms of exploitation, violence and abuse by ensuring, inter alia, appropriate forms of gender- and age-sensitive assistance and support for persons with disabilities and their families and caregivers, including through the provision of information and education on how to avoid, recognize and report instances of exploitation, violence and abuse. States Parties shall ensure that protection services are age-, gender- and disability-sensitive

16.3 In order to prevent the occurrence of all forms of exploitation, violence and abuse, States Parties shall ensure that all facilities and programmes designed to serve persons with disabilities are effectively monitored by independent authorities.

28.1.b To ensure access by persons with disabilities, in particular women and girls with disabilities and older persons with disabilities, to social protection programmes and poverty reduction programmes;

International Covenant on Economic, Social, and Cultural Rights (ICESCR)

10.1 The widest possible protection and assistance should be accorded to the family, which is the natural and fundamental group unit of society, particularly for its establishment and while it is responsible for the care and education of dependent children. Marriage must be entered into with the free consent of the intending spouses.

International Covenant on Civil and Political Rights (ICCPR)

7 No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation.

		<p>Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CRMW)</p> <p>10 No migrant worker or member of his or her family shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment;</p> <p>16.1 Migrant workers and members of their families shall have the right to liberty and security of person;</p> <p>16.2 Migrant workers and members of their families shall be entitled to effective protection by the State against violence, physical injury, threats and intimidation, whether by public officials or by private individuals, groups or institutions.</p> <p>Universal Declaration of Human Rights (UDHR)</p> <p>3 Everyone has the right to life, liberty and security of person.</p> <p>African Charter on Human and Peoples' Rights</p> <p>5 Every individual shall have the right to the respect of the dignity inherent in a human being and to the recognition of his legal status. All forms of exploitation and degradation of man, particularly slavery, slave trade, torture, cruel, inhuman or degrading punishment and treatment shall be prohibited.</p> <p>18.3 The State shall ensure the elimination of every discrimination against women and also ensure the protection of the rights of women and the child as stipulated in international declarations and conventions.</p> <p>African Charter on the Rights and Welfare of the Child</p> <p>3 Every child shall be entitled to the enjoyment of the rights and freedoms recognized and guaranteed in this Charter irrespective of the child's or his/her parents' or legal guardians' race, ethnic group, colour, sex, language, religion, political or other opinion, national and social origin, fortune, birth or other status.</p> <p>5.1 Every child has an inherent right to life. This right shall be protected by law.</p> <p>5.2 States Parties to the present Charter shall ensure, to the maximum extent possible, the survival, protection and development of the child.</p> <p>21.1 States Parties to the present Charter shall take all appropriate measures to eliminate harmful social and cultural practices affecting the welfare, dignity, normal growth and development of the child and in particular:</p> <p>21.1.a those customs and practices prejudicial to the health or life of the child; and</p> <p>21.2.b those customs and practices discriminatory to the child on the grounds of sex or other status.</p>
--	--	--

21.2. Child marriage and the betrothal of girls and boys shall be prohibited and effective action, including legislation, shall be taken to specify the minimum age of marriage to be 18 years and make registration of all marriages in an official registry compulsory.

27.1 States Parties to the present Charter shall undertake to protect the child from all forms of sexual exploitation and sexual abuse and shall in particular take measures to prevent:

27.1.a the inducement, coercion or encouragement of a child to engage in any sexual activity;

27.1.b the use of children in prostitution or other sexual practices;

27.1.c the use of children in pornographic activities, performances and materials.

Protocol to the American Convention on Human Rights 1988

3 The State Parties to this Protocol undertake to guarantee the exercise of the rights set forth herein without discrimination of any kind for reasons related to race, colour, sex, language, religion, political or other opinions, national or social origin, economic status, birth or any other social condition.

Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women

3 Every woman has the right to be free from violence in both the public and private spheres.

4 Every woman has the right to the recognition, enjoyment, exercise and protection of all human rights and freedoms embodied in regional and international human rights instruments. These rights include, among others:

4.a The right to have her life respected;

4.b The right to have her physical, mental and moral integrity respected;

4.c The right to personal liberty and security;

4.d The right not to be subjected to torture;

4.e The rights to have the inherent dignity of her person respected and her family protected;

4.f The right to equal protection before the law and of the law;

4.g The right to simple and prompt recourse to a competent court for protection against acts that violate her rights;

4.h The right to associate freely;

4.i The right of freedom to profess her religion and beliefs within the law; and

		<p>4.j The right to have equal access to the public service of her country and to take part in the conduct of public affairs, including decision-making.</p> <p>5 Every woman is entitled to the free and full exercise of her civil, political, economic, social and cultural rights, and may rely on the full protection of those rights as embodied in regional and international instruments on human rights. The States Parties recognize that violence against women prevents and nullifies the exercise of these rights.</p> <p>6 The right of every woman to be free from violence includes, among others:</p> <p>6.a The right of women to be free from all forms of discrimination; and</p> <p>6.b The right of women to be valued and educated free of stereotyped patterns of behaviour and social and cultural practices based on concepts of inferiority or subordination.</p> <p>European Convention on Human Rights</p> <p>2 Everyone's right to life shall be protected by law. No one shall be deprived of his life intentionally save in the execution of a sentence of a court following his conviction of a crime for which this penalty is provided by law.</p> <p>3 No one shall be subjected to torture or to inhuman or degrading treatment or punishment.</p> <p>14 The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.</p> <p>Protocol to the European Convention on Human Rights No. 12</p> <p>1.1 The enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.</p> <p>1.2 No one shall be discriminated against by any public authority on any ground such as those mentioned in paragraph 1.</p> <p>Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention)</p> <p>4.1 Parties shall take the necessary legislative and other measures to promote and protect the right for everyone, particularly women, to live free from violence in both the public and the private sphere.</p> <p>36.1 Parties shall take the necessary legislative or other measures to ensure that the following intentional conducts are criminalised:</p>
--	--	--

		<p>36.1.a engaging in non-consensual vaginal, anal or oral penetration of a sexual nature of the body of another person with any bodily part or object;</p> <p>36.2.b engaging in other non-consensual acts of a sexual nature with a person;</p> <p>36.2.c causing another person to engage in non-consensual acts of a sexual nature with a third person.</p> <p>39 Parties shall take the necessary legislative or other measures to ensure that the following intentional conducts are criminalised:</p> <p>39.a performing an abortion on a woman without her prior and informed consent;</p> <p>39.b performing surgery which has the purpose or effect of terminating a woman’s capacity to naturally reproduce without her prior and informed consent or understanding of the procedure.</p> <p>40 Parties shall take the necessary legislative or other measures to ensure that any form of unwanted verbal, non - verbal or physical conduct of a sexual nature with the purpose or effect of violating the dignity of a person, in particular when creating an intimidating, hostile, degrading, humiliating or offensive environment, is subject to criminal or other legal sanction.</p> <p>42.1 Parties shall take the necessary legislative or other measures to ensure that, in criminal proceedings initiated following the commission of any of the acts of violence covered by the scope of this Convention, culture, custom, religion, tradition or so - called “honour” shall not be regarded as justification for such acts. This covers, in particular, claims that the victim has transgressed cultural, religious, social or traditional norms or customs of appropriate behaviour.</p> <p>42.2 Parties shall take the necessary legislative or other measures to ensure that incitement by any person of a child to commit any of the acts referred to in paragraph 1 shall not diminish the criminal liability of that person for the acts committed</p> <p>➤ SUPPORTING REFERENCES (NOT LEGALLY BINDING)</p> <p>Beijing Platform of Action (1995)</p> <p>D.1 Take integrated measures to prevent and eliminate violence against women.</p> <p>L.6. Eliminate the economic exploitation of child labour and protect young girls at work.</p> <p>L.7 Eradicate violence against the girl-child.</p> <p>International Conference on Population and Development (ICPD) (1994)</p> <p>4.4. Countries should act to empower women and should take steps to eliminate inequalities between men and women as soon as possible by:</p>
--	--	--

		<p>4.4.e Eliminating violence against women;</p> <p>4.9 Countries should take full measures to eliminate all forms of exploitation, abuse, harassment and violence against women, adolescents and children. This implies both preventive actions and rehabilitation of victims. Countries should prohibit degrading practices, such as trafficking in women, adolescents and children and exploitation through prostitution, and pay special attention to protecting the rights and safety of those who suffer from these crimes and those in potentially exploitable situations, such as migrant women, women in domestic service and schoolgirls. In this regard, international safeguards and mechanisms for cooperation should be put in place to ensure that these measures are implemented.</p> <p>4.23 Governments are urged to take the necessary measures to prevent infanticide, prenatal sex selection, trafficking in girl children and use of girls in prostitution and pornography.</p> <p>Vienna Declaration and Programme of Action</p> <p>38 In particular, the World Conference on Human Rights stresses the importance of working towards the elimination of violence against women in public and private life, the elimination of all forms of sexual harassment, exploitation and trafficking in women, the elimination of gender bias in the administration of justice and the eradication of any conflicts which may arise between the rights of women and the harmful effects of certain traditional or customary practices, cultural prejudices and religious extremism. The World Conference on Human Rights calls upon the General Assembly to adopt the draft declaration on violence against women and urges States to combat violence against women in accordance with its provisions. Violations of the human rights of women in situations of armed conflict are violations of the fundamental principles of international human rights and humanitarian law. All violations of this kind, including in particular murder, systematic rape, sexual slavery, and forced pregnancy, require a particularly effective response.</p> <p>49 The World Conference on Human Rights supports all measures by the United Nations and its specialized agencies to ensure the effective protection and promotion of human rights of the girl child. The World Conference on Human Rights urges States to repeal existing laws and regulations and remove customs and practices which discriminate against and cause harm to the girl child.</p> <p>CRC Committee General Comments</p> <p><i>General Comment No. 3: Adolescent health and development in the context of the Convention on the Rights of the Child</i></p> <p>8. States parties must take effective measures to ensure that adolescents are protected from all forms of violence, abuse, neglect and exploitation (arts. 19, 32-36 and 38), paying increased attention to the specific forms of abuse, neglect, violence and exploitation that affects this age group. In particular, they should adopt special measures to ensure the physical, sexual and mental integrity of adolescents with disabilities, who are particularly vulnerable to abuse and neglect. States parties should also ensure that adolescents affected by poverty who are socially marginalized are not criminalized. In this regard, financial and human resources need to be allocated to promote research that would inform the adoption of effective local and national laws, policies and programmes. Policies and strategies should be reviewed regularly and revised accordingly. In taking these measures, States parties have to take into account the evolving capacities of adolescents and involve them in an appropriate manner in developing measures, including programmes, designed to protect them. In this context, the Committee emphasizes the positive impact that</p>
--	--	--

peer education can have, and the positive influence of proper role models, especially those in the worlds of arts, entertainment and sports.

CEDAW Committee General Recommendations

General Recommendation No. 19: Violence against women

7. Gender-based violence, which impairs or nullifies the enjoyment by women of human rights and fundamental freedoms under general international law or under human rights conventions, is discrimination within the meaning of article 1 of the Convention. These rights and freedoms include:

7.a The right to life;

7.b The right not to be subject to torture or to cruel, inhuman or degrading treatment or punishment;

7.c The right to equal protection according to humanitarian norms in time of international or internal armed conflict;

7.d The right to liberty and security of person;

7.e The right to equal protection under the law;

7.f The right to equality in the family;

7.g The right to the highest standard attainable of physical and mental health;

7.h The right to just and favourable conditions of work.

13. States parties are required by article 6 to take measures to suppress all forms of traffic in women and exploitation of the prostitution of women.

16. Wars, armed conflicts and the occupation of territories often lead to increased prostitution, trafficking in women and sexual assault of women, which require specific protective and punitive measures.

24. In light of these comments, the Committee on the Elimination of Discrimination against Women recommends:

24.a States parties should take appropriate and effective measures to overcome all forms of gender-based violence, whether by public or private act;

24.b States parties should ensure that laws against family violence and abuse, rape, sexual assault and other gender-based violence give adequate protection to all women, and respect their integrity and dignity. Appropriate protective and support services should be provided for victims. Gender-sensitive training of judicial and law enforcement officers and other public officials is essential for the effective implementation of the Convention;

		<p>24.g Specific preventive and punitive measures are necessary to overcome trafficking and sexual exploitation;</p> <p><i>General Recommendation No. 32 on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women</i></p> <p>45. States parties should recognize that trafficking is part and parcel of gender-related persecution, with the result that women and girls who are victims of trafficking or who fear becoming victims should be informed of and effectively enjoy the right of access to asylum procedures without discrimination or any preconditions. States parties are encouraged to classify victims of trafficking under the “social group” ground in the refugee definition in line with the UNHCR “Guidelines on international protection: the application of article 1A(2) of the 1951 Convention and/or 1967 Protocol relating to the Status of Refugees to victims of trafficking and persons at risk of being trafficked” and are recommended to take measures so that women and girls are not returned to places where they risk being re-trafficked.</p> <p><i>General Recommendation No. 34: Rights of rural women</i></p> <p>25 States parties should prevent and eliminate all forms of violence against rural women and girls, and, in line with general recommendations No. 19 and No. 33:</p> <p>25.b Take effective measures aimed at preventing, investigating, prosecuting and punishing acts of violence against rural women and girls, including migrant rural women and girls, whether perpetrated by the State, non-State actors or private persons;</p> <p><i>General Recommendation No. 34: Rights of rural women</i></p> <p>27. States parties should address the root causes of the traffic in women by economically empowering rural women and raising awareness in rural areas of the risks of being lured by traffickers and the ways in which traffickers operate. States parties should ensure that anti-trafficking legislation addresses the social and economic challenges faced by rural women and girls and provide gender-responsive training on prevention measures, protection and assistance for victims to the judiciary, the police, border guards, other law enforcement officials and social workers, especially in rural areas and indigenous communities.</p> <p>Human Rights Committee (CCPR) General Comment</p> <p><i>General Comment No. 28: The equality of rights between men and women</i></p> <p>7. The equal enjoyment of human rights by women must be protected during a state of emergency (art. 4). States parties which take measures derogating from their obligations under the Covenant in time of public emergency, as provided in article 4, should provide information to the Committee with respect to the impact on the situation of women of such measures and should demonstrate that they are non-discriminatory.</p> <p>8. Women are particularly vulnerable in times of internal or international armed conflicts. States parties should inform the Committee of all measures taken during these situations to protect women from rape, abduction and other forms of gender based violence.</p>
--	--	---

		<p>10. When reporting on the right to life protected by article 6, States parties should provide data on birth rates and on pregnancy and childbirth related deaths of women. Gender disaggregated data should be provided on infant mortality rates. States parties should give information on any measures taken by the State to help women prevent unwanted pregnancies, and to ensure that they do not have to undergo life threatening clandestine abortions. States parties should also report on measures to protect women from practices that violate their right to life, such as female infanticide, the burning of widows and dowry killings. The Committee also wishes to have information on the particular impact on women of poverty and deprivation that may pose a threat to their lives.</p> <p>12. Having regard to their obligations under article 8, States parties should inform the Committee of measures taken to eliminate trafficking of women and children, within the country or across borders, and forced prostitution. They must also provide information on measures taken to protect women and children, including foreign women and children, from slavery, disguised, inter alia, as domestic or other kinds of personal service. States parties where women and children are recruited, and from which they are taken, and States parties where they are received should provide information on measures, national or international, which have been taken in order to prevent the violation of women's and children's rights.</p> <p>22. In relation to article 19, States parties should inform the Committee of any laws or other factors which may impede women from exercising the rights protected under this provision on an equal basis. As the publication and dissemination of obscene and pornographic material which portrays women and girls as objects of violence or degrading or inhuman treatment is likely to promote these kinds of treatment of women and girls, States parties should provide information about legal measures to restrict the publication or dissemination of such material.</p> <p>Committee on Economic, Social and Cultural Rights General Comment</p> <p><i>General Comment No. 16: The equal right of men and women to the enjoyment of all economic, social and cultural rights</i></p> <p>16. The equal right of men and women to the enjoyment of economic, social and cultural rights is a mandatory and immediate obligation of States parties.</p> <p>27. Article 10, paragraph 1, of the Covenant requires that States parties recognize that the widest possible protection and assistance should be accorded to the family, and that marriage must be entered into with the free consent of the intending spouses. Implementing article 3, in relation to article 10, requires States parties, inter alia, to provide victims of domestic violence, who are primarily female, with access to safe housing, remedies and redress for physical, mental and emotional damage; to ensure that men and women have an equal right to choose if, whom and when to marry in particular, the legal age of marriage for men and women should be the same, and boys and girls should be protected equally from practices that promote child marriage, marriage by proxy, or coercion; and to ensure that women have equal rights to marital property and inheritance upon their husband's death. Gender based violence is a form of discrimination that inhibits the ability to enjoy rights and freedoms, including economic, social and cultural rights, on a basis of equality. States parties must take appropriate measures to eliminate violence against men and women and act with due diligence to prevent, investigate, mediate, punish and redress acts of violence against them by private actors.</p>
5.3	Eliminate all harmful practices, such as child,	➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)

	<p>early and forced marriage and female genital mutilation</p>	<p>Convention on the Rights of the Child (CRC)</p> <p>1 For the purposes of the present Convention, a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.</p> <p>19.1 States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.</p> <p>24.3 States Parties shall take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children.</p> <p>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</p> <p>16.2 The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.</p> <p>Convention on the Rights of Persons with Disabilities (CRPD)</p> <p>8.1.b To combat stereotypes, prejudices and harmful practices relating to persons with disabilities, including those based on sex and age, in all areas of life;</p> <p>23.1.a The right of all persons with disabilities who are of marriageable age to marry and to found a family on the basis of free and full consent of the intending spouses is recognized;</p> <p>International Covenant on Economic, Social, and Cultural Rights (ICESCR)</p> <p>3 The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the present Covenant.</p> <p>10.1 The widest possible protection and assistance should be accorded to the family, which is the natural and fundamental group unit of society, particularly for its establishment and while it is responsible for the care and education of dependent children. Marriage must be entered into with the free consent of the intending spouses.</p> <p>International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)</p> <p>5.b The right to security of person and protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual group or institution;</p> <p>International Covenant on Civil and Political Rights (ICCPR)</p>
--	--	--

7 No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation.

Universal Declaration of Human Rights (UDHR)

3 Everyone has the right to life, liberty and security of person.

5 No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

16.1 Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.

African Charter on Human and Peoples' Rights

16.1 Every individual shall have the right to enjoy the best attainable state of physical and mental health.

16.2 State Parties to the present Charter shall take the necessary measures to protect the health of their people and to ensure that they receive medical attention when they are sick.

18.3 The State shall ensure the elimination of every discrimination against women and also ensure the protection of the rights of women and the child as stipulated in international declarations and conventions.

African Charter on the Rights and Welfare of the Child

3 Any custom, tradition, cultural or religious practice that is inconsistent with the rights, duties and obligations contained in the present Charter shall to the extent of such inconsistency be discouraged.

21.1 States Parties to the present Charter shall take all appropriate measures to eliminate harmful social and cultural practices affecting the welfare, dignity, normal growth and development of the child and in particular:

21.1.a those customs and practices prejudicial to the health or life of the child; and

21.2.b those customs and practices discriminatory to the child on the grounds of sex or other status.

21.2. Child marriage and the betrothal of girls and boys shall be prohibited and effective action, including legislation, shall be taken to specify the minimum age of marriage to be 18 years and make registration of all marriages in an official registry compulsory.

29 States Parties to the present Charter shall take appropriate measures to prevent:

29.a the abduction, the sale of, or traffic of children for any purpose or in any form, by any person including parents or legal guardians of the child;

		<p>American Convention on Human Rights</p> <p>17.3 No marriage shall be entered into without the free and full consent of the intending spouses.</p> <p>Protocol to the American Convention on Human Rights 1988</p> <p>3 The State Parties to this Protocol undertake to guarantee the exercise of the rights set forth herein without discrimination of any kind for reasons related to race, colour, sex, language, religion, political or other opinions, national or social origin, economic status, birth or any other social condition.</p> <p>Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women</p> <p>3 Every woman has the right to be free from violence in both the public and private spheres.</p> <p>6 The right of every woman to be free from violence includes, among others:</p> <p>6.a The right of women to be free from all forms of discrimination; and</p> <p>6.b The right of women to be valued and educated free of stereotyped patterns of behaviour and social and cultural practices based on concepts of inferiority or subordination.</p> <p>7.e take all appropriate measures, including legislative measures, to amend or repeal existing laws and regulations or to modify legal or customary practices which sustain the persistence and tolerance of violence against women;</p> <p>European Convention on Human Rights</p> <p>2 Everyone's right to life shall be protected by law. No one shall be deprived of his life intentionally save in the execution of a sentence of a court following his conviction of a crime for which this penalty is provided by law.</p> <p>3 No one shall be subjected to torture or to inhuman or degrading treatment or punishment.</p> <p>14 The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.</p> <p>Protocol to the European Convention on Human Rights No. 12</p> <p>1.1 The enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.</p> <p>1.2 No one shall be discriminated against by any public authority on any ground such as those mentioned in paragraph 1.</p>
--	--	--

Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention)

32 Parties shall take the necessary legislative or other measures to ensure that marriages concluded under force may be voidable, annulled or dissolved without undue financial or administrative burden placed on the victim.

37.1 Parties shall take the necessary legislative or other measures to ensure that the intentional conduct of forcing an adult or a child to enter into a marriage is criminalised.

37.2 Parties shall take the necessary legislative or other measures to ensure that the intentional conduct of luring an adult or a child to the territory of a Party or State other than the one she or he resides in with the purpose of forcing this adult or child to enter into a marriage is criminalised.

38 Parties shall take the necessary legislative or other measures to ensure that the following intentional conducts are criminalised:

38.a excising, infibulating or performing any other mutilation to the whole or any part of a woman's labia majora, labia minora or clitoris;

38.b coercing or procuring a woman to undergo any of the acts listed in point a;

38.c inciting, coercing or procuring a girl to undergo any of the acts listed in point a;

➤ **SUPPORTING REFERENCES (NOT LEGALLY BINDING)**

Beijing Platform of Action (1995)

D.1 Take integrated measures to prevent and eliminate violence against women.

L.7 Eradicate violence against the girl-child.

International Conference on Population and Development (ICPD) (1994)

4.4. Countries should act to empower women and should take steps to eliminate inequalities between men and women as soon as possible by:

4.4.c Eliminating all practices that discriminate against women; assisting women to establish and realize their rights, including those that relate to reproductive and sexual health;

4.9 Countries should take full measures to eliminate all forms of exploitation, abuse, harassment and violence against women, adolescents and children. This implies both preventive actions and rehabilitation of victims. Countries should prohibit degrading practices, such as trafficking in women, adolescents and children and exploitation through prostitution, and pay special attention to protecting the rights and safety of those who suffer from these crimes and those in potentially exploitable situations, such as

migrant women, women in domestic service and schoolgirls. In this regard, international safeguards and mechanisms for cooperation should be put in place to ensure that these measures are implemented.

4.21 Governments should strictly enforce laws to ensure that marriage is entered into only with the free and full consent of the intending spouses. In addition, Governments should strictly enforce laws concerning the minimum legal age of consent and the minimum age at marriage and should raise the minimum age at marriage where necessary. Governments and non-governmental organizations should generate social support for the enforcement of laws on the minimum legal age at marriage, in particular by providing educational and employment opportunities.

5.5 Governments should take effective action to eliminate all forms of coercion and discrimination in policies and practices. Measures should be adopted and enforced to eliminate child marriages and female genital mutilation. Assistance should be provided to persons with disabilities in the exercise of their family and reproductive rights and responsibilities.

4.22 Governments are urged to prohibit female genital mutilation wherever it exists and to give vigorous support to efforts among non-governmental and community organizations and religious institutions to eliminate such practices.

6.11 Countries should create a socio-economic environment conducive to the elimination of all child marriages and other unions as a matter of urgency, and should discourage early marriage. The social responsibilities that marriage entails should be reinforced in countries' educational programmes. Governments should take action to eliminate discrimination against young pregnant women.

7.40 Governments and communities should urgently take steps to stop the practice of female genital mutilation and protect women and girls from all such similar unnecessary and dangerous practices. Steps to eliminate the practice should include strong community outreach programmes involving village and religious leaders, education and counselling about its impact on girls' and women's health, and appropriate treatment and rehabilitation for girls and women who have suffered mutilation. Services should include counselling for women and men to discourage the practice.

Vienna Declaration and Programme of Action

38 In particular, the World Conference on Human Rights stresses the importance of working towards the elimination of violence against women in public and private life, the elimination of all forms of sexual harassment, exploitation and trafficking in women, the elimination of gender bias in the administration of justice and the eradication of any conflicts which may arise between the rights of women and the harmful effects of certain traditional or customary practices, cultural prejudices and religious extremism. The World Conference on Human Rights calls upon the General Assembly to adopt the draft declaration on violence against women and urges States to combat violence against women in accordance with its provisions. Violations of the human rights of women in situations of armed conflict are violations of the fundamental principles of international human rights and humanitarian law. All violations of this kind, including in particular murder, systematic rape, sexual slavery, and forced pregnancy, require a particularly effective response.

49 The World Conference on Human Rights supports all measures by the United Nations and its specialized agencies to ensure the effective protection and promotion of human rights of the girl child. The World Conference on Human Rights urges States to repeal existing laws and regulations and remove customs and practices which discriminate against and cause harm to the girl child.

CRC Committee General Comments

General Comment No. 3: Adolescent health and development in the context of the Convention on the Rights of the Child

16. The Committee is concerned that early marriage and pregnancy are significant factors in health problems related to sexual and reproductive health, including HIV/AIDS. Both the legal minimum age and actual age of marriage, particularly for girls, are still very low in several States parties. There are also non-health-related concerns: children who marry, especially girls, are often obliged to leave the education system and are marginalized from social activities. Further, in some States parties married children are legally considered adults, even if they are under 18, depriving them of all the special protection measures they are entitled under the Convention. The Committee strongly recommends that States parties review and, where necessary, reform their legislation and practice to increase the minimum age for marriage with and without parental consent to 18 years, for both girls and boys. The Committee on the Elimination of Discrimination against Women has made a similar recommendation (general comment No. 21 of 1994).

27. Adolescent girls should have access to information on the harm that early marriage and early pregnancy can cause, and those who become pregnant should have access to health services that are sensitive to their rights and particular needs. States parties should take measures to reduce maternal morbidity and mortality in adolescent girls, particularly caused by early pregnancy and unsafe abortion practices, and to support adolescent parents. Young mothers, especially where support is lacking, may be prone to depression and anxiety, compromising their ability to care for their child. The Committee urges States parties (a) to develop and implement programmes that provide access to sexual and reproductive health services, including family planning, contraception and safe abortion services where abortion is not against the law, adequate and comprehensive obstetric care and counselling; (b) to foster positive and supportive attitudes towards adolescent parenthood for their mothers and fathers; and (c) to develop policies that will allow adolescent mothers to continue their education.

CEDAW Committee General Recommendations

General Recommendation No. 14: Female circumcision

a. That States parties take appropriate and effective measures with a view to eradicating the practice of female circumcision. Such measures could include: The collection and dissemination by universities, medical or nursing associations, national women's organizations or other bodies of basic data about such traditional practices; The support of women's organizations at the national and local levels working for the elimination of female circumcision and other practices harmful to women; The encouragement of politicians, professionals, religious and community leaders at all levels including the media and the arts to cooperate in influencing attitudes towards the eradication of female circumcision; The introduction of appropriate educational and training programmes and seminars based on research findings about the problems arising from female circumcision;

General Recommendation No. 19: Violence against women

19. States parties are required by article 12 to take measures to ensure equal access to health care. Violence against women puts their health and lives at risk.

20. In some States there are traditional practices perpetuated by culture and tradition that are harmful to the health of women and children. These practices include dietary restrictions for pregnant women, preference for male children and female circumcision or genital mutilation.

24. In light of these comments, the Committee on the Elimination of Discrimination against Women recommends:

24.1 States parties should take measures to overcome such practices and should take account of the Committee's recommendation on female circumcision (recommendation No. 14) in reporting on health issues;

General Comment No. 21: Equality in marriage and family relations

16. A woman's right to choose a spouse and enter freely into marriage is central to her life and to her dignity and equality as a human being. An examination of States parties' reports discloses that there are countries which, on the basis of custom, religious beliefs or the ethnic origins of particular groups of people, permit forced marriages or remarriages. Other countries allow a woman's marriage to be arranged for payment or preferment and in others women's poverty forces them to marry foreign nationals for financial security. Subject to reasonable restrictions based for example on a woman's youth or consanguinity with her partner, a woman's right to choose when, if, and whom she will marry must be protected and enforced at law.

38. Some countries provide for different ages for marriage for men and women. As such provisions assume incorrectly that women have a different rate of intellectual development from men, or that their stage of physical and intellectual development at marriage is immaterial, these provisions should be abolished. In other countries, the betrothal of girls or undertakings by family members on their behalf is permitted. Such measures contravene not only the Convention, but also a woman's right freely to choose her partner.

39. States parties should also require the registration of all marriages whether contracted civilly or according to custom or religious law. The State can thereby ensure compliance with the Convention and establish equality between partners, a minimum age for marriage, prohibition of bigamy and polygamy and the protection of the rights of children.

Joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child on harmful practices

16. For the purposes of the present joint general recommendation/general comment, practices should meet the following criteria to be regarded as harmful:

16.a They constitute a denial of the dignity and/or integrity of the individual and a violation of the human rights and fundamental freedoms enshrined in the two Conventions;

16.b They constitute discrimination against women or children and are harmful insofar as they result in negative consequences for them as individuals or groups, including physical, psychological, economic and social harm and/ or violence and limitations on their capacity to participate fully in society or develop and reach their full potential;

16.c They are traditional, re-emerging or emerging practices that are prescribed and/or kept in place by social norms that perpetuate male dominance and inequality of women and children, on the basis of sex, gender, age and other intersecting factors;

	<p>16.d They are imposed on women and children by family members, community members or society at large, regardless of whether the victim provides, or is able to provide, full, free and informed consent.</p> <p>34. Such a holistic strategy must be mainstreamed and coordinated both vertically and horizontally and integrated into national efforts to prevent and address all forms of harmful practices. Horizontal coordination requires organization across sectors, including education, health, justice, social welfare, law enforcement, immigration and asylum and communications and media. Similarly, vertical coordination requires organization between actors at the local, regional and national levels and with traditional and religious authorities. To facilitate the process, consideration should be given to delegating responsibility for the work to an existing or specifically established high-level entity, in cooperation with all relevant stakeholders.</p> <p>55. The Committees recommend that the States parties to the Conventions adopt or amend legislation with a view to effectively addressing and eliminating harmful practices. In doing so, they should ensure:</p> <p>55.c That they repeal without further delay all legislation that condones, allows or leads to harmful practices, including traditional, customary or religious laws and any legislation that accepts the defence of honour as a defence or mitigating factor in the commission of crimes in the name of so-called honour;</p> <p>55.f That a minimum legal age of marriage for girls and boys, with or without parental consent, is established at 18 years. When a marriage at an earlier age is allowed in exceptional circumstances, the absolute minimum age must not be below 16 years, the grounds for obtaining permission must be legitimate and strictly defined by law and the marriage must be permitted only by a court of law upon the full, free and informed consent of the child or both children, who must appear in person before the court;</p> <p>60. The Committees recommend that the States parties to the Conventions ensure that any efforts undertaken to tackle harmful practices and to challenge and change underlying social norms are holistic, community based and founded on a rights -based approach that includes the active participation of all relevant stakeholders, especially women and girls.</p> <p><i>General Recommendation No. 34: Rights of rural women</i></p> <p>23. In line with general recommendation No. 31 (2014) on harmful practices, States parties should eliminate harmful practices, including child and/or forced marriage, female genital mutilation and the inheritance of ancestral debt, which negatively affect the health, well-being and dignity of rural women and girls. They should eliminate discriminatory stereotypes, including those that compromise the equal rights of rural women to land, water and other natural resources. In this regard, States parties should adopt a range of measures, including outreach and support programmes, awareness-raising and media campaigns, in collaboration with traditional leaders and civil society, to eliminate harmful practices and stereotypes.</p> <p>Human Rights Committee (CCPR) General Comments</p> <p><i>General Comment No. 28: The equality of rights between men and women</i></p> <p>11. To assess compliance with article 7 of the Covenant, as well as with article 24, which mandates special protection for children, the Committee needs to be provided information on national laws and practice with regard to domestic and other types of violence against women, including rape. It also needs to know whether the State party gives access to safe abortion to women who have</p>
--	--

become pregnant as a result of rape. The States parties should also provide the Committee with information on measures to prevent forced abortion or forced sterilization. In States parties where the practice of genital mutilation exists information on its extent and on measures to eliminate it should be provided. The information provided by States parties on all these issues should include measures of protection, including legal remedies, for women whose rights under article 7 have been violated.

19. The right of everyone under article 16 to be recognized everywhere as a person before the law is particularly pertinent for women, who often see it curtailed by reason of sex or marital status. This right implies that the capacity of women to own property, to enter into a contract or to exercise other civil rights may not be restricted on the basis of marital status or any other discriminatory ground. It also implies that women may not be treated as objects to be given, together with the property of the deceased husband, to his family. States must provide information on laws or practices that prevent women from being treated or from functioning as full legal persons and the measures taken to eradicate laws or practices that allow such treatment.

23. States are required to treat men and women equally in regard to marriage in accordance with article 23, which has been elaborated further by general comment No. 19 (1990). Men and women have the right to enter into marriage only with their free and full consent, and States have an obligation to protect the enjoyment of this right on an equal basis. Many factors may prevent women from being able to make the decision to marry freely. One factor relates to the minimum age for marriage. That age should be set by the State on the basis of equal criteria for men and women. These criteria should ensure women's capacity to make an informed and uncoerced decision. A second factor in some States may be that either by statutory or customary law a guardian, who is generally male, consents to the marriage instead of the woman herself, thereby preventing women from exercising a free choice.

24. Another factor that may affect women's right to marry only when they have given free and full consent is the existence of social attitudes which tend to marginalize women victims of rape and put pressure on them to agree to marriage. A woman's free and full consent to marriage may also be undermined by laws which allow the rapist to have his criminal responsibility extinguished or mitigated if he marries the victim. States parties should indicate whether marrying the victim extinguishes or mitigates criminal responsibility and, in the case in which the victim is a minor, whether the rape reduces the marriageable age of the victim, particularly in societies where rape victims have to endure marginalization from society. A different aspect of the right to marry may be affected when States impose restrictions on remarriage by women that are not imposed on men. Also, the right to choose one's spouse may be restricted by laws or practices that prevent the marriage of a woman of a particular religion to a man who professes no religion or a different religion. States should provide information on these laws and practices and on the measures taken to abolish the laws and eradicate the practices which undermine the right of women to marry only when they have given free and full consent. It should also be noted that equality of treatment with regard to the right to marry implies that polygamy is incompatible with this principle. Polygamy violates the dignity of women. It is an inadmissible discrimination against women. Consequently, it should be definitely abolished wherever it continues to exist

Committee on Economic, Social and Cultural Rights General Comment

General Comment No. 16: The equal right of men and women to the enjoyment of all economic, social and cultural rights

27. Article 10, paragraph 1, of the Covenant requires that States parties recognize that the widest possible protection and assistance should be accorded to the family, and that marriage must be entered into with the free consent of the intending spouses. Implementing article 3, in relation to article 10, requires States parties, inter alia, to provide victims of domestic violence, who are primarily female, with access to safe housing, remedies and redress for physical, mental and emotional damage; to ensure that

		<p>men and women have an equal right to choose if, whom and when to marry in particular, the legal age of marriage for men and women should be the same, and boys and girls should be protected equally from practices that promote child marriage, marriage by proxy, or coercion; and to ensure that women have equal rights to marital property and inheritance upon their husband's death. Gender based violence is a form of discrimination that inhibits the ability to enjoy rights and freedoms, including economic, social and cultural rights, on a basis of equality. States parties must take appropriate measures to eliminate violence against men and women and act with due diligence to prevent, investigate, mediate, punish and redress acts of violence against them by private actors.</p> <p><i>General Comment No. 22: The right to sexual and reproductive health</i></p> <p>29. It is also important to undertake preventive, promotional and remedial action to shield all individuals from the harmful practices and norms and gender - based violence that deny them their full sexual and reproductive health, such as female genital mutilation, child and forced marriage and domestic and sexual violence, including marital rape, among other things. States parties must put in place laws, policies and programmes to prevent, address and remediate violations of the right of all individuals to autonomous decision - making on matters regarding their sexual and reproductive health, free from violence, coercion and discrimination.</p>
5.5	Ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life	<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Rights of the Child (CRC)</p> <p>12.1 States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.</p> <p>12.2 For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.</p> <p>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</p> <p>7.b To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;</p> <p>7.a To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;</p> <p>Convention on the Rights of Persons with Disabilities (CRPD)</p> <p>6.2 States Parties shall take all appropriate measures to ensure the full development, advancement and empowerment of women, for the purpose of guaranteeing them the exercise and enjoyment of the human rights and fundamental freedoms set out in the present Convention.</p>

		<p>29.a Ensure that persons with disabilities can effectively and fully participate in political and public life on an equal basis with others, directly or through freely chosen representatives, including the right and opportunity for persons with disabilities to vote and be elected, inter alia, by:</p> <p>International Covenant on Economic, Social, and Cultural Rights (ICESCR)</p> <p>3 The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the present Covenant.</p> <p>International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)</p> <p>5.c Political rights, in particular the right to participate in elections-to vote and to stand for election-on the basis of universal and equal suffrage, to take part in the Government as well as in the conduct of public affairs at any level and to have equal access to public service;</p> <p>International Covenant on Civil and Political Rights (ICCPR)</p> <p>25.a To take part in the conduct of public affairs, directly or through freely chosen representatives;</p> <p>25.b To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors;</p> <p>Universal Declaration of Human Rights (UDHR)</p> <p>21.1 Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.</p> <p>African Charter on Human and Peoples' Rights</p> <p>13.1 Every citizen shall have the right to participate freely in the government of his country, either directly or through freely chosen representatives in accordance with the provisions of the law.</p> <p>13.2 Every citizen shall have the right of equal access to the public service of the country.</p> <p>African Charter on the Rights and Welfare of the Child</p> <p>7 Every child who is capable of communicating his or her own views shall be assured the rights to express his opinions freely in all matters and to disseminate his opinions subject to such restrictions as are prescribed by laws.</p> <p>American Convention on Human Rights</p> <p>23.1 Every citizen shall enjoy the following rights and opportunities:</p>
--	--	--

		<p>23.1.a to take part in the conduct of public affairs, directly or through freely chosen representatives;</p> <p>23.1.b to vote and to be elected in genuine periodic elections, which shall be by universal and equal suffrage and by secret ballot that guarantees the free expression of the will of the voters; and</p> <p>23.1.c to have access, under general conditions of equality, to the public service of his country.</p> <p>Protocol to the American Convention on Human Rights 1988</p> <p>3 The State Parties to this Protocol undertake to guarantee the exercise of the rights set forth herein without discrimination of any kind for reasons related to race, colour, sex, language, religion, political or other opinions, national or social origin, economic status, birth or any other social condition.</p> <p>Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women</p> <p>4.j The right to have equal access to the public service of her country and to take part in the conduct of public affairs, including decision-making.</p> <p>5 Every woman is entitled to the free and full exercise of her civil, political, economic, social and cultural rights, and may rely on the full protection of those rights as embodied in regional and international instruments on human rights. The States Parties recognize that violence against women prevents and nullifies the exercise of these rights.</p> <p>6 The right of every woman to be free from violence includes, among others:</p> <p>6.a The right of women to be free from all forms of discrimination; and</p> <p>6.b The right of women to be valued and educated free of stereotyped patterns of behaviour and social and cultural practices based on concepts of inferiority or subordination.</p> <p>European Convention on Human Rights</p> <p>10 Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.</p> <p>14 The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.</p> <p>Protocol to the European Convention on Human Rights No. 12</p>
--	--	--

		<p>1.1 The enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.</p> <p>1.2 No one shall be discriminated against by any public authority on any ground such as those mentioned in paragraph 1.</p> <p>Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention)</p> <p>6 Parties shall undertake to include a gender perspective in the implementation and evaluation of the impact of the provisions of this Convention and to promote and effectively implement policies of equality between women and men and the empowerment of women.</p> <p>7.1 Parties shall take the necessary legislative and other measures to adopt and implement State - wide effective, comprehensive and co - ordinated policies encompassing all relevant measures to prevent and combat all forms of violence covered by the scope of this Convention and offer a holistic response to violence against women.</p> <p>UN Security Council Resolution 1325</p> <p>1 Urges Member States to ensure increased representation of women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management, and resolution of conflict;</p> <p>➤ SUPPORTING REFERENCES (NOT LEGALLY BINDING)</p> <p>Beijing Platform of Action (1995)</p> <p>E.1 Increase the participation of women in conflict resolution at decision-making levels and protect women living in situations of armed and other conflicts or under foreign occupation.</p> <p>E.4 Promote women's contribution to fostering a culture of peace.</p> <p>G.1 Take measures to ensure women's equal access to and full participation in power structures and decision-making.</p> <p>G.2 Increase women's capacity to participate in decision-making and leadership.</p> <p>J.1 Increase the participation and access of women to expression and decision-making in and through the media and new technologies of communication.</p> <p>K.1 Involve women actively in environmental decision-making at all levels.</p> <p>L.8 Promote the girl-child's awareness of and participation in social, economic and political life.</p>
--	--	---

International Conference on Population and Development (ICPD) (1994)

3.18 Existing inequities and barriers to women in the workforce should be eliminated and women's participation in all policy-making and implementation, as well as their access to productive resources, and ownership of land, and their right to inherit property should be promoted and strengthened. Governments, non-governmental organizations and the private sector should invest in, promote, monitor and evaluate the education and skill development of women and girls and the legal and economic rights of women, and in all aspects of reproductive health, including family planning and sexual health, in order to enable them to effectively contribute to and benefit from economic growth and sustainable development.

3.30 Measures should be taken to enhance the full participation of all relevant groups, especially women, at all levels of population and environmental decision-making to achieve sustainable management of natural resources.

4.4. Countries should act to empower women and should take steps to eliminate inequalities between men and women as soon as possible by:

4.4.a Establishing mechanisms for women's equal participation and equitable representation at all levels of the political process and public life in each community and society and enabling women to articulate their concerns and needs;

CEDAW Committee General Recommendations

General Recommendation No. 23: Political and public life

5. Article 7 obliges States parties to take all appropriate measures to eliminate discrimination against women in political and public life and to ensure that they enjoy equality with men in political and public life. The obligation specified in article 7 extends to all areas of public and political life and is not limited to those areas specified in subparagraphs (a), (b) and (c). The political and public life of a country is a broad concept. It refers to the exercise of political power, in particular the exercise of legislative, judicial, executive and administrative powers. The term covers all aspects of public administration and the formulation and implementation of policy at the international, national, regional and local levels. The concept also includes many aspects of civil society, including public boards and local councils and the activities of organizations such as political parties, trade unions, professional or industry associations, women's organizations, community-based organizations and other organizations concerned with public and political life.

17. In order to achieve broad representation in public life, women must have full equality in the exercise of political and economic power; they must be fully and equally involved in decision-making at all levels, both nationally and internationally, so that they may make their contribution to the goals of equality, development and the achievement of peace. A gender perspective is critical if these goals are to be met and if true democracy is to be assured. For these reasons, it is essential to involve women in public life to take advantage of their contribution, to assure their interests are protected and to fulfil the guarantee that the enjoyment of human rights is for all people regardless of gender. Women's full participation is essential not only for their empowerment but also for the advancement of society as a whole.

	<p>18. The Convention obliges States parties in constitutions or legislation to take appropriate steps to ensure that women, on the basis of equality with men, enjoy the right to vote in all elections and referendums, and to be elected. These rights must be enjoyed both de jure and de facto.</p> <p>26. States parties have a responsibility, where it is within their control, both to appoint women to senior decision-making roles and, as a matter of course, to consult and incorporate the advice of groups which are broadly representative of women's views and interests.</p> <p>27. States parties have a further obligation to ensure that barriers to women's full participation in the formulation of government policy are identified and overcome. These barriers include complacency when token women are appointed, and traditional and customary attitudes that discourage women's participation. When women are not broadly represented in the senior levels of government or are inadequately or not consulted at all, government policy will not be comprehensive and effective.</p> <p><i>General Recommendation No. 34: Rights of rural women</i></p> <p>54. To ensure the active, free, effective, meaningful and informed participation of rural women in political and public life, and at all levels of decision-making, States parties should implement general recommendations Nos. 23 and 25, and specifically:</p> <p>54.b Ensure that rural women and their organizations can influence policy formulation, implementation and monitoring at all levels and in all areas that affect them, including through participation in political parties and in local and self-governing bodies, such as community and village councils. States parties should design and implement tools to monitor rural women's participation in all public entities in order to eradicate discrimination;</p> <p>Human Rights Committee (CCPR) General Comments</p> <p><i>General Comment No. 28: The equality of rights between men and women</i></p> <p>29. The right to participate in the conduct of public affairs is not fully implemented everywhere on an equal basis. States parties must ensure that the law guarantees to women the rights contained in article 25 on equal terms with men and take effective and positive measures to promote and ensure women's participation in the conduct of public affairs and in public office, including appropriate affirmative action. Effective measures taken by States parties to ensure that all persons entitled to vote are able to exercise that right should not be discriminatory on the grounds of sex. The Committee requires States parties to provide statistical information on the percentage of women in publicly elected office, including the legislature, as well as in high ranking civil service positions and the judiciary.</p> <p>Committee on Economic, Social and Cultural Rights General Comments</p> <p><i>General Comment No. 21: The right of everyone to take part in cultural life</i></p> <p>25. Ensuring the equal right of men and women to the enjoyment of economic, social and cultural rights is a mandatory and immediate obligation of States parties. Implementing article 3 of the Covenant, in relation to article 15, paragraph 1 (a), requires,</p>
--	---

		inter alia, the elimination of institutional and legal obstacles as well as those based on negative practices, including those attributed to customs and traditions, that prevent women from participating fully in cultural life, science education and scientific research.
5.6	Ensure universal access to sexual and reproductive health and reproductive rights as agreed in accordance with the Programme of Action of the International Conference on Population and Development and the Beijing Platform for Action and the outcome documents of their review conferences	<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Rights of the Child (CRC)</p> <p>24.1 States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services.</p> <p>24.2.f To develop preventive health care, guidance for parents and family planning education and services.</p> <p>34.a The inducement or coercion of a child to engage in any unlawful sexual activity;</p> <p>34.b The exploitative use of children in prostitution or other unlawful sexual practices;</p> <p>34.c The exploitative use of children in pornographic performances and materials.</p> <p>Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography (CRC OPSC)</p> <p>9.3 States Parties shall take all feasible measures with the aim of ensuring all appropriate assistance to victims of such offences, including their full social reintegration and their full physical and psychological recovery.</p> <p>10.2 States Parties shall promote international cooperation to assist child victims in their physical and psychological recovery, social reintegration and repatriation.</p> <p>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</p> <p>5.b To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of the children is the primordial consideration in all cases.</p> <p>12.1 States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning.</p> <p>12.2 Notwithstanding the provisions of paragraph 1 of this article, States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.</p> <p>14.2.b To have access to adequate health care facilities, including information, counselling and services in family planning;</p>

		<p>16.1.e The same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights;</p> <p>Convention on the Rights of Persons with Disabilities (CRPD)</p> <p>23.1.b The rights of persons with disabilities to decide freely and responsibly on the number and spacing of their children and to have access to age-appropriate information, reproductive and family planning education are recognized, and the means necessary to enable them to exercise these rights are provided;</p> <p>25.a Provide persons with disabilities with the same range, quality and standard of free or affordable health care and programmes as provided to other persons, including in the area of sexual and reproductive health and population-based public health programmes;</p> <p>International Covenant on Economic, Social, and Cultural Rights (ICESCR)</p> <p>3 The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the present Covenant.</p> <p>12.1 The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.</p> <p>12.2.a The provision for the reduction of the stillbirth-rate and of infant mortality and for the healthy development of the child;</p> <p>International Covenant on Civil and Political Rights (ICCPR)</p> <p>7 No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation.</p> <p>17.1 No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour and reputation.</p> <p>17.2 Everyone has the right to the protection of the law against such interference or attacks.</p> <p>African Charter on Human and Peoples' Rights</p> <p>16.1 Every individual shall have the right to enjoy the best attainable state of physical and mental health.</p> <p>16.2 State Parties to the present Charter shall take the necessary measures to protect the health of their people and to ensure that they receive medical attention when they are sick.</p> <p>Protocol to the American Convention on Human Rights 1988</p>
--	--	--

3 The State Parties to this Protocol undertake to guarantee the exercise of the rights set forth herein without discrimination of any kind for reasons related to race, colour, sex, language, religion, political or other opinions, national or social origin, economic status, birth or any other social condition.

Protocol to the European Convention on Human Rights No. 12

1.1 The enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

1.2 No one shall be discriminated against by any public authority on any ground such as those mentioned in paragraph 1.

➤ **SUPPORTING REFERENCES (NOT LEGALLY BINDING)**

Beijing Platform of Action (1995)

C.1 Increase women's access throughout the life cycle to appropriate, affordable and quality health care, information and related services.

International Conference on Population and Development (ICPD) (1994)

3.18 Existing inequities and barriers to women in the workforce should be eliminated and women's participation in all policy-making and implementation, as well as their access to productive resources, and ownership of land, and their right to inherit property should be promoted and strengthened. Governments, non-governmental organizations and the private sector should invest in, promote, monitor and evaluate the education and skill development of women and girls and the legal and economic rights of women, and in all aspects of reproductive health, including family planning and sexual health, in order to enable them to effectively contribute to and benefit from economic growth and sustainable development.

7.6. All countries should strive to make accessible through the primary health-care system, reproductive health to all individuals of appropriate ages as soon as possible and no later than the year 2015. Reproductive health care in the context of primary health care should, inter alia, include: family-planning counselling, information, education, communication and services; education and services for prenatal care, safe delivery and post-natal care, especially breast-feeding and infant and women's health care; prevention and appropriate treatment of infertility; abortion as specified in paragraph 8.25, including prevention of abortion and the management of the consequences of abortion; treatment of reproductive tract infections; sexually transmitted diseases and other reproductive health conditions; and information, education and counselling, as appropriate, on human sexuality, reproductive health and responsible parenthood. Referral for family-planning services and further diagnosis and treatment for complications of pregnancy, delivery and abortion, infertility, reproductive tract infections, breast cancer and cancers of the reproductive system, sexually transmitted diseases, including HIV/AIDS should always be available, as required. Active discouragement of harmful practices, such as female genital mutilation, should also be an integral component of primary health care, including reproductive health-care programmes.

7.7. Reproductive health-care programmes should be designed to serve the needs of women, including adolescents, and must involve women in the leadership, planning, decision-making, management, implementation, organization and evaluation of services. Governments and other organizations should take positive steps to include women at all levels of the health-care system.

7.8. Innovative programmes must be developed to make information, counselling and services for reproductive health accessible to adolescents and adult men. Such programmes must both educate and enable men to share more equally in family planning and in domestic and child-rearing responsibilities and to accept the major responsibility for the prevention of sexually transmitted diseases.

7.15 Governments and the international community should use the full means at their disposal to support the principle of voluntary choice in family planning.

7.37 Support should be given to integral sexual education and services for young people, with the support and guidance of their parents and in line with the Convention on the Rights of the Child, that stress responsibility of males for their own sexual health and fertility and that help them exercise those responsibilities. Educational efforts should begin within the family unit, in the community and in the schools at an appropriate age, but must also reach adults, in particular men, through non-formal education and a variety of community-based efforts.

7.46 Countries, with the support of the international community, should protect and promote the rights of adolescents to reproductive health education, information and care and greatly reduce the number of adolescent pregnancies.

CRC Committee General Comments

General Comment No. 3: Adolescent health and development in the context of the Convention on the Rights of the Child

12. The Committee calls upon States parties to develop and implement, in a manner consistent with adolescents' evolving capacities, legislation, policies and programmes to promote the health and development of adolescents by (a) providing parents (or legal guardians) with appropriate assistance through the development of institutions, facilities and services that adequately support the well-being of adolescents, including, when needed, the provision of material assistance and support with regard to nutrition, clothing and housing (art. 27 (3)); (b) providing adequate information and parental support to facilitate the development of a relationship of trust and confidence in which issues regarding, for example, sexuality and sexual behaviour and risky lifestyles can be openly discussed and acceptable solutions found that respect the adolescent's rights (art. 27 (3)); (c) providing adolescent mothers and fathers with support and guidance for both their own and their children's well-being (art. 24 (f), 27 (2-3)); (d) giving, while respecting the values and norms of ethnic and other minorities, special attention, guidance and support to adolescents and parents (or legal guardians), whose traditions and norms may differ from those in the society where they live; and (e) ensuring that interventions in the family to protect the adolescent and, when necessary, separate her/him from the family, e.g. in case of abuse or neglect, are in accordance with applicable laws and procedures. Such laws and procedures should be reviewed to ensure that they conform to the principles of the Convention.

CEDAW Committee General Recommendations

General Recommendation No. 19: Violence against women

		<p>22. Compulsory sterilization or abortion adversely affects women’s physical and mental health, and infringes the right of women to decide on the number and spacing of their children.</p> <p>24.m States parties should ensure that measures are taken to prevent coercion in regard to fertility and reproduction, and to ensure that women are not forced to seek unsafe medical procedures such as illegal abortion because of lack of appropriate services in regard to fertility control;</p> <p><i>General Recommendation No. Equality in marriage and family relations</i></p> <p>22. Some reports disclose coercive practices which have serious consequences for women, such as forced pregnancies, abortions or sterilization. Decisions 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, as provided in article 10 (h) of the Convention.</p> <p><i>General Recommendation No. 19: Violence against women</i></p> <p>22. Compulsory sterilization or abortion adversely affects women’s physical and mental health, and infringes the right of women to decide on the number and spacing of their children.</p> <p><i>General Recommendation No. Equality in marriage and family relations</i></p> <p>22. Some reports disclose coercive practices which have serious consequences for women, such as forced pregnancies, abortions or sterilization. Decisions 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, as provided in article 10 (h) of the Convention.</p> <p><i>General Recommendation No. 24: Women and health</i></p> <p>18. The issues of HIV/AIDS and other sexually transmitted diseases are central to the rights of women and adolescent girls to sexual health. Adolescent girls and women in many countries lack adequate access to information and services necessary to ensure sexual health. As a consequence of unequal power relations based on gender, women and adolescent girls are often unable to refuse sex or insist on safe and responsible sex practices. Harmful traditional practices, such as female genital mutilation, polygamy, as well as marital rape, may also expose girls and women to the risk of contracting HIV/AIDS and other sexually transmitted diseases. Women in prostitution are also particularly vulnerable to these diseases. States parties should ensure, without prejudice or discrimination, the right to sexual health information, education and services for all women and girls, including those who have been trafficked, even if they are not legally resident in the country. In particular, States parties should ensure the rights of female and male adolescents to sexual and reproductive health education by properly trained personnel in specially designed programmes that respect their right to privacy and confidentiality.</p>
--	--	--

		<p>21. States parties should report on measures taken to eliminate barriers that women face in access to health-care services and what measures they have taken to ensure women timely and affordable access to such services. Barriers include requirements or conditions that prejudice women’s access, such as high fees for health-care services, the requirement for preliminary authorization by spouse, parent or hospital authorities, distance from health facilities and the absence of convenient and affordable public transport.</p> <p>25. Women with disabilities, of all ages, often have difficulty with physical access to health services. Women with mental disabilities are particularly vulnerable, while there is limited understanding, in general, of the broad range of risks to mental health to which women are disproportionately susceptible as a result of gender discrimination, violence, poverty, armed conflict, dislocation and other forms of social deprivation. States parties should take appropriate measures to ensure that health services are sensitive to the needs of women with disabilities and are respectful of their human rights and dignity.</p> <p>27. States parties should include in their reports how they supply free services where necessary to ensure safe pregnancies, childbirth and post-partum periods for women. Many women are at risk of death or disability from pregnancy-related causes because they lack the funds to obtain or access the necessary services, which include antenatal, maternity and post-natal services. The Committee notes that it is the duty of States parties to ensure women’s right to safe motherhood and emergency obstetric services and they should allocate to these services the maximum extent of available resources.</p> <p>31.c Prioritize the prevention of unwanted pregnancy through family planning and sex education and reduce maternal mortality rates through safe motherhood services and prenatal assistance. When possible, legislation criminalizing abortion should be amended, in order to withdraw punitive measures imposed on women who undergo abortion;</p> <p><i>Joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child on harmful practices</i></p> <p>69. The Committees recommend that the States parties to the Conventions:</p> <p>69.d Ensure that schools provide age-appropriate information on sexual and reproductive health and rights, including in relation to gender relations and responsible sexual behaviour, HIV prevention, nutrition and protection from violence and harmful practices;</p> <p><i>General Recommendation No. 34: Rights of rural women</i></p> <p>39. States parties should safeguard rural women’s and girls’ right to adequate health care, and ensure:</p> <p>39.a That quality health care services and facilities are physically accessible and affordable for rural women, including older women, female heads of household, and women with disabilities (provided free of charge when necessary); culturally acceptable to them; and staffed with trained medical personnel. Services should provide: primary health care, including family planning; access to contraception, including emergency contraception, and to safe abortion and quality post - abortion care, regardless of whether or not abortion is legal; pre- , peri- and post-natal and obstetric services; HIV prevention and treatment services including emergency intervention following rape; mental health services; counselling on nutrition, feeding of infants and young children; mammography</p>
--	--	--

		<p>and other gynaecological examinations services; prevention and treatment of non - communicable diseases, such as cancer; access to essential medicines, including pain relief; and palliative care;</p> <p>39.b Adequate financing of health care systems in rural areas, particularly with regard to sexual and reproductive health and rights;</p> <p>39.c That laws and regulations which place obstacles on rural women's access to health care, including access to sexual and reproductive health services, are repealed, particularly laws that criminalize or require waiting periods or third party consent for abortion;</p> <p>39.h Gender - and culturally-responsive training of community health workers and traditional birth attendants, provision of mobile clinics providing affordable health services in remote rural areas, and enhanced health education for rural communities, including education on the sexual and reproductive health and rights of both women and men;</p> <p>Committee on Economic, Social and Cultural Rights General Comments</p> <p><i>General Comment No. 22: The right to sexual and reproductive health</i></p> <p>28. The realization of the rights of women and gender equality, both in law and in practice, requires repealing or reforming discriminatory laws, policies and practices in the area of sexual and reproductive health. Removal of all barriers interfering with access by women to comprehensive sexual and reproductive health services, goods, education and information is required. To lower rates of maternal mortality and morbidity requires emergency obstetric care and skilled birth attendance, including in rural and remote areas, and prevention of unsafe abortions. Preventing unintended pregnancies and unsafe abortions requires States to adopt legal and policy measures to guarantee all individuals access to affordable, safe and effective contraceptives and comprehensive sexuality education, including for adolescents; to liberalize restrictive abortion laws; to guarantee women and girls access to safe abortion services and quality post - abortion care, including by training health - care providers; and to respect the right of women to make autonomous decisions about their sexual and reproductive health.</p>
5.a	Undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws	<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Rights of the Child (CRC)</p> <p>2.1 States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.</p> <p>2.2 States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.</p> <p>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</p>

		<p>2.a To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle;</p> <p>2.b To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;</p> <p>2.c To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;</p> <p>14.2.g To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes;</p> <p>16.1.h The same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration.</p> <p>Convention on the Rights of Persons with Disabilities (CRPD)</p> <p>6.2 States Parties shall take all appropriate measures to ensure the full development, advancement and empowerment of women, for the purpose of guaranteeing them the exercise and enjoyment of the human rights and fundamental freedoms set out in the present Convention.</p> <p>International Covenant on Economic, Social, and Cultural Rights (ICESCR)</p> <p>3 The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the present Covenant.</p> <p>International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)</p> <p>5.d.v The right to own property alone as well as in association with others;</p> <p>5.d.vi The right to inherit;</p> <p>Universal Declaration of Human Rights (UDHR)</p> <p>17.1 Everyone has the right to own property alone as well as in association with others.</p> <p>African Charter on Human and Peoples' Rights</p> <p>3.1 Every individual shall be equal before the law</p> <p>3.2 Every individual shall be entitled to equal protection of the law</p>
--	--	--

American Convention on Human Rights

21.1 Everyone has the right to the use and enjoyment of his property. The law may subordinate such use and enjoyment to the interest of society.

Protocol to the American Convention on Human Rights 1988

3 The State Parties to this Protocol undertake to guarantee the exercise of the rights set forth herein without discrimination of any kind for reasons related to race, colour, sex, language, religion, political or other opinions, national or social origin, economic status, birth or any other social condition.

Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women

5 Every woman is entitled to the free and full exercise of her civil, political, economic, social and cultural rights, and may rely on the full protection of those rights as embodied in regional and international instruments on human rights. The States Parties recognize that violence against women prevents and nullifies the exercise of these rights.

6 The right of every woman to be free from violence includes, among others:

6.a The right of women to be free from all forms of discrimination; and

6.b The right of women to be valued and educated free of stereotyped patterns of behaviour and social and cultural practices based on concepts of inferiority or subordination.

European Convention on Human Rights

14 The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

Protocol to the European Convention on Human Rights No. 12

1.1 The enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

1.2 No one shall be discriminated against by any public authority on any ground such as those mentioned in paragraph 1.

➤ SUPPORTING REFERENCES (NOT LEGALLY BINDING)

Beijing Platform of Action (1995)

		<p>A.2 Revise laws and administrative practices to ensure women's equal rights and access to economic resources.</p> <p>A.3 Provide women with access to savings and credit mechanisms and institutions.</p> <p>F.1 Promote women's economic rights and independence, including access to employment, appropriate working conditions and control over economic resources.</p> <p>F.2 Facilitate women's equal access to resources, employment, markets and trade.</p> <p>F.3 Provide business services, training and access to markets, information and technology, particularly to low-income women.</p> <p>F.4 Strengthen women's economic capacity and commercial networks.</p> <p>International Conference on Population and Development (ICPD) (1994)</p> <p>3.18 Existing inequities and barriers to women in the workforce should be eliminated and women's participation in all policy-making and implementation, as well as their access to productive resources, and ownership of land, and their right to inherit property should be promoted and strengthened. Governments, non-governmental organizations and the private sector should invest in, promote, monitor and evaluate the education and skill development of women and girls and the legal and economic rights of women, and in all aspects of reproductive health, including family planning and sexual health, in order to enable them to effectively contribute to and benefit from economic growth and sustainable development.</p> <p>4.4. Countries should act to empower women and should take steps to eliminate inequalities between men and women as soon as possible by:</p> <p>4.4.d Adopting appropriate measures to improve women's ability to earn income beyond traditional occupations, achieve economic self-reliance, and ensure women's equal access to the labour market and social security systems;</p> <p>4.6. Governments at all levels should ensure that women can buy, hold and sell property and land equally with men, obtain credit and negotiate contracts in their own name and on their own behalf and exercise their legal rights to inheritance.</p> <p>CEDAW Committee General Recommendations</p> <p><i>General Recommendation No. 21: Equality in marriage and family relations</i></p> <p>7. When a woman cannot enter into a contract at all, or have access to financial credit, or can do so only with her husband's or a male relative's concurrence or guarantee, she is denied legal autonomy. Any such restriction prevents her from holding property as the sole owner and precludes her from the legal management of her own business or from entering into any other form of contract. Such restrictions seriously limit the woman's ability to provide for herself and her dependants.</p> <p>35. There are many countries where the law and practice concerning inheritance and property result in serious discrimination against women. As a result of this uneven treatment, women may receive a smaller share of the husband's or father's property at his death than would widowers and sons. In some instances, women are granted limited and controlled rights and receive income</p>
--	--	---

only from the deceased's property. Often inheritance rights for widows do not reflect the principles of equal ownership of property acquired during marriage. Such provisions contravene the Convention and should be abolished.

General Recommendation No. 34: Rights of rural women

59. States parties should ensure that legislation guarantees rural women's rights to land, water and other natural resources on an equal basis with men, irrespective of their civil and marital status or of a male guardian or guarantor, and that they have full legal capacity. They should ensure that indigenous women in rural areas have equal access with indigenous men to ownership and possession of and control over land, water, forests, fisheries, aquaculture and other resources that they have traditionally owned, occupied or otherwise used or acquired, including by protecting them against discrimination and dispossession. In addition, States parties should:

59.c Strengthen customary and statutory institutions and mechanisms for defending or protecting women's rights to land, water and other natural resources, including community paralegal services.

68. States parties should promote the transition to formal financial services and ensure rural women's access to credit, loans, matrimonial savings, insurance and domestic payment services, on the basis of equality with rural men, and promote their economic, financial and business skills. States parties should ensure that rural women have equal access to:

68.a Community-managed and mobile financial services, which should address rural women's needs, for example by lending to women who may lack collaterals, employ simplified, low-cost banking practices and facilitate rural women's access to formal financial service providers;

Human Rights Committee (CCPR) General Comments

General Comment No. 28: The equality of rights between men and women

26. States parties must also ensure equality in regard to the dissolution of marriage, which excludes the possibility of repudiation. The grounds for divorce and annulment should be the same for men and women, as well as decisions with regard to property distribution, alimony and the custody of children. Determination of the need to maintain contact between children and the non-custodial parent should be based on equal considerations. Women should also have equal inheritance rights to those of men when the dissolution of marriage is caused by the death of one of the spouses.

Committee on Economic, Social and Cultural Rights General Comments

General Comment No. 16: The equal right of men and women to the enjoyment of all economic, social and cultural rights

28. Article 11 of the Covenant requires States parties to recognize the right of everyone to an adequate standard of living for him/herself and his/her family, including adequate housing (para. 1) and adequate food (para. 2). Implementing article 3, in relation to article 11, paragraph 1, requires that women have a right to own, use or otherwise control housing, land and property on an equal basis with men, and to access necessary resources to do so. Implementing article 3, in relation to article 11, paragraph 2, also requires States parties, inter alia, to ensure that women have access to or control over means of food production, and actively to

		address customary practices under which women are not allowed to eat until the men are fully fed, or are only allowed less nutritious food.
5.c	Adopt and strengthen sound policies and enforceable legislation for the promotion of gender equality and the empowerment of all women and girls at all levels	<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Rights of the Child (CRC)</p> <p>4 States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation.</p> <p>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</p> <p>3 States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.</p> <p>Convention on the Rights of Persons with Disabilities (CRPD)</p> <p>6.2 States Parties shall take all appropriate measures to ensure the full development, advancement and empowerment of women, for the purpose of guaranteeing them the exercise and enjoyment of the human rights and fundamental freedoms set out in the present Convention.</p> <p>International Covenant on Economic, Social, and Cultural Rights (ICESCR)</p> <p>3 The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the present Covenant.</p> <p>African Charter on Human and Peoples' Rights</p> <p>3.1 Every individual shall be equal before the law</p> <p>3.2 Every individual shall be entitled to equal protection of the law</p> <p>13.1 Every citizen shall have the right to participate freely in the government of his country, either directly or through freely chosen representatives in accordance with the provisions of the law.</p> <p>13.2 Every citizen shall have the right of equal access to the public service of the country.</p> <p>Protocol to the American Convention on Human Rights 1988</p>

		<p>3 The State Parties to this Protocol undertake to guarantee the exercise of the rights set forth herein without discrimination of any kind for reasons related to race, colour, sex, language, religion, political or other opinions, national or social origin, economic status, birth or any other social condition.</p> <p>Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women</p> <p>7 The States Parties condemn all forms of violence against women and agree to pursue, by all appropriate means and without delay, policies to prevent, punish and eradicate such violence and undertake to:</p> <p>7.a refrain from engaging in any act or practice of violence against women and to ensure that their authorities, officials, personnel, agents, and institutions act in conformity with this obligation;</p> <p>7.b apply due diligence to prevent, investigate and impose penalties for violence against women</p> <p>7.c include in their domestic legislation penal, civil, administrative and any other type of provisions that may be needed to prevent, punish and eradicate violence against women and to adopt appropriate administrative measures where necessary;</p> <p>7.d adopt legal measures to require the perpetrator to refrain from harassing, intimidating or threatening the woman or using any method that harms or endangers her life or integrity, or damages her property;</p> <p>7.e take all appropriate measures, including legislative measures, to amend or repeal existing laws and regulations or to modify legal or customary practices which sustain the persistence and tolerance of violence against women;</p> <p>7.f establish fair and effective legal procedures for women who have been subjected to violence which include, among others, protective measures, a timely hearing and effective access to such procedures;</p> <p>7.g establish the necessary legal and administrative mechanisms to ensure that women subjected to violence have effective access to restitution, reparations or other just and effective remedies; and</p> <p>7.h adopt such legislative or other measures as may be necessary to give effect to this Convention.</p> <p>8 The States Parties agree to undertake progressively specific measures, including programs:</p> <p>8.a to promote awareness and observance of the right of women to be free from violence, and the right of women to have their human rights respected and protected;</p> <p>8.b to modify social and cultural patterns of conduct of men and women, including the development of formal and informal educational programs appropriate to every level of the educational process, to counteract prejudices, customs and all other practices which are based on the idea of the inferiority or superiority of either of the sexes or on the stereotyped roles for men and women which legitimize or exacerbate violence against women;</p>
--	--	--

		<p>8.c to promote the education and training of all those involved in the administration of justice, police and other law enforcement officers as well as other personnel responsible for implementing policies for the prevention, punishment and eradication of violence against women;</p> <p>8.d to provide appropriate specialized services for women who have been subjected to violence, through public and private sector agencies, including shelters, counselling services for all family members where appropriate, and care and custody of the affected children;</p> <p>8.e to promote and support governmental and private sector education designed to raise the awareness of the public with respect to the problems of and remedies for violence against women;</p> <p>8.f to provide women who are subjected to violence access to effective readjustment and training programs to enable them to fully participate in public, private and social life;</p> <p>8.g to encourage the communications media to develop appropriate media guidelines in order to contribute to the eradication of violence against women in all its forms, and to enhance respect for the dignity of women;</p> <p>8.h to ensure research and the gathering of statistics and other relevant information relating to the causes, consequences and frequency of violence against women, in order to assess the effectiveness of measures to prevent, punish and eradicate violence against women and to formulate and implement the necessary changes; and</p> <p>8. i to foster international cooperation for the exchange of ideas and experiences and the execution of programs aimed at protecting women who are subjected to violence.</p> <p>Protocol to the European Convention on Human Rights No. 12</p> <p>1.1 The enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.</p> <p>1.2 No one shall be discriminated against by any public authority on any ground such as those mentioned in paragraph 1.</p> <p>➤ SUPPORTING REFERENCES (NOT LEGALLY BINDING)</p> <p>Beijing Platform of Action (1995)</p> <p>H.2 Integrate gender perspectives in legislation, public policies, programmes and projects.</p> <p>H.3 Generate and disseminate gender-disaggregated data and information for planning and evaluation.</p> <p>International Conference on Population and Development (ICPD) (1994)</p>
--	--	---

		<p>3.18 Existing inequities and barriers to women in the workforce should be eliminated and women's participation in all policy-making and implementation, as well as their access to productive resources, and ownership of land, and their right to inherit property should be promoted and strengthened. Governments, non-governmental organizations and the private sector should invest in, promote, monitor and evaluate the education and skill development of women and girls and the legal and economic rights of women, and in all aspects of reproductive health, including family planning and sexual health, in order to enable them to effectively contribute to and benefit from economic growth and sustainable development.</p> <p>CEDAW Committee General Recommendations</p> <p><i>General Recommendation No. 6: Effective machinery and publicity</i></p> <p>1. Establish and/or strengthen effective national machinery, institutions and procedures, at a high level of Government, and with adequate resources, commitment and authority to:</p> <p>1.a Advise on the impact on women of all government policies;</p> <p>1.b Monitor the situation of women comprehensively;</p> <p>1.c Help formulate new policies and effectively carry out strategies and measures to eliminate discrimination;</p>
--	--	--

GOAL 6: CLEAN WATER AND SANITATION

SDG Targets	Corresponding human rights mechanisms and other supporting references
<p>6.1</p>	<p>By 2030, achieve universal and equitable access to safe and affordable drinking water for all</p> <p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Rights of the Child (CRC)</p> <p>24.2.c To combat disease and malnutrition, including within the framework of primary health care, through, inter alia, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking-water, taking into consideration the dangers and risks of environmental pollution;</p> <p>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</p> <p>14.2.h To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.</p> <p>Convention on the Rights of Persons with Disabilities (CRPD)</p>

28.2.a To ensure equal access by persons with disabilities to clean water services, and to ensure access to appropriate and affordable services, devices and other assistance for disability-related needs;

International Covenant on Economic, Social, and Cultural Rights (ICESCR)

11.1 The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent.

12.1 The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.

12.2.b The improvement of all aspects of environmental and industrial hygiene;

Universal Declaration of Human Rights (UDHR)

22 Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

African Charter on Human and Peoples' Rights

16.1 Every individual shall have the right to enjoy the best attainable state of physical and mental health.

24 All peoples shall have the right to a general satisfactory environment favourable to their development.

Protocol to the American Convention on Human Rights 1988

11.1 Everyone shall have the right to live in a healthy environment and to have access to basic public services.

11.2 The States Parties shall promote the protection, preservation, and improvement of the environment.

Protocol to the European Convention on Human Rights No. 12

1.1 The enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

1.2 No one shall be discriminated against by any public authority on any ground such as those mentioned in paragraph 1.

➤ **SUPPORTING REFERENCES (NOT LEGALLY BINDING)**

CRC Committee General Comments

General Comment No. 15: The right of the child to the highest attainable standard of health

48. Safe and clean drinking water and sanitation are essential for the full enjoyment of life and all other human rights. Government departments and local authorities responsible for water and sanitation should recognize their obligation to help realize children’s right to health, and actively consider child indicators on malnutrition, diarrhoea and other water-related diseases and household size when planning and carrying out infrastructure expansion and the maintenance of water services, and when making decisions on amounts for free minimum allocation and service disconnections. States are not exempted from their obligations, even when they have privatized water and sanitation.

CEDAW Committee General Recommendations

General Recommendation No. 34: Rights of rural women

85. States parties should ensure that rural women have access to essential services and public goods, including:

85.a Sufficient, safe, acceptable and physically accessible and affordable water for personal and domestic uses and irrigation;

85.b Adequate sanitation and hygiene, enabling women and girls to manage their menstrual hygiene and have access to sanitary pads;

Committee on Economic, Social and Cultural Rights General Comments

General Comment No. 15: The right to water

7. The Committee notes the importance of ensuring sustainable access to water resources for agriculture to realize the right to adequate food (see general comment No. 12 (1999)). Attention should be given to ensuring that disadvantaged and marginalized farmers, including women farmers, have equitable access to water and water management systems, including sustainable rain harvesting and irrigation technology. Taking note of the duty in article 1, paragraph 2, of the Covenant, which provides that a people may not “be deprived of its means of subsistence”, States parties should ensure that there is adequate access to water for subsistence farming and for securing the livelihoods of indigenous peoples.

8. Environmental hygiene, as an aspect of the right to health under article 12, paragraph 2 (b), of the Covenant, encompasses taking steps on a non-discriminatory basis to prevent threats to health from unsafe and toxic water conditions. For example, States parties should ensure that natural water resources are protected from contamination by harmful substances and pathogenic microbes. Likewise, States parties should monitor and combat situations where aquatic ecosystems serve as a habitat for vectors of diseases wherever they pose a risk to human living environments.

8.a Availability. The water supply for each person must be sufficient and continuous for personal and domestic uses. These uses ordinarily include drinking, personal sanitation, washing of clothes, food preparation, personal and household hygiene. The quantity

		<p>of water available for each person should correspond to World Health Organization (WHO) guidelines. Some individuals and groups may also require additional water due to health, climate, and work conditions;</p> <p>8.b Quality. The water required for each personal or domestic use must be safe, therefore free from microorganisms, chemical substances and radiological hazards that constitute a threat to a person's health. Furthermore, water should be of an acceptable colour, odour and taste for each personal or domestic use;</p> <p>8.c Accessibility. Water and water facilities and services have to be accessible to everyone without discrimination, within the jurisdiction of the State party. Accessibility has four overlapping dimensions:</p> <p>8.i Physical accessibility: Water, and adequate water facilities and services, must be within safe physical reach for all sections of the population. Sufficient, safe and acceptable water must be accessible within, or in the immediate vicinity, of each household, educational institution and workplace. All water facilities and services must be of sufficient quality, culturally appropriate and sensitive to gender, life cycle and privacy requirements. Physical security should not be threatened during access to water facilities and services;</p> <p>8.ii Economic accessibility: Water, and water facilities and services, must be affordable for all. The direct and indirect costs and charges associated with securing water must be affordable, and must not compromise or threaten the realization of other Covenant rights;</p> <p>8.iii Non-discrimination: Water and water facilities and services must be accessible to all, including the most vulnerable or marginalized sections of the population, in law and in fact, without discrimination on any of the prohibited grounds; and</p> <p>8.iv Information accessibility: Accessibility includes the right to seek, receive and impart information concerning water issues.</p>
6.2	By 2030, achieve access to adequate and equitable sanitation and hygiene for all and end open defecation, paying special attention to the needs of women and girls and those in vulnerable situations	<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Rights of the Child (CRC)</p> <p>24.2.c To combat disease and malnutrition, including within the framework of primary health care, through, inter alia, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking-water, taking into consideration the dangers and risks of environmental pollution;</p> <p>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</p> <p>14.2.h To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.</p> <p>Convention on the Rights of Persons with Disabilities (CRPD)</p> <p>28.2.a To ensure equal access by persons with disabilities to clean water services, and to ensure access to appropriate and affordable services, devices and other assistance for disability-related needs;</p>

		<p>International Covenant on Economic, Social, and Cultural Rights (ICESCR)</p> <p>11.1 The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent.</p> <p>12.1 The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.</p> <p>12.2.b The improvement of all aspects of environmental and industrial hygiene;</p> <p>Universal Declaration of Human Rights (UDHR)</p> <p>22 Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.</p> <p>African Charter on Human and Peoples' Rights</p> <p>16.1 Every individual shall have the right to enjoy the best attainable state of physical and mental health.</p> <p>16.2 State Parties to the present Charter shall take the necessary measures to protect the health of their people and to ensure that they receive medical attention when they are sick.</p> <p>24 All peoples shall have the right to a general satisfactory environment favourable to their development.</p> <p>Protocol to the American Convention on Human Rights 1988</p> <p>3 The State Parties to this Protocol undertake to guarantee the exercise of the rights set forth herein without discrimination of any kind for reasons related to race, colour, sex, language, religion, political or other opinions, national or social origin, economic status, birth or any other social condition.</p> <p>11.1 Everyone shall have the right to live in a healthy environment and to have access to basic public services.</p> <p>11.2 The States Parties shall promote the protection, preservation, and improvement of the environment.</p> <p>➤ SUPPORTING REFERENCES (NOT LEGALLY BINDING)</p> <p>Beijing Platform of Action (1995)</p> <p>K.2 Integrate gender concerns and perspectives in policies and programmes for sustainable development.</p>
--	--	--

L.5 Eliminate discrimination against girls in health and nutrition.

CRC Committee General Comments

General Comment No. 15: The right of the child to the highest attainable standard of health

48. Safe and clean drinking water and sanitation are essential for the full enjoyment of life and all other human rights. Government departments and local authorities responsible for water and sanitation should recognize their obligation to help realize children's right to health, and actively consider child indicators on malnutrition, diarrhoea and other water-related diseases and household size when planning and carrying out infrastructure expansion and the maintenance of water services, and when making decisions on amounts for free minimum allocation and service disconnections. States are not exempted from their obligations, even when they have privatized water and sanitation.

CEDAW Committee General Recommendations

General Recommendation No. 34: Rights of rural women

12. States parties should address specific threats posed to rural women by climate change, natural disasters, land and soil degradation, water pollution, droughts, floods, desertification, pesticides and agrochemicals, extractive industries, monocultures, bio-piracy and the loss of biodiversity, in particular agro-biodiversity. They should alleviate and mitigate those threats and ensure that rural women enjoy a safe, clean and healthy environment. They should effectively address the impact of such risks on rural women in the planning and implementation of all policies concerning the environment, climate change, disaster risk reduction, preparedness and management and ensure the full participation of rural women in designing, planning and implementing such policies. States parties should also ensure the protection and security of rural women and girls in all phases of disasters and other crises, ranging from early warning to relief, recovery, rehabilitation and reconstruction.

85. States parties should ensure that rural women have access to essential services and public goods, including:

85.a Sufficient, safe, acceptable and physically accessible and affordable water for personal and domestic uses and irrigation;

85.b Adequate sanitation and hygiene, enabling women and girls to manage their menstrual hygiene and have access to sanitary pads;

Committee on Economic, Social and Cultural Rights General Comments

General Comment No. 15: The right to water

7. The Committee notes the importance of ensuring sustainable access to water resources for agriculture to realize the right to adequate food (see general comment No. 12 (1999)). Attention should be given to ensuring that disadvantaged and marginalized farmers, including women farmers, have equitable access to water and water management systems, including sustainable rain harvesting and irrigation technology. Taking note of the duty in article 1, paragraph 2, of the Covenant, which provides that a people

		<p>may not “be deprived of its means of subsistence”, States parties should ensure that there is adequate access to water for subsistence farming and for securing the livelihoods of indigenous peoples.</p> <p>8. Environmental hygiene, as an aspect of the right to health under article 12, paragraph 2 (b), of the Covenant, encompasses taking steps on a non-discriminatory basis to prevent threats to health from unsafe and toxic water conditions. For example, States parties should ensure that natural water resources are protected from contamination by harmful substances and pathogenic microbes. Likewise, States parties should monitor and combat situations where aquatic ecosystems serve as a habitat for vectors of diseases wherever they pose a risk to human living environments.</p> <p>12.a Availability. The water supply for each person must be sufficient and continuous for personal and domestic uses. These uses ordinarily include drinking, personal sanitation, washing of clothes, food preparation, personal and household hygiene. The quantity of water available for each person should correspond to World Health Organization (WHO) guidelines. Some individuals and groups may also require additional water due to health, climate, and work conditions;</p> <p>12.b Quality. The water required for each personal or domestic use must be safe, therefore free from microorganisms, chemical substances and radiological hazards that constitute a threat to a person’s health. Furthermore, water should be of an acceptable colour, odour and taste for each personal or domestic use;</p> <p>12.c Accessibility. Water and water facilities and services have to be accessible to everyone without discrimination, within the jurisdiction of the State party. Accessibility has four overlapping dimensions:</p> <p>12.c.i Physical accessibility: Water, and adequate water facilities and services, must be within safe physical reach for all sections of the population. Sufficient, safe and acceptable water must be accessible within, or in the immediate vicinity, of each household, educational institution and workplace. All water facilities and services must be of sufficient quality, culturally appropriate and sensitive to gender, life cycle and privacy requirements. Physical security should not be threatened during access to water facilities and services;</p> <p>12.c.ii Economic accessibility: Water, and water facilities and services, must be affordable for all. The direct and indirect costs and charges associated with securing water must be affordable, and must not compromise or threaten the realization of other Covenant rights;</p> <p>12.c.iii Non-discrimination: Water and water facilities and services must be accessible to all, including the most vulnerable or marginalized sections of the population, in law and in fact, without discrimination on any of the prohibited grounds; and</p> <p>12.c.iv Information accessibility: Accessibility includes the right to seek, receive and impart information concerning water issues.</p>
6.3	By 2030, improve water quality by reducing pollution, eliminating dumping and minimizing	<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Rights of the Child (CRC)</p>

	<p>release of hazardous chemicals and materials, halving the proportion of untreated wastewater and substantially increasing recycling and safe reuse globally</p>	<p>24.1 States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services.</p> <p>24.2.c To combat disease and malnutrition, including within the framework of primary health care, through, inter alia, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking-water, taking into consideration the dangers and risks of environmental pollution;</p> <p>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</p> <p>14.2.h To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.</p> <p>Convention on the Rights of Persons with Disabilities (CRPD)</p> <p>28.2.a To ensure equal access by persons with disabilities to clean water services, and to ensure access to appropriate and affordable services, devices and other assistance for disability-related needs;</p> <p>International Covenant on Economic, Social, and Cultural Rights (ICESCR)</p> <p>12.1 The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.</p> <p>12.2.b The improvement of all aspects of environmental and industrial hygiene;</p> <p>African Charter on Human and Peoples' Rights</p> <p>16.1 Every individual shall have the right to enjoy the best attainable state of physical and mental health.</p> <p>16.2 State Parties to the present Charter shall take the necessary measures to protect the health of their people and to ensure that they receive medical attention when they are sick.</p> <p>24 All peoples shall have the right to a general satisfactory environment favourable to their development.</p> <p>Protocol to the American Convention on Human Rights 1988</p> <p>11.1 Everyone shall have the right to live in a healthy environment and to have access to basic public services.</p> <p>11.2 The States Parties shall promote the protection, preservation, and improvement of the environment.</p> <p>➤ SUPPORTING REFERENCES (NOT LEGALLY BINDING)</p>
--	--	---

CRC Committee General Comments

General Comment No. 15: The right of the child to the highest attainable standard of health

48. Safe and clean drinking water and sanitation are essential for the full enjoyment of life and all other human rights. Government departments and local authorities responsible for water and sanitation should recognize their obligation to help realize children’s right to health, and actively consider child indicators on malnutrition, diarrhoea and other water-related diseases and household size when planning and carrying out infrastructure expansion and the maintenance of water services, and when making decisions on amounts for free minimum allocation and service disconnections. States are not exempted from their obligations, even when they have privatized water and sanitation.

50. The Committee draws attention to the relevance of the environment, beyond environmental pollution, to children’s health. Environmental interventions should, inter alia, address climate change, as this is one of the biggest threats to children’s health and exacerbates health disparities. States should, therefore, put children’s health concerns at the centre of their climate change adaptation and mitigation strategies.

Committee on Economic, Social and Cultural Rights General Comments

General Comment No. 15: The right to water

7. The Committee notes the importance of ensuring sustainable access to water resources for agriculture to realize the right to adequate food (see general comment No. 12 (1999)). Attention should be given to ensuring that disadvantaged and marginalized farmers, including women farmers, have equitable access to water and water management systems, including sustainable rain harvesting and irrigation technology. Taking note of the duty in article 1, paragraph 2, of the Covenant, which provides that a people may not “be deprived of its means of subsistence”, States parties should ensure that there is adequate access to water for subsistence farming and for securing the livelihoods of indigenous peoples.

8. Environmental hygiene, as an aspect of the right to health under article 12, paragraph 2 (b), of the Covenant, encompasses taking steps on a non-discriminatory basis to prevent threats to health from unsafe and toxic water conditions. For example, States parties should ensure that natural water resources are protected from contamination by harmful substances and pathogenic microbes. Likewise, States parties should monitor and combat situations where aquatic ecosystems serve as a habitat for vectors of diseases wherever they pose a risk to human living environments.

12.a Availability. The water supply for each person must be sufficient and continuous for personal and domestic uses. These uses ordinarily include drinking, personal sanitation, washing of clothes, food preparation, personal and household hygiene. The quantity of water available for each person should correspond to World Health Organization (WHO) guidelines. Some individuals and groups may also require additional water due to health, climate, and work conditions;

12.b Quality. The water required for each personal or domestic use must be safe, therefore free from microorganisms, chemical substances and radiological hazards that constitute a threat to a person’s health. Furthermore, water should be of an acceptable colour, odour and taste for each personal or domestic use;

		<p>12.c Accessibility. Water and water facilities and services have to be accessible to everyone without discrimination, within the jurisdiction of the State party. Accessibility has four overlapping dimensions:</p> <p>12.c.i Physical accessibility: Water, and adequate water facilities and services, must be within safe physical reach for all sections of the population. Sufficient, safe and acceptable water must be accessible within, or in the immediate vicinity, of each household, educational institution and workplace. All water facilities and services must be of sufficient quality, culturally appropriate and sensitive to gender, life cycle and privacy requirements. Physical security should not be threatened during access to water facilities and services;</p> <p>12.c.ii Economic accessibility: Water, and water facilities and services, must be affordable for all. The direct and indirect costs and charges associated with securing water must be affordable, and must not compromise or threaten the realization of other Covenant rights;</p> <p>12.c.iii Non-discrimination: Water and water facilities and services must be accessible to all, including the most vulnerable or marginalized sections of the population, in law and in fact, without discrimination on any of the prohibited grounds; and</p> <p>12.c.iv Information accessibility: Accessibility includes the right to seek, receive and impart information concerning water issues.</p> <p>36. States parties should take measures to guarantee that the exercise of the right to take part in cultural life takes due account of the values of cultural life, which may be strongly communal or which can only be expressed and enjoyed as a community by indigenous peoples. The strong communal dimension of indigenous peoples' cultural life is indispensable to their existence, wellbeing and full development, and includes the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired. Indigenous peoples' cultural values and rights associated with their ancestral lands and their relationship with nature should be regarded with respect and protected, in order to prevent the degradation of their particular way of life, including their means of subsistence, the loss of their natural resources and, ultimately, their cultural identity. States parties must therefore take measures to recognize and protect the rights of indigenous peoples to own, develop, control and use their communal lands, territories and resources, and, where they have been otherwise inhabited or used without their free and informed consent, take steps to return these lands and territories.</p>	
6.4	By 2030, substantially increase water-use efficiency across all sectors and ensure sustainable withdrawals and supply of freshwater to address water scarcity and substantially		<p>This SDG target cannot be explicitly supported by any legally binding human rights obligation. The corresponding human rights obligations listed below are all INDIRECTLY and IMPLICITLY related to the SDG target.</p> <p>Although international law talks extensively about the right of all persons to clean water (see targets 6.1, 6.2 and 6.3), there is no mention of the efficient use of water by different actors. Of course, one can extrapolate that if people have the right to sufficient and clean drinking water, this implies efficient use (that is, no waste) by the corporate sector and others, it cannot be said that States Parties are obligated under international law to ensure this.</p>
		<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p>	

	<p>reduce the number of people suffering from water scarcity</p>	<p>Convention on the Rights of the Child (CRC)</p> <p>24.2.c To combat disease and malnutrition, including within the framework of primary health care, through, inter alia, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking-water, taking into consideration the dangers and risks of environmental pollution;</p> <p>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</p> <p>14.2.h To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.</p> <p>Convention on the Rights of Persons with Disabilities (CRPD)</p> <p>28.2.a To ensure equal access by persons with disabilities to clean water services, and to ensure access to appropriate and affordable services, devices and other assistance for disability-related needs;</p> <p>International Covenant on Economic, Social, and Cultural Rights (ICESCR)</p> <p>11.1 The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent.</p> <p>12.1 The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.</p> <p>12.2.b The improvement of all aspects of environmental and industrial hygiene;</p> <p>Universal Declaration of Human Rights (UDHR)</p> <p>22 Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.</p> <p>African Charter on Human and Peoples' Rights</p> <p>24 All peoples shall have the right to a general satisfactory environment favourable to their development.</p> <p>Protocol to the American Convention on Human Rights 1988</p> <p>11.1 Everyone shall have the right to live in a healthy environment and to have access to basic public services.</p> <p>11.2 The States Parties shall promote the protection, preservation, and improvement of the environment.</p> <p>➤ SUPPORTING REFERENCES (NOT LEGALLY BINDING)</p>
--	--	---

Committee on Economic, Social and Cultural Rights General Comments

General Comment No. 15: The right to water

7. The Committee notes the importance of ensuring sustainable access to water resources for agriculture to realize the right to adequate food (see general comment No. 12 (1999)). Attention should be given to ensuring that disadvantaged and marginalized farmers, including women farmers, have equitable access to water and water management systems, including sustainable rain harvesting and irrigation technology. Taking note of the duty in article 1, paragraph 2, of the Covenant, which provides that a people may not “be deprived of its means of subsistence”, States parties should ensure that there is adequate access to water for subsistence farming and for securing the livelihoods of indigenous peoples.

8. Environmental hygiene, as an aspect of the right to health under article 12, paragraph 2 (b), of the Covenant, encompasses taking steps on a non-discriminatory basis to prevent threats to health from unsafe and toxic water conditions. For example, States parties should ensure that natural water resources are protected from contamination by harmful substances and pathogenic microbes. Likewise, States parties should monitor and combat situations where aquatic ecosystems serve as a habitat for vectors of diseases wherever they pose a risk to human living environments.

12.a Availability. The water supply for each person must be sufficient and continuous for personal and domestic uses. These uses ordinarily include drinking, personal sanitation, washing of clothes, food preparation, personal and household hygiene. The quantity of water available for each person should correspond to World Health Organization (WHO) guidelines. Some individuals and groups may also require additional water due to health, climate, and work conditions;

12.b Quality. The water required for each personal or domestic use must be safe, therefore free from micro-organisms, chemical substances and radiological hazards that constitute a threat to a person’s health. Furthermore, water should be of an acceptable colour, odour and taste for each personal or domestic use;

12.c Accessibility. Water and water facilities and services have to be accessible to everyone without discrimination, within the jurisdiction of the State party. Accessibility has four overlapping dimensions:

12.c.i Physical accessibility: Water, and adequate water facilities and services, must be within safe physical reach for all sections of the population. Sufficient, safe and acceptable water must be accessible within, or in the immediate vicinity, of each household, educational institution and workplace. All water facilities and services must be of sufficient quality, culturally appropriate and sensitive to gender, life cycle and privacy requirements. Physical security should not be threatened during access to water facilities and services;

12.c.ii Economic accessibility: Water, and water facilities and services, must be affordable for all. The direct and indirect costs and charges associated with securing water must be affordable, and must not compromise or threaten the realization of other Covenant rights

12.c.iii Non-discrimination: Water and water facilities and services must be accessible to all, including the most vulnerable or marginalized sections of the population, in law and in fact, without discrimination on any of the prohibited grounds; and

12.c.iv Information accessibility: Accessibility includes the right to seek, receive and impart information concerning water issues.

<p>6.b</p>	<p>Support and strengthen the participation of local communities in improving water and sanitation management</p>	<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Rights of the Child (CRC)</p> <p>12.1 States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.</p> <p>24.2.c To combat disease and malnutrition, including within the framework of primary health care, through, inter alia, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking-water, taking into consideration the dangers and risks of environmental pollution;</p> <p>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</p> <p>14.2 States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right:</p> <p>14.2.a To participate in the elaboration and implementation of development planning at all levels;</p> <p>14.2.f To participate in all community activities;</p> <p>Convention on the Rights of Persons with Disabilities (CRPD)</p> <p>29.a Ensure that persons with disabilities can effectively and fully participate in political and public life on an equal basis with others, directly or through freely chosen representatives, including the right and opportunity for persons with disabilities to vote and be elected, inter alia, by:</p> <p>International Covenant on Civil and Political Rights (ICCPR)</p> <p>25.a To take part in the conduct of public affairs, directly or through freely chosen representatives;</p> <p>African Charter on Human and Peoples' Rights</p> <p>13.1 Every citizen shall have the right to participate freely in the government of his country, either directly or through freely chosen representatives in accordance with the provisions of the law.</p> <p>13.2 Every citizen shall have the right of equal access to the public service of the country.</p> <p>African Charter on the Rights and Welfare of the Child</p> <p>7 Every child who is capable of communicating his or her own views shall be assured the rights to express his opinions freely in all matters and to disseminate his opinions subject to such restrictions as are prescribed by laws.</p>
-------------------	---	---

➤ **SUPPORTING REFERENCES (NOT LEGALLY BINDING)**

Beijing Platform of Action (1995)

K.1 Involve women actively in environmental decision-making at all levels.

International Conference on Population and Development (ICPD) (1994)

3.30 Measures should be taken to enhance the full participation of all relevant groups, especially women, at all levels of population and environmental decision-making to achieve sustainable management of natural resources.

6.25 Governments and other important institutions in society should recognize the distinct perspective of indigenous people on aspects of population and development and, in consultation with indigenous people and in collaboration with concerned non-governmental and intergovernmental organizations, should address their specific needs, including needs for primary health care and reproductive health services. All human rights violations and discrimination, especially all forms of coercion, must be eliminated.

CEDAW Committee General Recommendations

General Recommendation No. 34: Rights of rural women

85. States parties should ensure that rural women have access to essential services and public goods, including:

85.a Sufficient, safe, acceptable and physically accessible and affordable water for personal and domestic uses and irrigation;

85.b Adequate sanitation and hygiene, enabling women and girls to manage their menstrual hygiene and have access to sanitary pads;

Committee on Economic, Social and Cultural Rights General Comments

General Comment No. 15: The right to water

7. The Committee notes the importance of ensuring sustainable access to water resources for agriculture to realize the right to adequate food (see general comment No. 12 (1999)). Attention should be given to ensuring that disadvantaged and marginalized farmers, including women farmers, have equitable access to water and water management systems, including sustainable rain harvesting and irrigation technology. Taking note of the duty in article 1, paragraph 2, of the Covenant, which provides that a people may not “be deprived of its means of subsistence”, States parties should ensure that there is adequate access to water for subsistence farming and for securing the livelihoods of indigenous peoples.

8. Environmental hygiene, as an aspect of the right to health under article 12, paragraph 2 (b), of the Covenant, encompasses taking steps on a non-discriminatory basis to prevent threats to health from unsafe and toxic water conditions. For example, States parties should ensure that natural water resources are protected from contamination by harmful substances and pathogenic microbes. Likewise, States parties should monitor and combat situations where aquatic ecosystems serve as a habitat for vectors of

		<p>diseases wherever they pose a risk to human living environments.</p> <p>12.a Availability. The water supply for each person must be sufficient and continuous for personal and domestic uses. These uses ordinarily include drinking, personal sanitation, washing of clothes, food preparation, personal and household hygiene. The quantity of water available for each person should correspond to World Health Organization (WHO) guidelines. Some individuals and groups may also require additional water due to health, climate, and work conditions;</p> <p>12.b Quality. The water required for each personal or domestic use must be safe, therefore free from microorganisms, chemical substances and radiological hazards that constitute a threat to a person’s health. Furthermore, water should be of an acceptable colour, odour and taste for each personal or domestic use;</p> <p>12.c Accessibility. Water and water facilities and services have to be accessible to everyone without discrimination, within the jurisdiction of the State party. Accessibility has four overlapping dimensions:</p> <p>12.i Physical accessibility: Water, and adequate water facilities and services, must be within safe physical reach for all sections of the population. Sufficient, safe and acceptable water must be accessible within, or in the immediate vicinity, of each household, educational institution and workplace. All water facilities and services must be of sufficient quality, culturally appropriate and sensitive to gender, life cycle and privacy requirements. Physical security should not be threatened during access to water facilities and services;</p> <p>12.c.ii Economic accessibility: Water, and water facilities and services, must be affordable for all. The direct and indirect costs and charges associated with securing water must be affordable, and must not compromise or threaten the realization of other Covenant rights;</p> <p>12.c.iii Non-discrimination: Water and water facilities and services must be accessible to all, including the most vulnerable or marginalized sections of the population, in law and in fact, without discrimination on any of the prohibited grounds; and</p> <p>12.c.iv Information accessibility: Accessibility includes the right to seek, receive and impart information concerning water issues.</p> <p>General Comment No. 21: The right of everyone to take part in cultural <i>life</i></p> <p>15. There are, among others, three interrelated main components of the right to participate or take part in cultural life: (a) participation in, (b) access to, and (c) contribution to cultural life.</p> <p>15.a Participation covers in particular the right of everyone — alone, or in association with others or as a community — to act freely, to choose his or her own identity, to identify or not with one or several communities or to change that choice, to take part in the political life of society, to engage in one’s own cultural practices and to express oneself in the language of one’s choice. Everyone also has the right to seek and develop cultural knowledge and expressions and to share them with others, as well as to act creatively and take part in creative activity;</p> <p>15.b Access covers in particular the right of everyone — alone, in association with others or as a community — to know and understand his or her own culture and that of others through education and information, and to receive quality education and</p>
--	--	--

		<p>training with due regard for cultural identity. Everyone has also the right to learn about forms of expression and dissemination through any technical medium of information or communication, to follow a way of life associated with the use of cultural goods and resources such as land, water, biodiversity, language or specific institutions, and to benefit from the cultural heritage and the creation of other individuals and communities;</p> <p>15.c Contribution to cultural life refers to the right of everyone to be involved in creating the spiritual, material, intellectual and emotional expressions of the community. This is supported by the right to take part in the development of the community to which a person belongs, and in the definition, elaboration and implementation of policies and decisions that have an impact on the exercise of a person's cultural rights.</p> <p>Committee on the Elimination of Racial Discrimination General Recommendations</p> <p><i>General Recommendation No. 23: The rights of indigenous people</i></p> <p>5. The Committee especially calls upon States parties to recognize and protect the rights of indigenous peoples to own, develop, control and use their communal lands, territories and resources and, where they have been deprived of their lands and territories traditionally owned or otherwise inhabited or used without their free and informed consent, to take steps to return those lands and territories. Only when this is for factual reasons not possible, the right to restitution should be substituted by the right to just, fair and prompt compensation. Such compensation should as far as possible take the form of lands and territories.</p>
--	--	--

GOAL 8: DECENT WORK AND ECONOMIC GROWTH

SDG Targets		Corresponding human rights mechanisms and other supporting references
8.5	By 2030, achieve full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value	<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Rights of the Child (CRC)</p> <p>28.1.d Make educational and vocational information and guidance available and accessible to all children;</p> <p>32.1 States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.</p> <p>32.2 States Parties shall take legislative, administrative, social and educational measures to ensure the implementation of the present article. To this end, and having regard to the relevant provisions of other international instruments, States Parties shall in particular:</p> <p>32.2.a Provide for a minimum age or minimum ages for admission to employment;</p>

		<p>32.2.b Provide for appropriate regulation of the hours and conditions of employment;</p> <p>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</p> <p>11.1.b The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment;</p> <p>11.1.c The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training;</p> <p>11.1.d The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;</p> <p>11.1.a The right to work as an inalienable right of all human beings;</p> <p>14.1 States Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including their work in the non-monetized sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of the present Convention to women in rural areas.</p> <p>14.2.e To organize self-help groups and co-operatives in order to obtain equal access to economic opportunities through employment or self-employment;</p> <p>Convention on the Rights of Persons with Disabilities (CRPD)</p> <p>24.3.b Facilitating the learning of sign language and the promotion of the linguistic identity of the deaf community;</p> <p>24.3.c Ensuring that the education of persons, and in particular children, who are blind, deaf or deafblind, is delivered in the most appropriate languages and modes and means of communication for the individual, and in environments which maximize academic and social development.</p> <p>24.3.a Facilitating the learning of Braille, alternative script, augmentative and alternative modes, means and formats of communication and orientation and mobility skills, and facilitating peer support and mentoring;</p> <p>27.1.g Employ persons with disabilities in the public sector;</p> <p>27.1.h Promote the employment of persons with disabilities in the private sector through appropriate policies and measures, which may include affirmative action programmes, incentives and other measures;</p> <p>27.1.i Ensure that reasonable accommodation is provided to persons with disabilities in the workplace;</p>
--	--	---

		<p>27.1.b Protect the rights of persons with disabilities, on an equal basis with others, to just and favourable conditions of work, including equal opportunities and equal remuneration for work of equal value, safe and healthy working conditions, including protection from harassment, and the redress of grievances;</p> <p>27.1.j Promote the acquisition by persons with disabilities of work experience in the open labour market;</p> <p>27.1.d Enable persons with disabilities to have effective access to general technical and vocational guidance programmes, placement services and vocational and continuing training;</p> <p>27.1.k Promote vocational and professional rehabilitation, job retention and return-to-work programmes for persons with disabilities.</p> <p>27.1.e Promote employment opportunities and career advancement for persons with disabilities in the labour market, as well as assistance in finding, obtaining, maintaining and returning to employment;</p> <p>27.1.f Promote opportunities for self-employment, entrepreneurship, the development of cooperatives and starting one's own business;</p> <p>International Covenant on Economic, Social, and Cultural Rights (ICESCR)</p> <p>2.2 The States Parties to the present Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.</p> <p>3 The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the present Covenant.</p> <p>6.1 The States Parties to the present Covenant recognize the right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts, and will take appropriate steps to safeguard this right.</p> <p>6.2 The steps to be taken by a State Party to the present Covenant to achieve the full realization of this right shall include technical and vocational guidance and training programmes, policies and techniques to achieve steady economic, social and cultural development and full and productive employment under conditions safeguarding fundamental political and economic freedoms to the individual.</p> <p>7.a.i Fair wages and equal remuneration for work of equal value without distinction of any kind, in particular women being guaranteed conditions of work not inferior to those enjoyed by men, with equal pay for equal work;</p> <p>7.a.ii A decent living for themselves and their families in accordance with the provisions of the present Covenant;</p> <p>7.c Equal opportunity for everyone to be promoted in his employment to an appropriate higher level, subject to no considerations other than those of seniority and competence;</p>
--	--	--

		<p>International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)</p> <p>5.e.i The rights to work, to free choice of employment, to just and favourable conditions of work, to protection against unemployment, to equal pay for equal work, to just and favourable remuneration;</p> <p>Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CRMW)</p> <p>25.1 Migrant workers shall enjoy treatment not less favourable than that which applies to nationals of the State of employment in respect of remuneration and:</p> <p>Universal Declaration of Human Rights (UDHR)</p> <p>23.1 Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.</p> <p>23.2 Everyone, without any discrimination, has the right to equal pay for equal work.</p> <p>23.3 Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.</p> <p>Protocol of 2014 to the Forced Labour Convention</p> <p>The Protocol strengthens the international legal framework by creating new obligations to prevent forced labour, to protect victims and to provide access to remedy, such as compensation for material and physical harm. It requires governments to take measures to better protect workers, in particular migrant labourers, from fraudulent and abusive recruitment practices and emphasizes the role of employers and workers in the fight against forced labour.</p> <p>Abolition of Forced Labour Convention (No. 105)</p> <p>2. Each Member of the International Labour Organisation which ratifies this Convention undertakes to take effective measures to secure the immediate and complete abolition of forced or compulsory labour as specified in Article 1 of this Convention.</p> <p>Forced Labour (Supplementary Measures) Recommendation (No. 203)</p> <p>ILO Rec 203 This recommendation recommends ILO member states to establish or strengthen: a) national policies and plans of action with time-bound measures using a gender- and child-sensitive approach to achieve the effective and sustained suppression of forced or compulsory labour in all its forms through prevention, protection and access to remedies, such as compensation of victims, and the sanctioning of perpetrators; and b) competent authorities such as the labour inspectorates, the judiciary and national bodies or other institutional mechanisms that are concerned with forced or compulsory labour, to ensure the development, coordination, implementation, monitoring and evaluation of the national policies and plans of action.</p> <p>Minimum Age Convention (No. 138)</p>
--	--	---

2.3 The minimum age specified in pursuance of paragraph 1 of this Article shall not be less than the age of completion of compulsory schooling and, in any case, shall not be less than 15 years.

Minimum Age Recommendation (No. 146)

12.1 Measures should be taken to ensure that the conditions in which children and young persons under the age of 18 years are employed or work reach and are maintained at a satisfactory standard. These conditions should be supervised closely.

13.1.a the provision of fair remuneration and its protection, bearing in mind the principle of equal pay for equal work;

13.1.b the strict limitation of the hours spent at work in a day and in a week, and the prohibition of overtime, so as to allow enough time for education and training (including the time needed for homework related thereto), for rest during the day and for leisure activities;

13.1.c the granting, without possibility of exception save in genuine emergency, of a minimum consecutive period of 12 hours' night rest, and of customary weekly rest days;

13.1.d the granting of an annual holiday with pay of at least four weeks and, in any case, not shorter than that granted to adults;

13.1.e coverage by social security schemes, including employment injury, medical care and sickness benefit schemes, whatever the conditions of employment or work may be;

13.1.f the maintenance of satisfactory standards of safety and health and appropriate instruction and supervision.

Worst Forms of Child Labour Convention (No. 182)

3. For the purposes of this Convention, the term the worst forms of child labour comprises:

3.a all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;

3.b the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;

3.c the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;

3.d work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

African Charter on Human and Peoples' Rights

15 Every individual shall have the right to work under equitable and satisfactory conditions, and shall receive equal pay for equal work.

African Charter on the Rights and Welfare of the Child

13.1 Every child who is mentally or physically disabled shall have the right to special measures of protection in keeping with his physical and moral needs and under conditions which ensure his dignity, promote his self-reliance and active participation in the community.

15.1 Every child shall be protected from all forms of economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child’s physical, mental, spiritual, moral, or social development.

15.2 States Parties to the present Charter take all appropriate legislative and administrative measures to ensure the full implementation of this Article which covers both the formal and informal sectors of employment and having regard to the relevant provisions of the International Labour Organization’s instruments relating to children, States Parties shall in particular:

15.2.a provide through legislation, minimum wages for admission to every employment;

15.2.b provide for appropriate regulation of hours and conditions of employment;

15.2.c provide for appropriate penalties or other sanctions to ensure the effective enforcement of this Article;

15.2.d promote the dissemination of information on the hazards of child labour to all sectors of the community.

Protocol to the American Convention on Human Rights 1988

3 The State Parties to this Protocol undertake to guarantee the exercise of the rights set forth herein without discrimination of any kind for reasons related to race, colour, sex, language, religion, political or other opinions, national or social origin, economic status, birth or any other social condition.

6.1 Everyone has the right to work, which includes the opportunity to secure the means for living a dignified and decent existence by performing a freely elected or accepted lawful activity.

6.2 The State Parties undertake to adopt measures that will make the right to work fully effective, especially with regard to the achievement of full employment, vocational guidance, and the development of technical and vocational training projects, in particular those directed to the disabled. The States Parties also undertake to implement and strengthen programs that help to ensure suitable family care, so that women may enjoy a real opportunity to exercise the right to work.

7 The States Parties to this Protocol recognize that the right to work to which the foregoing article refers presupposes that everyone shall enjoy that right under just, equitable, and satisfactory conditions, which the States Parties undertake to guarantee in their internal legislation, particularly with respect to:

7.a Remuneration which guarantees, as a minimum, to all workers dignified and decent living conditions for them and their families and fair and equal wages for equal work, without distinction;

		<p>7.b The right of every worker to follow his vocation and to devote himself to the activity that best fulfils his expectations and to change employment in accordance with the pertinent national regulations;</p> <p>7.c The right of every worker to promotion or upward mobility in his employment, for which purpose account shall be taken of his qualifications, competence, integrity and seniority;</p> <p>7.d Stability of employment, subject to the nature of each industry and occupation and the causes for just separation. In cases of unjustified dismissal, the worker shall have the right to indemnity or to reinstatement on the job or any other benefits provided by domestic legislation;</p> <p>7.e Safety and hygiene at work;</p> <p>7.f The prohibition of night work or unhealthy or dangerous working conditions and, in general, of all work which jeopardizes health, safety, or morals, for persons under 18 years of age. As regards minors under the age of 16, the work day shall be subordinated to the provisions regarding compulsory education and in no case shall work constitute an impediment to school attendance or a limitation on benefiting from education received;</p> <p>7.g A reasonable limitation of working hours, both daily and weekly. The days shall be shorter in the case of dangerous or unhealthy work or of night work;</p> <p>7.h Rest, leisure and paid vacations as well as remuneration for national holidays.</p> <p>18 Everyone affected by a diminution of his physical or mental capacities is entitled to receive special attention designed to help him achieve the greatest possible development of his personality. The States Parties agree to adopt such measures as may be necessary for this purpose and, especially, to:</p> <p>18.a Undertake programs specifically aimed at providing the handicapped with the resources and environment needed for attaining this goal, including work programs consistent with their possibilities and freely accepted by them or their legal representatives, as the case may be;</p> <p>Protocol to the European Convention on Human Rights No. 12</p> <p>1.1 The enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.</p> <p>1.2 No one shall be discriminated against by any public authority on any ground such as those mentioned in paragraph 1.</p> <p>European Social Charter (1996, revised)</p> <p>1.1 Everyone shall have the opportunity to earn his living in an occupation freely entered upon.</p>
--	--	---

		<p>1.2 All workers have the right to just conditions of work.</p> <p>1.3 All workers have the right to safe and healthy working conditions.</p> <p>1.4 All workers have the right to a fair remuneration sufficient for a decent standard of living for themselves and their families.</p> <p>1.5 All workers and employers have the right to freedom of association in national or international organisations for the protection of their economic and social interests.</p> <p>1.6 All workers and employers have the right to bargain collectively.</p> <p>1.7 Children and young persons have the right to a special protection against the physical and moral hazards to which they are exposed.</p> <p>2.1 With a view to ensuring the effective exercise of the right to work, the Parties undertake:</p> <p>2.1.1 to accept as one of their primary aims and responsibilities the achievement and maintenance of as high and stable a level of employment as possible, with a view to the attainment of full employment;</p> <p>4 With a view to ensuring the effective exercise of the right to a fair remuneration, the Parties undertake:</p> <p>4.3 to recognise the right of men and women workers to equal pay for work of equal value;</p> <p>➤ SUPPORTING REFERENCES (NOT LEGALLY BINDING)</p> <p>Beijing Platform of Action (1995)</p> <p>F.5 Eliminate occupational segregation and all forms of employment discrimination.</p> <p>Vienna Declaration and Programme of Action</p> <p>64 The place of disabled persons is everywhere. Persons with disabilities should be guaranteed equal opportunity through the elimination of all socially determined barriers, be they physical, financial, social or psychological, which exclude or restrict full participation in society.</p> <p>CRC Committee General Comments</p> <p><i>General Comment No. 9: The rights of children with disabilities</i></p> <p>75. Children with disabilities are particularly vulnerable to different forms of economic exploitation, including the worst forms of child labour as well as drug trafficking and begging. In this context, the Committee recommends that States parties which have not yet done so ratify the Convention No. 138 of the International Labour Organization (ILO) concerning the minimum age for admission to employment and ILO Convention No. 182 concerning the prohibition of and immediate action for the elimination of the worst forms</p>
--	--	--

of child labour. In the implementation of these conventions States parties should pay special attention to the vulnerability and needs of children with disabilities.

CEDAW Committee General Recommendations

General Recommendation No. 13: Equal remuneration for work of equal value

2. They should consider the study, development and adoption of job evaluation systems based on gender-neutral criteria that would facilitate the comparison of the value of those jobs of a different nature, in which women presently predominate, with those jobs in which men presently predominate, and they should include the results achieved in their reports to the Committee on the Elimination of Discrimination against Women;

3. They should support, as far as practicable, the creation of implementation machinery and encourage the efforts of the parties to collective agreements, where they apply, to ensure the application of the principle of equal remuneration for work of equal value.

General Recommendation No. 34: Rights of rural women

52. States parties should further ensure rural women's rights to employment by:

52.a Facilitating the transition of rural women from the informal to the formal economy, including in the agricultural sector, through the implementation of Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204) of the International Labour Organization, ensuring opportunities for income security and improved livelihoods;

52.b Expanding opportunities for rural women to run businesses and other enterprises, including through microcredit facilities;

52.c Improving rural working conditions, including by providing paid maternity leave; setting living wages, with urgent attention to the informal sector, and taking steps to prevent sexual harassment, exploitation and other forms of abuse in the workplace;

Committee on Economic, Social and Cultural Rights General Comments

General Comment No. 5: Persons with disabilities

22. According to the Standard Rules, persons with disabilities, whether in rural or urban areas, must have equal opportunities for productive and gainful employment in the labour market. For this to happen it is particularly important that artificial barriers to integration in general, and to employment in particular, be removed. As the International Labour Organization has noted, it is very often the physical barriers that society has erected in areas such as transport, housing and the workplace which are then cited as the reason why persons with disabilities cannot be employed. For example, as long as workplaces are designed and built in ways that make them inaccessible to wheelchairs, employers will be able to "justify" their failure to employ wheelchair users. Governments should also develop policies which promote and regulate flexible and alternative work arrangements that reasonably accommodate the needs of disabled workers.

General Comment No. 16: The equal right of men and women to the enjoyment of all economic, social and cultural rights

24. Article 7 (a) of the Covenant requires States parties to recognize the right of everyone to enjoy just and favourable conditions of work and to ensure, among other things, fair wages and equal pay for work of equal value. Article 3, in relation to article 7 requires, inter alia, that the State party identify and eliminate the underlying causes of pay differentials, such as gender biased job evaluation or the perception that productivity differences between men and women exist. Furthermore, the State party should monitor compliance by the private sector with national legislation on working conditions through an effectively functioning labour inspectorate. The State party should adopt legislation that prescribes equal consideration in promotion, non-wage compensation and equal opportunity and support for vocational or professional development in the workplace. Finally, the State party should reduce the constraints faced by men and women in reconciling professional and family responsibilities by promoting adequate policies for childcare and care of dependent family members.

General Comment No. 17: The right to work

13. Article 3 of the Covenant prescribes that States parties undertake to “ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights”. The Committee underlines the need for a comprehensive system of protection to combat gender discrimination and to ensure equal opportunities and treatment between men and women in relation to their right to work by ensuring equal pay for work of equal value. In particular, pregnancies must not constitute an obstacle to employment and should not constitute justification for loss of employment. Lastly, emphasis should be placed on the link between the fact that women often have less access to education than men and certain traditional cultures which compromise the opportunities for the employment and advancement of women.

14. Access to a first job constitutes an opportunity for economic self-reliance and in many cases a means to escape poverty. Young persons, particularly young women, generally have great difficulties in finding initial employment. National policies relating to adequate education and vocational training should be adopted and implemented to promote and support access to employment opportunities for young persons, in particular young women.

General Comment No. 22: The right to just and favourable conditions of work

9. The minimum criteria for remuneration are: fair wages, equal remuneration for work of equal value without distinction of any kind, in particular women being guaranteed conditions of work not inferior to those enjoyed by men, with equal pay for equal work (art . 7 (a) (i)); and a decent living for workers and their families (art. 7 (a) (ii)).

11. Not only should workers receive equal remuneration when they perform the same or similar jobs, but their remuneration should also be equal even when their work is completely different but nonetheless of equal value when assessed by objective criteria. This requirement goes beyond only wages or pay to include other payments or benefits paid directly or indirectly to workers. Although equality between men and women is particularly important in this context and even merits a specific reference in article 7 (a) (i), the Committee reiterates that equality applies to all workers without distinction based on race, ethnicity, nationality, migration or health status, disability, age, sexual orientation, gender identity or any other ground.

47. The right to just and favourable conditions of work relates to specific workers:

47.a Female workers: Progress on the three key interrelated indicators for gender equality in the context of labour rights — the “glass ceiling”, the “gender pay gap” and the “sticky floor” — remains far from satisfactory. Intersectional discrimination and the

		<p>absence of a life-cycle approach regarding the needs of women lead to accumulated disadvantages that have a negative impact on the right to just and favourable conditions of work and other rights. Particular attention is needed to address occupational segregation by sex and to achieve equal remuneration for work of equal value, as well as equal opportunity for promotion, including through the introduction of temporary special measures. Any assessment of the “value” of work must avoid gender stereotypes that could undervalue work predominantly performed by women. States parties should take into account the different requirements of male and female workers. For example, specific measures might be necessary to protect the safety and health of pregnant workers in relation to travel or night work. Day-care services in the workplace and flexible working arrangements can promote equal conditions of work in practice. Workers benefiting from gender-specific measures should not be penalized in other areas. States parties must take measures to address traditional gender roles and other structural obstacles that perpetuate gender inequality;</p> <p>47.c Workers with disabilities: At times, workers with disabilities require specific measures to enjoy the right to just and favourable conditions of work on an equal basis with others. Workers with disabilities should not be segregated in sheltered workshops. They should benefit from an accessible work environment and must not be denied reasonable accommodation, like workplace adjustments or flexible working arrangements. They should also enjoy equal remuneration for work of equal value and must not suffer wage discrimination due to a perceived reduced capacity for work;</p> <p>47.e Migrant workers: These workers, in particular if they are undocumented, are vulnerable to exploitation, long working hours, unfair wages and dangerous and unhealthy working environments. Such vulnerability is increased by abusive labour practices that give the employer control over the migrant worker’s residence status or that tie migrant workers to a specific employer. If they do not speak the national language(s), they might be less aware of their rights and unable to access grievance mechanisms. Undocumented workers often fear reprisals from employers and eventual expulsion if they seek to complain about working conditions. Laws and policies should ensure that migrant workers enjoy treatment that is no less favourable than that of national workers in relation to remuneration and conditions of work. Internal migrant workers are also vulnerable to exploitation and require legislative and other measures to ensure their right to just and favourable conditions of work;</p> <p>Committee on the Rights of Persons with Disabilities General Comments</p> <p><i>General Comment No. 2: Accessibility</i></p> <p>17. Article 9, paragraph 1, requires States parties to identify and eliminate obstacles and barriers to accessibility to, inter alia:</p> <p>17.a Buildings, roads, transportation and other indoor and outdoor facilities, including schools, housing, medical facilities and workplaces;</p>
8.6	By 2020, substantially reduce the proportion of youth not in employment, education or training	<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Rights of the Child (CRC)</p> <p>28.1 States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:</p>

		<p>28.1.a Make primary education compulsory and available free to all;</p> <p>28.1.b Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;</p> <p>28.1.c Make higher education accessible to all on the basis of capacity by every appropriate means;</p> <p>28.1.d Make educational and vocational information and guidance available and accessible to all children;</p> <p>28.1.e Take measures to encourage regular attendance at schools and the reduction of drop-out rates.</p> <p>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</p> <p>10.a The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training;</p> <p>11.1.a The right to work as an inalienable right of all human beings;</p> <p>11.1.b The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment;</p> <p>11.1.c The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training;</p> <p>11.1.d The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;</p> <p>14.1 States Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including their work in the non-monetized sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of the present Convention to women in rural areas.</p> <p>14.2.d To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, inter alia, the benefit of all community and extension services, in order to increase their technical proficiency;</p> <p>Convention on the Rights of Persons with Disabilities (CRPD)</p> <p>24.3 States Parties shall enable persons with disabilities to learn life and social development skills to facilitate their full and equal participation in education and as members of the community. To this end, States Parties shall take appropriate measures, including:</p>
--	--	---

		<p>24.3.b Facilitating the learning of sign language and the promotion of the linguistic identity of the deaf community;</p> <p>24.3.c Ensuring that the education of persons, and in particular children, who are blind, deaf or deafblind, is delivered in the most appropriate languages and modes and means of communication for the individual, and in environments which maximize academic and social development.</p> <p>27.1.i Ensure that reasonable accommodation is provided to persons with disabilities in the workplace;</p> <p>27.1.b Protect the rights of persons with disabilities, on an equal basis with others, to just and favourable conditions of work, including equal opportunities and equal remuneration for work of equal value, safe and healthy working conditions, including protection from harassment, and the redress of grievances;</p> <p>27.1.j Promote the acquisition by persons with disabilities of work experience in the open labour market;</p> <p>27.1.d Enable persons with disabilities to have effective access to general technical and vocational guidance programmes, placement services and vocational and continuing training;</p> <p>27.1.k Promote vocational and professional rehabilitation, job retention and return-to-work programmes for persons with disabilities.</p> <p>27.1.e Promote employment opportunities and career advancement for persons with disabilities in the labour market, as well as assistance in finding, obtaining, maintaining and returning to employment;</p> <p>27.1.f Promote opportunities for self-employment, entrepreneurship, the development of cooperatives and starting one's own business;</p> <p>27.1.g Employ persons with disabilities in the public sector;</p> <p>27.1.h Promote the employment of persons with disabilities in the private sector through appropriate policies and measures, which may include affirmative action programmes, incentives and other measures;</p> <p>International Covenant on Economic, Social, and Cultural Rights (ICESCR)</p> <p>2.2 The States Parties to the present Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.</p> <p>3 The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the present Covenant.</p> <p>6.1 The States Parties to the present Covenant recognize the right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts, and will take appropriate steps to safeguard this right.</p>
--	--	--

		<p>6.2 The steps to be taken by a State Party to the present Covenant to achieve the full realization of this right shall include technical and vocational guidance and training programmes, policies and techniques to achieve steady economic, social and cultural development and full and productive employment under conditions safeguarding fundamental political and economic freedoms to the individual.</p> <p>7.a.i Fair wages and equal remuneration for work of equal value without distinction of any kind, in particular women being guaranteed conditions of work not inferior to those enjoyed by men, with equal pay for equal work;</p> <p>7.a.ii A decent living for themselves and their families in accordance with the provisions of the present Covenant;</p> <p>7.c Equal opportunity for everyone to be promoted in his employment to an appropriate higher level, subject to no considerations other than those of seniority and competence;</p> <p>13.2.b Secondary education in its different forms, including technical and vocational secondary education, shall be made generally available and accessible to all by every appropriate means, and in particular by the progressive introduction of free education;</p> <p>International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)</p> <p>5.e.i The rights to work, to free choice of employment, to just and favourable conditions of work, to protection against unemployment, to equal pay for equal work, to just and favourable remuneration;</p> <p>Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CRMW)</p> <p>25.1 Migrant workers shall enjoy treatment not less favourable than that which applies to nationals of the State of employment in respect of remuneration and:</p> <p>43.1 Migrant workers shall enjoy equality of treatment with nationals of the State of employment in relation to:</p> <p>43.1.c Access to vocational training and retraining facilities and institutions;</p> <p>Universal Declaration of Human Rights (UDHR)</p> <p>23.1 Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.</p> <p>23.2 Everyone, without any discrimination, has the right to equal pay for equal work.</p> <p>23.3 Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.</p>
--	--	--

		<p>26.1 Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.</p> <p>Forced Labour Convention (No. 29)</p> <p>ILO 29 ILO Convention No. 29 is a fundamental Convention that requires ratifying states to suppress the use of forced or compulsory labour in all its forms within the shortest possible period.</p> <p>Minimum Age Convention (No. 138)</p> <p>2.3 The minimum age specified in pursuance of paragraph 1 of this Article shall not be less than the age of completion of compulsory schooling and, in any case, shall not be less than 15 years.</p> <p>Worst Forms of Child Labour Convention (No. 182)</p> <p>8 Members shall take appropriate steps to assist one another in giving effect to the provisions of this Convention through enhanced international cooperation and/or assistance including support for social and economic development, poverty eradication programmes and universal education.</p> <p>Worst Forms of Child Labour Recommendation (No. 190)</p> <p>15. Other measures aimed at the prohibition and elimination of the worst forms of child labour might include the following:</p> <p>15.j adopting appropriate measures to improve the educational infrastructure and the training of teachers to meet the needs of boys and girls;</p> <p>African Charter on Human and Peoples' Rights</p> <p>15 Every individual shall have the right to work under equitable and satisfactory conditions, and shall receive equal pay for equal work.</p> <p>Protocol to the American Convention on Human Rights 1988</p> <p>6.1 Everyone has the right to work, which includes the opportunity to secure the means for living a dignified and decent existence by performing a freely elected or accepted lawful activity.</p> <p>6.2 The State Parties undertake to adopt measures that will make the right to work fully effective, especially with regard to the achievement of full employment, vocational guidance, and the development of technical and vocational training projects, in particular those directed to the disabled. The States Parties also undertake to implement and strengthen programs that help to ensure suitable family care, so that women may enjoy a real opportunity to exercise the right to work.</p>
--	--	--

European Social Charter (1996, revised)

1.1 Everyone shall have the opportunity to earn his living in an occupation freely entered upon.

1.2 All workers have the right to just conditions of work.

1.3 All workers have the right to safe and healthy working conditions.

1.4 All workers have the right to a fair remuneration sufficient for a decent standard of living for themselves and their families.

1.5 All workers and employers have the right to freedom of association in national or international organisations for the protection of their economic and social interests.

1.6 All workers and employers have the right to bargain collectively.

2.1 With a view to ensuring the effective exercise of the right to work, the Parties undertake:

2.1.1 to accept as one of their primary aims and responsibilities the achievement and maintenance of as high and stable a level of employment as possible, with a view to the attainment of full employment;

2.1.4 To provide or promote appropriate vocational guidance, training and rehabilitation.

➤ **SUPPORTING REFERENCES (NOT LEGALLY BINDING)**

CRC Committee General Comments

General Comment No. 20: Implementation of the rights of the child during adolescence

78. Transitions from education into training and/or decent work: The Committee is concerned at the numbers of adolescents not in education, training or employment leading to disproportionate levels of unemployment, under-employment and exploitation as they move towards adulthood. It urges States to introduce the measures necessary to support out-of-school adolescents to secure decent work and facilitate the school-to-work transition including consistency between education and labour laws. In line with Article 28, para 1 (d), and in order to afford opportunities for an adequate standard of living, States should introduce policies to promote employment opportunities for all adolescents. In so doing, both formal and informal education and training needs to be designed for the skills required in modern labour market, including through measures to:

78.a Integrate, where feasible, soft and transferrable skills into the curricula, including in programmes for marginalized adolescents, taking all measures to ensure that young people who are out of school are also reached by such programmes;

78.b Expand opportunities for experiential or practical learning at local and national levels through civic engagement and other approaches for all adolescents, and for older adolescents, provide job-seeking skills;

		<p>78.c Ensure opportunities for vocational training based on labour market demand and establish public/private sector partnerships for entrepreneurship, financial services, internships and apprenticeships;</p> <p>78.d Develop or support programmes aiming to provide the skills to cope with challenges, make effective life choices and progress in modern economies through guidance on academic and vocational opportunities;</p> <p>78.e Identify and make use of avenues to disseminate information on employment rights, including rights in relation to membership of trades unions and professional associations.</p>
8.7	<p>Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms</p>	<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Rights of the Child (CRC)</p> <p>32.1 States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.</p> <p>32.2.b Provide for appropriate regulation of the hours and conditions of employment;</p> <p>32.2.c Provide for appropriate penalties or other sanctions to ensure the effective enforcement of the present article.</p> <p>32.2.a Provide for a minimum age or minimum ages for admission to employment;</p> <p>33 States Parties shall take all appropriate measures, including legislative, administrative, social and educational measures, to protect children from the illicit use of narcotic drugs and psychotropic substances as defined in the relevant international treaties, and to prevent the use of children in the illicit production and trafficking of such substances.</p> <p>34.b The exploitative use of children in prostitution or other unlawful sexual practices;</p> <p>34.c The exploitative use of children in pornographic performances and materials.</p> <p>35 States Parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form.</p> <p>38.2 States Parties shall take all feasible measures to ensure that persons who have not attained the age of fifteen years do not take a direct part in hostilities.</p> <p>38.3 States Parties shall refrain from recruiting any person who has not attained the age of fifteen years into their armed forces. In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of eighteen years, States Parties shall endeavour to give priority to those who are oldest.</p> <p>Optional Protocol to the CRC on Children in Armed Conflict (CRC OPAC)</p>

		<p>The Optional Protocol to the CRC on Children in Armed Conflict (CRC OPAC) raises the minimum age of recruitment into any State or non-State armed forces from age 15 (under the CRC) to age 18.</p> <p>Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography (CRC OPSC)</p> <p>The Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography (CRC OPSC) prohibits the sale and sexual exploitation of children in all its forms.</p> <p>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</p> <p>6 States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.</p> <p>Convention on the Rights of Persons with Disabilities (CRPD)</p> <p>16.1 States Parties shall take all appropriate legislative, administrative, social, educational and other measures to protect persons with disabilities, both within and outside the home, from all forms of exploitation, violence and abuse, including their gender-based aspects.</p> <p>27.2 States Parties shall ensure that persons with disabilities are not held in slavery or in servitude, and are protected, on an equal basis with others, from forced or compulsory labour.</p> <p>International Covenant on Economic, Social, and Cultural Rights (ICESCR)</p> <p>6.1 The States Parties to the present Covenant recognize the right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts, and will take appropriate steps to safeguard this right.</p> <p>6.2 The steps to be taken by a State Party to the present Covenant to achieve the full realization of this right shall include technical and vocational guidance and training programmes, policies and techniques to achieve steady economic, social and cultural development and full and productive employment under conditions safeguarding fundamental political and economic freedoms to the individual.</p> <p>10.3 Special measures of protection and assistance should be taken on behalf of all children and young persons without any discrimination for reasons of parentage or other conditions. Children and young persons should be protected from economic and social exploitation. Their employment in work harmful to their morals or health or dangerous to life or likely to hamper their normal development should be punishable by law. States should also set age limits below which the paid employment of child labour should be prohibited and punishable by law.</p> <p>International Covenant on Civil and Political Rights (ICCPR)</p> <p>8.1 No one shall be held in slavery; slavery and the slave-trade in all their forms shall be prohibited.</p>
--	--	--

		<p>8.2 No one shall be held in servitude.</p> <p>8.3.a No one shall be required to perform forced or compulsory labour;</p> <p>Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CRMW)</p> <p>11.1 No migrant worker or member of his or her family shall be held in slavery or servitude.</p> <p>11.2 No migrant worker or member of his or her family shall be required to perform forced or compulsory labour.</p> <p>Universal Declaration of Human Rights (UDHR)</p> <p>4 No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.</p> <p>Forced Labour Convention (No. 29)</p> <p>ILO 29 ILO Convention No. 29 is a fundamental Convention that requires ratifying states to suppress the use of forced or compulsory labour in all its forms within the shortest possible period.</p> <p>Protocol of 2014 to the Forced Labour Convention</p> <p>ILO Protocol 29 The 2014 Protocol to the Forced Labour Convention addresses gaps in implementation of the Forced Labour Convention, and reaffirms that measures of prevention, protection, and remedies, such as compensation and rehabilitation, are necessary to achieve the effective and sustained suppression of forced or compulsory labour, including in its contemporary forms.</p> <p>Abolition of Forced Labour Convention (No. 105)</p> <p>ILO 105 This fundamental ILO Convention requires ratifying states to take effective measures to secure the immediate and complete abolition of forced or compulsory labour.</p> <p>Forced Labour (Supplementary Measures) Recommendation (No. 203)</p> <p>ILO Rec 203 This recommendation recommends ILO member states to establish or strengthen: a) national policies and plans of action with time-bound measures using a gender- and child-sensitive approach to achieve the effective and sustained suppression of forced or compulsory labour in all its forms through prevention, protection and access to remedies, such as compensation of victims, and the sanctioning of perpetrators; and b) competent authorities such as the labour inspectorates, the judiciary and national bodies or other institutional mechanisms that are concerned with forced or compulsory labour, to ensure the development, coordination, implementation, monitoring and evaluation of the national policies and plans of action.</p> <p>Minimum Age Convention (No. 138)</p> <p>ILO 138 This fundamental ILO Convention sets the general minimum age for admission to employment or work.</p>
--	--	--

		<p>Worst Forms of Child Labour Convention (No. 182)</p> <p>ILO 182 This fundamental ILO Convention requires states to eliminate the worst forms of child labour; to provide direct assistance for the removal of children from the worst forms of child labour and for their rehabilitation and social integration.</p> <p>African Charter on Human and Peoples' Rights</p> <p>17.1 Every individual shall have the right to education</p> <p>African Charter on the Rights and Welfare of the Child</p> <p>15.1 Every child shall be protected from all forms of economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's physical, mental, spiritual, moral, or social development.</p> <p>15.2 States Parties to the present Charter take all appropriate legislative and administrative measures to ensure the full implementation of this Article which covers both the formal and informal sectors of employment and having regard to the relevant provisions of the International Labour Organization's instruments relating to children, States Parties shall in particular:</p> <p>15.2.a provide through legislation, minimum wages for admission to every employment;</p> <p>15.2.b provide for appropriate regulation of hours and conditions of employment;</p> <p>15.2.c provide for appropriate penalties or other sanctions to ensure the effective enforcement of this Article;</p> <p>15.2.d promote the dissemination of information on the hazards of child labour to all sectors of the community.</p> <p>American Convention on Human Rights</p> <p>6.2 No one shall be required to perform forced or compulsory labor. This provision shall not be interpreted to mean that, in those countries in which the penalty established for certain crimes is deprivation of liberty at forced labor, the carrying out of such a sentence imposed by a competent court is prohibited. Forced labor shall not adversely affect the dignity or the physical or intellectual capacity of the prisoner.</p> <p>Protocol to the American Convention on Human Rights 1988</p> <p>7 The States Parties to this Protocol recognize that the right to work to which the foregoing article refers presupposes that everyone shall enjoy that right under just, equitable, and satisfactory conditions, which the States Parties undertake to guarantee in their internal legislation, particularly with respect to:</p> <p>7.a Remuneration which guarantees, as a minimum, to all workers dignified and decent living conditions for them and their families and fair and equal wages for equal work, without distinction;</p>
--	--	--

		<p>7.b The right of every worker to follow his vocation and to devote himself to the activity that best fulfils his expectations and to change employment in accordance with the pertinent national regulations;</p> <p>7.c The right of every worker to promotion or upward mobility in his employment, for which purpose account shall be taken of his qualifications, competence, integrity and seniority;</p> <p>7.d Stability of employment, subject to the nature of each industry and occupation and the causes for just separation. In cases of unjustified dismissal, the worker shall have the right to indemnity or to reinstatement on the job or any other benefits provided by domestic legislation;</p> <p>7.e Safety and hygiene at work;</p> <p>7.f The prohibition of night work or unhealthy or dangerous working conditions and, in general, of all work which jeopardizes health, safety, or morals, for persons under 18 years of age. As regards minors under the age of 16, the work day shall be subordinated to the provisions regarding compulsory education and in no case shall work constitute an impediment to school attendance or a limitation on benefiting from education received;</p> <p>7.g A reasonable limitation of working hours, both daily and weekly. The days shall be shorter in the case of dangerous or unhealthy work or of night work;</p> <p>7.h Rest, leisure and paid vacations as well as remuneration for national holidays.</p> <p>Protocol to the American Convention on Human Rights 1990</p> <p>3 Every woman has the right to be free from violence in both the public and private spheres.</p> <p>European Convention on Human Rights</p> <p>2 Everyone's right to life shall be protected by law. No one shall be deprived of his life intentionally save in the execution of a sentence of a court following his conviction of a crime for which this penalty is provided by law.</p> <p>3 No one shall be subjected to torture or to inhuman or degrading treatment or punishment.</p> <p>4.1 No one shall be held in slavery or servitude.</p> <p>4.2 No one shall be required to perform forced or compulsory labour.</p> <p>4.3 For the purpose of this article the term forced or compulsory labour' shall not include:</p> <p>4.3.a any work required to be done in the ordinary course of detention imposed according to the provisions of Article 5 of this Convention or during conditional release from such detention;</p>
--	--	---

		<p>4.3.b any service of a military character or, in case of conscientious objectors in countries where they are recognized, service exacted instead of compulsory military service;</p> <p>4.3.c any service exacted in case of an emergency or calamity threatening the life or well-being of the community;</p> <p>4.3.d any work or service which forms part of normal civic obligations.</p> <p>Protocol to the European Convention on Human Rights No. 12</p> <p>1.1 The enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.</p> <p>1.2 No one shall be discriminated against by any public authority on any ground such as those mentioned in paragraph 1.</p> <p>European Social Charter (1996, revised)</p> <p>1.1 Everyone shall have the opportunity to earn his living in an occupation freely entered upon.</p> <p>1.2 All workers have the right to just conditions of work.</p> <p>1.3 All workers have the right to safe and healthy working conditions.</p> <p>1.4 All workers have the right to a fair remuneration sufficient for a decent standard of living for themselves and their families.</p> <p>1.5 All workers and employers have the right to freedom of association in national or international organisations for the protection of their economic and social interests.</p> <p>1.6 All workers and employers have the right to bargain collectively.</p> <p>1.7 Children and young persons have the right to a special protection against the physical and moral hazards to which they are exposed.</p> <p>2.1 With a view to ensuring the effective exercise of the right to work, the Parties undertake:</p> <p>2.1.2 to protect effectively the right of the worker to earn his living in an occupation freely entered upon;</p> <p>7 With a view to ensuring the effective exercise of the right of children and young persons to protection, the Parties undertake:</p> <p>7.1 to provide that the minimum age of admission to employment shall be 15 years, subject to exceptions for children employed in prescribed light work without harm to their health, morals or education;</p>
--	--	---

		<p>7.2 to provide that the minimum age of admission to employment shall be 18 years with respect to prescribed occupations regarded as dangerous or unhealthy;</p> <p>7.3 to provide that persons who are still subject to compulsory education shall not be employed in such work as would deprive them of the full benefit of their education;</p> <p>7.4 to provide that the working hours of persons under 18 years of age shall be limited in accordance with the needs of their development, and particularly with their need for vocational training;</p> <p>7.5 to recognise the right of young workers and apprentices to a fair wage or other appropriate allowances;</p> <p>7.6 to provide that the time spent by young persons in vocational training during the normal working hours with the consent of the employer shall be treated as forming part of the working day;</p> <p>7.7 to provide that employed persons of under 18 years of age shall be entitled to a minimum of four weeks' annual holiday with pay;</p> <p>7.8 to provide that persons under 18 years of age shall not be employed in night work with the exception of certain occupations provided for by national laws or regulations;</p> <p>7.9 to provide that persons under 18 years of age employed in occupations prescribed by national laws or regulations shall be subject to regular medical control;</p> <p>7.10 To ensure special protection against physical and moral dangers to which children and young persons are exposed, and particularly against those resulting directly or indirectly from their work.</p> <p>➤ SUPPORTING REFERENCES (NOT LEGALLY BINDING)</p> <p>Beijing Platform of Action (1995)</p> <p>D.3 Eliminate trafficking in women and assist victims of violence due to prostitution and trafficking.</p> <p>L.6. Eliminate the economic exploitation of child labour and protect young girls at work.</p> <p>International Conference on Population and Development (ICPD) (1994)</p> <p>4.23 Governments are urged to take the necessary measures to prevent infanticide, prenatal sex selection, trafficking in girl children and use of girls in prostitution and pornography.</p> <p>6.9. Countries should take effective steps to address the neglect, as well as all types of exploitation and abuse, of children, adolescents and youth, such as abduction, rape and incest, pornography, trafficking, abandonment and prostitution. In particular, countries should take appropriate action to eliminate sexual abuse of children both within and outside their borders.</p>
--	--	--

6.10 All countries must enact and strictly enforce laws against economic exploitation, physical and mental abuse or neglect of children in keeping with commitments made under the Convention on the Rights of the Child and other relevant United Nations instruments. Countries should provide support and rehabilitation services to those who fall victims to such abuses.

6.12 All countries must adopt collective measures to alleviate the suffering of children in armed conflicts and other disasters, and provide assistance for the rehabilitation of children who become victims of those conflicts and disasters.

Vienna Declaration and Programme of Action

50 The World Conference on Human Rights strongly supports the proposal that the Secretary-General initiate a study into means of improving the protection of children in armed conflicts. Humanitarian norms should be implemented and measures taken in order to protect and facilitate assistance to children in war zones. Measures should include protection for children against indiscriminate use of all weapons of war, especially anti-personnel mines. The need for aftercare and rehabilitation of children traumatized by war must be addressed urgently. The Conference calls on the Committee on the Rights of the Child to study the question of raising the minimum age of recruitment into armed forces.

CRC Committee General Comments

General Comment No. 3: Adolescent health and development in the context of the Convention on the Rights of the Child

14. During adolescence, an increasing number of young people are leaving school to start working to help support their families or for wages in the formal or informal sector. Participation in work activities in accordance with international standards, as long as it does not jeopardize the enjoyment of any of the other rights of adolescents, including health and education, may be beneficial for the development of the adolescent. The Committee urges States parties to take all necessary measures to abolish all forms of child labour, starting with the worst forms, to continuously review national regulations on minimum ages for employment with a view to making them compatible with international standards, and to regulate the working environment and conditions for adolescents who are working (in accordance with article 32 of the Convention, as well as ILO Conventions Nos. 138 and 182), so as to ensure that they are fully protected and have access to legal redress mechanisms.

General Comment No. 6: Treatment of unaccompanied and separated children outside their country of origin

54. State obligations deriving from article 38 of the Convention and from articles 3 and 4 of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict also apply to unaccompanied and separated children. A State must take all necessary measures to prevent recruitment or use of such children by any party to a conflict. This also applies to former child soldiers who have defected from their units and who require protection against re-recruitment.

General Comment No. 7: Implementing child rights in early childhood

36.e Harmful work (art. 32). In some countries and regions, children are socialized to work from an early age, including in activities that are potentially hazardous, exploitative and damaging to their health, education and long term prospects. For example, young children may be initiated into domestic work or agricultural labour, or assist parents or siblings engaged in hazardous activities. Even very young babies may be vulnerable to economic exploitation, as when they are used or hired out for begging. Exploitation of

		<p>young children in the entertainment industry, including television, film, advertising and other modern media, is also a cause for concern. States parties have particular responsibilities in relation to extreme forms of hazardous child labour identified in the Worst Forms of Child Labour Convention, 1999 (No. 182) of the ILO;</p> <p><i>General Comment No. 8: The right of the child to protection from corporal punishment and other cruel or degrading forms of punishment</i></p> <p>36. The Committee is also concerned at reports that corporal punishment and other cruel or degrading punishments are used in situations of child labour, including in the domestic context. The Committee reiterates that the Convention and other applicable human rights instruments protect the child from economic exploitation and from any work that is likely to be hazardous, interferes with the child's education, or is harmful to the child's development, and that they require certain safeguards to ensure the effective enforcement of this protection. The Committee emphasizes that it is essential that the prohibition of corporal punishment and other cruel or degrading forms of punishment must be enforced in any situations in which children are working.</p> <p><i>General Comment No. 9: The rights of children with disabilities</i></p> <p>75. Children with disabilities are particularly vulnerable to different forms of economic exploitation, including the worst forms of child labour as well as drug trafficking and begging. In this context, the Committee recommends that States parties which have not yet done so ratify the Convention No. 138 of the International Labour Organization (ILO) concerning the minimum age for admission to employment and ILO Convention No. 182 concerning the prohibition of and immediate action for the elimination of the worst forms of child labour. In the implementation of these conventions States parties should pay special attention to the vulnerability and needs of children with disabilities.</p> <p><i>General Comment No. Indigenous children and their rights under the Convention</i></p> <p>71. The prevention of exploitative child labour among indigenous children (as in the case of all other children) requires a rights-based approach to child labour and is closely linked to the promotion of education. For the effective elimination of exploitative child labour among indigenous communities, States parties must identify the existing barriers to education and the specific rights and needs of indigenous children with respect to school education and vocational training. This requires that special efforts be taken to maintain a dialogue with indigenous communities and parents regarding the importance and benefits of education. Measures to combat exploitative child labour furthermore require analysis of the structural root causes of child exploitation, data collection and the design and implementation of prevention programmes, with adequate allocation of financial and human resources by the State party, to be carried out in consultation with indigenous communities and children.</p> <p><i>General Comment No. 16: State obligations regarding the impact of the business sector on children's rights</i></p> <p>37. States must regulate working conditions and ensure safeguards to protect children from economic exploitation and work that is hazardous or interferes with their education or harms their health or physical, mental, spiritual, moral or social development. Such work is often found, albeit not exclusively, within the informal and family economies. Therefore, States are required to design and implement programmes aimed at reaching businesses in these contexts, including by enforcing international standards regarding legal minimum age for work and appropriate conditions of work, investing in education and vocational training and providing support</p>
--	--	--

for the satisfactory transition of children to the world of work. States should ensure that social and child protection policies reach all, especially families in the informal economy.

56. States should implement article 32 of the Convention to ensure the prohibition of economic exploitation and hazardous work for children. Some children are above the minimum working age, in line with international standards, and therefore can be legitimately working as employees, while still needing to be protected, for instance, from work that is hazardous to their health, safety or moral development and ensuring that their rights to education, development and recreation are promoted and protected. States must set a minimum age for employment; appropriately regulate working hours and conditions; and establish penalties to effectively enforce article 32. They must have functioning labour inspection and enforcement systems and capacities in place. States should also ratify and enact into domestic law both of the fundamental ILO conventions relating to child labour. Under article 39, States must take all appropriate measures to promote the physical and psychological recovery and social reintegration of a child who has experienced any form of violence, neglect, exploitation, or abuse, including economic exploitation.

CEDAW Committee General Recommendations

General Recommendation No. 16: Unpaid women workers in rural and urban family enterprises

c. Take the necessary steps to guarantee payment, social security and social benefits for women who work without such benefits in enterprises owned by a family member.

General Recommendation No. 17: Measurement and quantification of the unremunerated domestic activities of women and their recognition in the gross national product

a. Encourage and support research and experimental studies to measure and value the unremunerated domestic activities of women; for example, by conducting time-use surveys as part of their national household survey programmes and by collecting statistics disaggregated by gender on time spent on activities both in the household and on the labour market;

General Recommendation No. 34: Rights of rural women

43.d Programmes are in place, both inside and outside the school system, to reduce the engagement of rural girls in unpaid care work, which constitutes a barrier to school attendance, and to protect rural girls from labour exploitation, child and/or forced marriage and gender-based violence, including sexual violence and abuse.

Committee on Economic, Social and Cultural Rights General Comments

General Comment No. 17: The right to work

9. The International Labour Organization defines forced labour as “all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily”. The Committee reaffirms the need for States parties to abolish, forbid and counter all forms of forced labour as enunciated in article 4 of the Universal Declaration of Human Rights, article 5 of the Slavery Convention and article 8 of the ICCPR.

		<p>15. The protection of children is covered by article 10 of the Covenant. The Committee recalls its general comment No. 14 (2000) and in particular paragraphs 22 and 23 on children's right to health, and emphasizes the need to protect children from all forms of work that are likely to interfere with their development or physical or mental health. The Committee reaffirms the need to protect children from economic exploitation, to enable them to pursue their full development and acquire technical and vocational education as indicated in article 6, paragraph 2. The Committee also recalls its general comment No. 13 (1999), in particular the definition of technical and vocational education (paras. 15 and 16) as a component of general education. Several international human rights instruments adopted after the ICESCR, such as the Convention on the Rights of the Child, expressly recognize the need to protect children and young people against any form of economic exploitation or forced labour.</p> <p>Committee on Migrant Workers General Comments</p> <p><i>General Comment No. 1: on migrant domestic workers</i></p> <p>56. In line with the Convention on the Rights of the Child and relevant International Labour Organization (ILO) instruments, States should ensure that migrant children do not perform any type of domestic work which is likely to be hazardous or harmful to their health or physical, mental, spiritual, moral or social development. States shall refrain from adopting policies aimed at recruiting domestic migrant children.</p>
8.8	Protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment	<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Rights of the Child (CRC)</p> <p>32.1 States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.</p> <p>32.2.b Provide for appropriate regulation of the hours and conditions of employment;</p> <p>32.2.c Provide for appropriate penalties or other sanctions to ensure the effective enforcement of the present article.</p> <p>32.2.a Provide for a minimum age or minimum ages for admission to employment;</p> <p>33 States Parties shall take all appropriate measures, including legislative, administrative, social and educational measures, to protect children from the illicit use of narcotic drugs and psychotropic substances as defined in the relevant international treaties, and to prevent the use of children in the illicit production and trafficking of such substances.</p> <p>34.b The exploitative use of children in prostitution or other unlawful sexual practices;</p> <p>34.c The exploitative use of children in pornographic performances and materials.</p> <p>35 States Parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form.</p>

		<p>38.2 States Parties shall take all feasible measures to ensure that persons who have not attained the age of fifteen years do not take a direct part in hostilities.</p> <p>38.3 States Parties shall refrain from recruiting any person who has not attained the age of fifteen years into their armed forces. In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of eighteen years, States Parties shall endeavour to give priority to those who are oldest.</p> <p>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</p> <p>11.1.f The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.</p> <p>11.1.d The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;</p> <p>Convention on the Rights of Persons with Disabilities (CRPD)</p> <p>27.1.b Protect the rights of persons with disabilities, on an equal basis with others, to just and favourable conditions of work, including equal opportunities and equal remuneration for work of equal value, safe and healthy working conditions, including protection from harassment, and the redress of grievances;</p> <p>International Covenant on Economic, Social, and Cultural Rights (ICESCR)</p> <p>2.2 The States Parties to the present Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.</p> <p>3 The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the present Covenant.</p> <p>7.b Safe and healthy working conditions;</p> <p>8.1.a The right of everyone to form trade unions and join the trade union of his choice, subject only to the rules of the organization concerned, for the promotion and protection of his economic and social interests. No restrictions may be placed on the exercise of this right other than those prescribed by law and which are necessary in a democratic society in the interests of national security or public order or for the protection of the rights and freedoms of others;</p> <p>Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CRMW)</p> <p>25.1.a Other conditions of work, that is to say, overtime, hours of work, weekly rest, holidays with pay, safety, health, termination of the employment relationship and any other conditions of work which, according to national law and practice, are covered by these terms;</p>
--	--	---

		<p>Universal Declaration of Human Rights (UDHR)</p> <p>23.1 Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.</p> <p>23.2 Everyone, without any discrimination, has the right to equal pay for equal work.</p> <p>23.3 Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.</p> <p>23.4 Everyone has the right to form and to join trade unions for the protection of his interests.</p> <p>Forced Labour Convention (No. 29)</p> <p>ILO 29 ILO Convention No. 29 is a fundamental Convention that requires ratifying states to suppress the use of forced or compulsory labour in all its forms within the shortest possible period.</p> <p>Protocol of 2014 to the Forced Labour Convention</p> <p>ILO Protocol 29 The 2014 Protocol to the Forced Labour Convention addresses gaps in implementation of the Forced Labour Convention, and reaffirms that measures of prevention, protection, and remedies, such as compensation and rehabilitation, are necessary to achieve the effective and sustained suppression of forced or compulsory labour, including in its contemporary forms.</p> <p>Abolition of Forced Labour Convention (No. 105)</p> <p>ILO 105 This fundamental ILO Convention requires ratifying states to take effective measures to secure the immediate and complete abolition of forced or compulsory labour.</p> <p>Minimum Age Convention (No. 138)</p> <p>ILO 138 This fundamental ILO Convention sets the general minimum age for admission to employment or work.</p> <p>Worst Forms of Child Labour Convention (No. 182)</p> <p>ILO 182 This fundamental ILO Convention requires states to eliminate the worst forms of child labour; to provide direct assistance for the removal of children from the worst forms of child labour and for their rehabilitation and social integration.</p> <p>African Charter on Human and Peoples' Rights</p> <p>15 Every individual shall have the right to work under equitable and satisfactory conditions, and shall receive equal pay for equal work.</p>
--	--	--

African Charter on the Rights and Welfare of the Child

15.1 Every child shall be protected from all forms of economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's physical, mental, spiritual, moral, or social development.

15.2 States Parties to the present Charter take all appropriate legislative and administrative measures to ensure the full implementation of this Article which covers both the formal and informal sectors of employment and having regard to the relevant provisions of the International Labour Organization's instruments relating to children, States Parties shall in particular:

15.2.a provide through legislation, minimum wages for admission to every employment;

15.2.b provide for appropriate regulation of hours and conditions of employment;

15.2.c provide for appropriate penalties or other sanctions to ensure the effective enforcement of this Article;

15.2.d promote the dissemination of information on the hazards of child labour to all sectors of the community.

Protocol to the American Convention on Human Rights 1988

3 The State Parties to this Protocol undertake to guarantee the exercise of the rights set forth herein without discrimination of any kind for reasons related to race, colour, sex, language, religion, political or other opinions, national or social origin, economic status, birth or any other social condition.

6.1 Everyone has the right to work, which includes the opportunity to secure the means for living a dignified and decent existence by performing a freely elected or accepted lawful activity.

7 The States Parties to this Protocol recognize that the right to work to which the foregoing article refers presupposes that everyone shall enjoy that right under just, equitable, and satisfactory conditions, which the States Parties undertake to guarantee in their internal legislation, particularly with respect to:

7.a Remuneration which guarantees, as a minimum, to all workers dignified and decent living conditions for them and their families and fair and equal wages for equal work, without distinction;

7.b The right of every worker to follow his vocation and to devote himself to the activity that best fulfils his expectations and to change employment in accordance with the pertinent national regulations;

7.c The right of every worker to promotion or upward mobility in his employment, for which purpose account shall be taken of his qualifications, competence, integrity and seniority;

7.d Stability of employment, subject to the nature of each industry and occupation and the causes for just separation. In cases of unjustified dismissal, the worker shall have the right to indemnity or to reinstatement on the job or any other benefits provided by domestic legislation;

		<p>7.e Safety and hygiene at work;</p> <p>7.f The prohibition of night work or unhealthy or dangerous working conditions and, in general, of all work which jeopardizes health, safety, or morals, for persons under 18 years of age. As regards minors under the age of 16, the work day shall be subordinated to the provisions regarding compulsory education and in no case shall work constitute an impediment to school attendance or a limitation on benefiting from education received;</p> <p>7.g A reasonable limitation of working hours, both daily and weekly. The days shall be shorter in the case of dangerous or unhealthy work or of night work;</p> <p>7.h Rest, leisure and paid vacations as well as remuneration for national holidays.</p> <p>European Convention on Human Rights</p> <p>4.1 No one shall be held in slavery or servitude.</p> <p>4.2 No one shall be required to perform forced or compulsory labour.</p> <p>4.3 For the purpose of this article the term forced or compulsory labour' shall not include:</p> <p>4.3.a any work required to be done in the ordinary course of detention imposed according to the provisions of Article 5 of this Convention or during conditional release from such detention;</p> <p>4.3.b any service of a military character or, in case of conscientious objectors in countries where they are recognized, service exacted instead of compulsory military service;</p> <p>4.3.c any service exacted in case of an emergency or calamity threatening the life or well-being of the community;</p> <p>4.3.d any work or service which forms part of normal civic obligations.</p> <p>Protocol to the European Convention on Human Rights No. 12</p> <p>1.1 The enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.</p> <p>1.2 No one shall be discriminated against by any public authority on any ground such as those mentioned in paragraph 1.</p> <p>European Social Charter (1996, revised)</p> <p>1.1 Everyone shall have the opportunity to earn his living in an occupation freely entered upon.</p>
--	--	--

	<p>1.2 All workers have the right to just conditions of work.</p> <p>1.3 All workers have the right to safe and healthy working conditions.</p> <p>1.4 All workers have the right to a fair remuneration sufficient for a decent standard of living for themselves and their families.</p> <p>1.5 All workers and employers have the right to freedom of association in national or international organisations for the protection of their economic and social interests.</p> <p>1.6 All workers and employers have the right to bargain collectively.</p> <p>1.19 Migrant workers who are nationals of a Party and their families have the right to protection and assistance in the territory of any other Party.</p> <p>1.20 All workers have the right to equal opportunities and equal treatment in matters of employment and occupation without discrimination on the grounds of sex.</p> <p>19 With a view to ensuring the effective exercise of the right of migrant workers and their families to protection and assistance in the territory of any other Party, the Parties undertake:</p> <p>19.4 to secure for such workers lawfully within their territories, insofar as such matters are regulated by law or regulations or are subject to the control of administrative authorities, treatment not less favourable than that of their own nationals in respect of the following matters:</p> <p>19.4.a remuneration and other employment and working conditions;</p> <p>19.4.b membership of trade unions and enjoyment of the benefits of collective bargaining;</p> <p>19.4.c accommodation;</p> <p>➤ SUPPORTING REFERENCES (NOT LEGALLY BINDING)</p> <p>Beijing Platform of Action (1995)</p> <p>F.5 Eliminate occupational segregation and all forms of employment discrimination.</p> <p>International Conference on Population and Development (ICPD) (1994)</p> <p>10.11 Governments of receiving countries are urged to consider extending to documented migrants who meet appropriate length-of-stay requirements, and to members of their families whose stay in the receiving country is regular, treatment equal to that accorded their own nationals with regard to the enjoyment of basic human rights, including equality of opportunity and treatment in respect of religious practices, working conditions, social security, participation in trade unions, access to health, education, cultural and other social services, as well as equal access to the judicial system and equal treatment before the law. Governments of</p>
--	--

receiving countries are further urged to take appropriate steps to avoid all forms of discrimination against migrants, including eliminating discriminatory practices concerning their nationality and the nationality of their children, and to protect their rights and safety. Women and children who migrate as family members should be protected from abuse or denial of their human rights by their sponsors, and Governments are asked to consider extending their stay should the family relationship dissolve, within the limits of national legislation.

10.13 Governments of countries of destination should respect the basic human rights of documented migrants as those Governments assert their right to regulate access to their territory and adopt policies that respond to and shape immigration flows. With regard to the admission of migrants, Governments should avoid discriminating on the basis of race, religion, sex and disability, while taking into account health and other considerations relevant under national immigration regulations, particularly considering the special needs of the elderly and children. Governments are urged to promote, through family reunion, the normalization of the family life of legal migrants who have the right to long-term residence.

Vienna Declaration and Programme of Action

33 The World Conference on Human Rights urges all States to guarantee the protection of the human rights of all migrant workers and their families.

CEDAW Committee General Recommendations

General Recommendation No. 26: Women migrant workers

6. All women migrant workers are entitled to the protection of their human rights, which include the right to life, the right to personal liberty and security, the right not to be tortured, the right to be free of degrading and inhumane treatment, the right to be free from discrimination on the basis of sex, race, ethnicity, cultural particularities, nationality, language, religion or other status, the right to be free from poverty, the right to an adequate standard of living, the right to equality before the law and the right to benefit from the due processes of the law. These rights are provided for in the Universal Declaration of Human Rights and the many human rights treaties ratified or acceded to by States Members of the United Nations.

13. Once they reach their destinations, women migrant workers may encounter multiple forms of de jure and de facto discrimination. There are countries whose Governments sometimes impose restrictions or bans on women's employment in particular sectors. Whatever the situation, women migrant workers face additional hazards compared to men because of gender-insensitive environments that do not allow mobility for women, and that give them little access to relevant information about their rights and entitlements. Gendered notions of appropriate work for women result in job opportunities that reflect familial and service functions ascribed to women or that are in the informal sector. Under such circumstances, occupations in which women dominate are, in particular, domestic work or certain forms of entertainment.

Committee on Economic, Social and Cultural Rights General Comments

General Comment No. 17: The right to work

		<p>18. The principle of non-discrimination as set out in article 2.2 of the Covenant and in article 7 of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families should apply in relation to employment opportunities for migrant workers and their families. In this regard the Committee underlines the need for national plans of action to be devised to respect and promote such principles by all appropriate measures, legislative or otherwise.</p> <p><i>General Comment No. 22: The right to just and favourable conditions of work</i></p> <p>26. The national policy should cover all branches of economic activity, including the formal and informal sectors, and all categories of workers, including non-standard workers, apprentices and interns. It should take into account specific risks to the safety and health of female workers in the event of pregnancy, as well as of workers with disabilities, without any form of discrimination against these workers. Workers should be able to monitor working conditions without fear of reprisal.</p> <p>Committee on the Elimination of Racial Discrimination General Recommendations</p> <p><i>General Recommendation No. 30: Discrimination against non-citizens</i></p> <p>33. Take measures to eliminate discrimination against non-citizens in relation to working conditions and work requirements, including employment rules and practices with discriminatory purposes or effects;</p> <p>Committee on Migrant Workers General Comments</p> <p><i>General Comment No. 1: on migrant domestic workers</i></p> <p>42. States parties should ensure that migrant domestic workers are granted access to social security benefits on the basis of equal treatment with nationals (article 27).</p>
8.10	Strengthen the capacity of domestic financial institutions to encourage and expand access to banking, insurance and financial services for all	<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</p> <p>13.b The right to bank loans, mortgages and other forms of financial credit;</p> <p>14.1 States Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including their work in the non-monetized sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of the present Convention to women in rural areas.</p> <p>14.2.g To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes;</p> <p>Convention on the Rights of Persons with Disabilities (CRPD)</p> <p>12.5 Subject to the provisions of this article, States Parties shall take all appropriate and effective measures to ensure the equal right of persons with disabilities to own or inherit property, to control their own financial affairs and to have equal access to bank</p>

loans, mortgages and other forms of financial credit, and shall ensure that persons with disabilities are not arbitrarily deprived of their property.

28.2.c To ensure access by persons with disabilities and their families living in situations of poverty to assistance from the State with disability-related expenses, including adequate training, counselling, financial assistance and respite care;

Protocol to the American Convention on Human Rights 1988

3 The State Parties to this Protocol undertake to guarantee the exercise of the rights set forth herein without discrimination of any kind for reasons related to race, colour, sex, language, religion, political or other opinions, national or social origin, economic status, birth or any other social condition.

Protocol to the European Convention on Human Rights No. 12

1.1 The enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

1.2 No one shall be discriminated against by any public authority on any ground such as those mentioned in paragraph 1.

➤ **SUPPORTING REFERENCES (NOT LEGALLY BINDING)**

Beijing Platform of Action (1995)

F.2 Facilitate women's equal access to resources, employment, markets and trade.

F.3 Provide business services, training and access to markets, information and technology, particularly to low-income women.

F.4 Strengthen women's economic capacity and commercial networks.

CEDAW Committee General Recommendations

General Recommendation No. 34: Rights of rural women

68. States parties should promote the transition to formal financial services and ensure rural women's access to credit, loans, matrimonial savings, insurance and domestic payment services, on the basis of equality with rural men, and promote their economic, financial and business skills. States parties should ensure that rural women have equal access to:

68.a Community-managed and mobile financial services, which should address rural women's needs, for example by lending to women who may lack collaterals, employ simplified, low-cost banking practices and facilitate rural women's access to formal financial service providers;

GOAL 10: REDUCED INEQUALITIES

SDG Targets		Corresponding human rights mechanisms and other supporting references
10.2	By 2030, empower and promote the social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status	<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Rights of the Child (CRC)</p> <p>2.1 States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.</p> <p>4 States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation.</p> <p>19.1 States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.</p> <p>19.2 Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.</p> <p>26.1 States Parties shall recognize for every child the right to benefit from social security, including social insurance, and shall take the necessary measures to achieve the full realization of this right in accordance with their national law.</p> <p>26.2 The benefits should, where appropriate, be granted, taking into account the resources and the circumstances of the child and persons having responsibility for the maintenance of the child, as well as any other consideration relevant to an application for benefits made by or on behalf of the child.</p> <p>Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography (CRC OPSC)</p> <p>9.3 States Parties shall take all feasible measures with the aim of ensuring all appropriate assistance to victims of such offences, including their full social reintegration and their full physical and psychological recovery.</p> <p>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</p> <p>1 For the purposes of the present Convention, the term "discrimination against women" shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise</p>

		<p>by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.</p> <p>2.a To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle;</p> <p>2.b To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;</p> <p>2.c To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;</p> <p>2.d To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation;</p> <p>2.e To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise;</p> <p>2.f To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;</p> <p>2.g To repeal all national penal provisions which constitute discrimination against women.</p> <p>3 States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.</p> <p>7.a To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;</p> <p>7.b To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;</p> <p>7.c To participate in non-governmental organizations and associations concerned with the public and political life of the country.</p> <p>11.2.c To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities;</p> <p>13 States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights, in particular:</p> <p>14.2.a To participate in the elaboration and implementation of development planning at all levels;</p>
--	--	---

Convention on the Rights of Persons with Disabilities (CRPD)

4.1.a To adopt all appropriate legislative, administrative and other measures for the implementation of the rights recognized in the present Convention;

4.1.b To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices that constitute discrimination against persons with disabilities;

4.1.c To take into account the protection and promotion of the human rights of persons with disabilities in all policies and programmes;

4.2 With regard to economic, social and cultural rights, each State Party undertakes to take measures to the maximum of its available resources and, where needed, within the framework of international cooperation, with a view to achieving progressively the full realization of these rights, without prejudice to those obligations contained in the present Convention that are immediately applicable according to international law.

28.2.b To ensure access by persons with disabilities, in particular women and girls with disabilities and older persons with disabilities, to social protection programmes and poverty reduction programmes;

28.2.c To ensure access by persons with disabilities and their families living in situations of poverty to assistance from the State with disability-related expenses, including adequate training, counselling, financial assistance and respite care;

International Covenant on Economic, Social, and Cultural Rights (ICESCR)

2.1 Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and co-operation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures.

2.2 The States Parties to the present Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

3 The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the present Covenant.

9 The States Parties to the present Covenant recognize the right of everyone to social security, including social insurance.

11.1 The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent.

11.2 The States Parties to the present Covenant, recognizing the fundamental right of everyone to be free from hunger, shall take, individually and through international co-operation, the measures, including specific programmes, which are needed:

International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)

1.1 In this Convention, the term "racial discrimination" shall mean any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.

1.4 Special measures taken for the sole purpose of securing adequate advancement of certain racial or ethnic groups or individuals requiring such protection as may be necessary in order to ensure such groups or individuals equal enjoyment or exercise of human rights and fundamental freedoms shall not be deemed racial discrimination, provided, however, that such measures do not, as a consequence, lead to the maintenance of separate rights for different racial groups and that they shall not be continued after the objectives for which they were taken have been achieved.

2.2 States Parties shall, when the circumstances so warrant, take, in the social, economic, cultural and other fields, special and concrete measures to ensure the adequate development and protection of certain racial groups or individuals belonging to them, for the purpose of guaranteeing them the full and equal enjoyment of human rights and fundamental freedoms. These measures shall in no case entail as a consequence the maintenance of unequal or separate rights for different racial groups after the objectives for which they were taken have been achieved.

5.c Political rights, in particular the right to participate in elections-to vote and to stand for election-on the basis of universal and equal suffrage, to take part in the Government as well as in the conduct of public affairs at any level and to have equal access to public service;

5.e.i The rights to work, to free choice of employment, to just and favourable conditions of work, to protection against unemployment, to equal pay for equal work, to just and favourable remuneration;

International Covenant on Civil and Political Rights (ICCPR)

2.1 Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

2.2 Where not already provided for by existing legislative or other measures, each State Party to the present Covenant undertakes to take the necessary steps, in accordance with its constitutional processes and with the provisions of the present Covenant, to adopt such laws or other measures as may be necessary to give effect to the rights recognized in the present Covenant.

25.a To take part in the conduct of public affairs, directly or through freely chosen representatives;

		<p>25.b To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors;</p> <p>25.c To have access, on general terms of equality, to public service in his country.</p> <p>Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CRMW)</p> <p>7 States Parties undertake, in accordance with the international instruments concerning human rights, to respect and to ensure to all migrant workers and members of their families within their territory or subject to their jurisdiction the rights provided for in the present Convention without distinction of any kind such as to sex, race, colour, language, religion or conviction, political or other opinion, national, ethnic or social origin, nationality, age, economic position, property, marital status, birth or other status.</p> <p>27.1 With respect to social security, migrant workers and members of their families shall enjoy in the State of employment the same treatment granted to nationals in so far as they fulfil the requirements provided for by the applicable legislation of that State and the applicable bilateral and multilateral treaties. The competent authorities of the State of origin and the State of employment can at any time establish the necessary arrangements to determine the modalities of application of this norm.</p> <p>43.1.e Access to social and health services, provided that the requirements for participation in the respective schemes are met;</p> <p>45.1.c Access to social and health services, provided that requirements for participation in the respective schemes are met;</p> <p>Universal Declaration of Human Rights (UDHR)</p> <p>2 Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.</p> <p>21.1 Everyone has the right to take part in the government of his country, directly or through freely chosen representatives</p> <p>21.2 Everyone has the right to equal access to public service in his country.</p> <p>22 Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.</p> <p>25.1 Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.</p> <p>African Charter on Human and Peoples' Rights</p>
--	--	--

13.1 Every citizen shall have the right to participate freely in the government of his country, either directly or through freely chosen representatives in accordance with the provisions of the law.

13.2 Every citizen shall have the right of equal access to the public service of the country.

18.3 The State shall ensure the elimination of every discrimination against women and also ensure the protection of the rights of women and the child as stipulated in international declarations and conventions.

19 All peoples shall be equal; they shall enjoy the same respect and shall have the same rights. Nothing shall justify the domination of a people by another.

African Charter on the Rights and Welfare of the Child

3 Every child shall be entitled to the enjoyment of the rights and freedoms recognized and guaranteed in this Charter irrespective of the child's or his/her parents' or legal guardians' race, ethnic group, colour, sex, language, religion, political or other opinion, national and social origin, fortune, birth or other status.

13.1 Every child who is mentally or physically disabled shall have the right to special measures of protection in keeping with his physical and moral needs and under conditions which ensure his dignity, promote his self-reliance and active participation in the community.

American Convention on Human Rights

12.1 Everyone has the right to freedom of conscience and of religion. This right includes freedom to maintain or to change one's religion or beliefs, and freedom to profess or disseminate one's religion or beliefs, either individually or together with others, in public or in private.

Protocol to the American Convention on Human Rights 1988

3 The State Parties to this Protocol undertake to guarantee the exercise of the rights set forth herein without discrimination of any kind for reasons related to race, colour, sex, language, religion, political or other opinions, national or social origin, economic status, birth or any other social condition.

18 Everyone affected by a diminution of his physical or mental capacities is entitled to receive special attention designed to help him achieve the greatest possible development of his personality. The States Parties agree to adopt such measures as may be necessary for this purpose and, especially, to:

		<p>18.a Undertake programs specifically aimed at providing the handicapped with the resources and environment needed for attaining this goal, including work programs consistent with their possibilities and freely accepted by them or their legal representatives, as the case may be;</p> <p>18.b Provide special training to the families of the handicapped in order to help them solve the problems of coexistence and convert them into active agents in the physical, mental and emotional development of the latter;</p> <p>18.c Include the consideration of solutions to specific requirements arising from needs of this group as a priority component of their urban development plans;</p> <p>18.d Encourage the establishment of social groups in which the handicapped can be helped to enjoy a fuller life.</p> <p>Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women</p> <p>5 Every woman is entitled to the free and full exercise of her civil, political, economic, social and cultural rights, and may rely on the full protection of those rights as embodied in regional and international instruments on human rights. The States Parties recognize that violence against women prevents and nullifies the exercise of these rights.</p> <p>European Convention on Human Rights</p> <p>14 The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.</p> <p>Protocol to the European Convention on Human Rights No. 12</p> <p>1.1 The enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.</p> <p>1.2 No one shall be discriminated against by any public authority on any ground such as those mentioned in paragraph 1.</p> <p>➤ SUPPORTING REFERENCES (NOT LEGALLY BINDING)</p> <p>Beijing Platform of Action (1995)</p> <p>I.1 Promote and protect the human rights of women, through the full implementation of all human rights instruments, especially the Convention on the Elimination of All Forms of Discrimination against Women.</p> <p>I.2 Ensure equality and non-discrimination under the law and in practice.</p> <p>International Conference on Population and Development (ICPD) (1994)</p>
--	--	---

6.30 Governments at all levels should consider the needs of persons with disabilities in terms of ethical and human rights dimensions. Governments should recognize needs concerning, inter alia, reproductive health, including family planning and sexual health, HIV/AIDS, information, education and communication. Governments should eliminate specific forms of discrimination that persons with disabilities may face with regard to reproductive rights, household and family formation, and international migration, while taking into account health and other considerations relevant under national immigration regulations.

Vienna Declaration and Programme of Action

20 The World Conference on Human Rights urges all Governments to take immediate measures and to develop strong policies to prevent and combat all forms and manifestations of racism, xenophobia or related intolerance, where necessary by enactment of appropriate legislation, including penal measures, and by the establishment of national institutions to combat such phenomena.

63 The World Conference on Human Rights reaffirms that all human rights and fundamental freedoms are universal and thus unreservedly include persons with disabilities. Every person is born equal and has the same rights to life and welfare, education and work, living independently and active participation in all aspects of society. Any direct discrimination or other negative discriminatory treatment of a disabled person is therefore a violation of his or her rights. The World Conference on Human Rights calls on Governments, where necessary, to adopt or adjust legislation to assure access to these and other rights for disabled persons.

31 The World Conference on Human Rights urges States to ensure the full and free participation of indigenous people in all aspects of society, in particular in matters of concern to them.

CRC Committee General Comments

General Comment No. 2: HIV/AIDS and the rights of the child

7. All the above-mentioned discriminatory practices are violations of children's rights under the Convention. Article 2 of the Convention obliges States to ensure all the rights under the Convention without discrimination of any kind, and "irrespective of the child's or her or his parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status". The Committee interprets "other status" under article 2 of the Convention to include HIV/AIDS status of the child or her/his parent(s). Laws, policies, strategies and practices should address all forms of discrimination that contribute to increasing the impact of the epidemics. Strategies should also promote education and training programmes explicitly designed to change attitudes of discrimination and stigmatization associated with HIV/AIDS.

General Comment No. 9: The rights of children with disabilities

9. In general, States parties in their efforts to prevent and eliminate all forms of discrimination against children with disabilities should take the following measures:

9.a Include explicitly disability as a forbidden ground for discrimination in constitutional provisions on non-discrimination and/or include specific prohibition of discrimination on the ground of disability in specific anti-discrimination laws or legal provisions.

		<p>9.b Provide for effective remedies in case of violations of the rights of children with disabilities, and ensure that those remedies are easily accessible to children with disabilities and their parents and/or others caring for the child.</p> <p>9.c Conduct awareness-raising and educational campaigns targeting the public at large and specific groups of professionals with a view to preventing and eliminating de facto discrimination against children with disabilities.</p> <p>10. Girls with disabilities are often even more vulnerable to discrimination due to gender discrimination. In this context, States parties are requested to pay particular attention to girls with disabilities by taking the necessary measures, and when needed extra measures, in order to ensure that they are well protected, have access to all services and are fully included in society.</p> <p>80. All appropriate and necessary measures undertaken to protect and promote the rights of children with disabilities must include and pay special attention to the particular vulnerability and needs of children belonging to minorities and indigenous children who are more likely to be already marginalized within their communities. Programmes and policies must always be culturally and ethnically sensitive.</p> <p><i>General Comment No. 17: The right of the child to rest, leisure, play, recreational activities, cultural life and the arts</i></p> <p>50. Children with disabilities: Multiple barriers impede access by children with disabilities to the rights provided for in article 31, including exclusion from school; informal and social arenas where friendships are formed and where play and recreation take place; isolation at the home; cultural attitudes and negative stereotypes which are hostile to and rejecting of children with disabilities; physical inaccessibility of, inter alia, public spaces, parks, playgrounds and equipment, cinemas, theatres, concert halls, sports facilities and arenas; policies that exclude them from sporting or cultural venues on the grounds of safety; communication barriers and failure to provide interpretation and adaptive technology; lack of accessible transport. Children with disabilities can also be hindered in the enjoyment of their rights if investment is not made to render radio, television, computers and tablets accessible, including through the use of assistive technologies. In this regard, the Committee welcomes article 30 of the Convention on the Rights of Persons with Disabilities which emphasizes the obligations of States parties to ensure that children with disabilities have equal access with other children to participation in play, recreation, sporting and leisure activities, including in the mainstream school system. Pro-active measures are needed to remove barriers and promote accessibility to and availability of inclusive opportunities for children with disabilities to participate in all these activities.</p> <p>51. Children in institutions: Many children spend all or part of their childhood in institutions, including, inter alia, residential homes and schools, hospitals, detention centres, remand homes and refugee centres, where opportunities for play, recreation and participation in cultural and artistic life may be limited or denied. The Committee stresses the need for States to work towards the de-institutionalization of children; but until that goal is reached, States should adopt measures to ensure that all such institutions guarantee both spaces and opportunities for children to associate with their peers in the community, to play and to participate in games, physical exercise, cultural and artistic life. Such measures should not be restricted to compulsory or organized activities; safe and stimulating environments are needed for children to engage in free play and recreation. Wherever possible, children should be afforded these opportunities within local communities. Children living in institutions for significant periods of time also require appropriate literature, periodicals and access to the Internet, as well as support to enable them to make use of such resources. Availability of time, appropriate space, adequate resources and equipment, trained and motivated staff and provision of</p>
--	--	---

dedicated budgets are needed to create the necessary environments to ensure that every child living in an institution can realize his or her rights under article 31.

52. Children from indigenous and minority communities: Ethnic, religious, racial or caste discrimination can serve to exclude children from realizing their rights under article 31. Hostility, assimilation policies, rejection, violence and discrimination may result in barriers to enjoyment by indigenous and minority children of their own cultural practices, rituals and celebrations, as well as to their participation in sports, games, cultural activities, play and recreation alongside other children. States have an obligation to recognize, protect and respect the right of minority groups to take part in the cultural and recreational life of the society in which they live, as well as to conserve, promote and develop their own culture. However, children from indigenous communities also have the right to experience and explore cultures beyond the boundaries of their own family traditions. Cultural and artistic programmes must be based on inclusion, participation and non-discrimination.

General Comment No. 20: Implementation of the rights of the child during adolescence

36. The Committee strongly endorses the rights of adolescents to freedom of expression and respect for their emerging autonomy, and deplores the imposition of treatments to try to change sexual orientation and gender identity, and that transgender identity and same-sex attraction are often pathologised as psychiatric disorders. It urges States to eliminate such practices, and to repeal all laws criminalizing or otherwise discriminating against individuals on the basis of their sexual orientation or gender identity. Measures are also needed to ensure that adolescents who belong to LGBTI groups or from LGBTI families are not subjected to any forms of violence, discrimination or bullying by raising public awareness and by putting in place safety and support measures for adolescents in need of protection.

CEDAW Committee General Recommendation

General Recommendation No. 26: Women migrant workers

26. States parties in countries where migrant women work should take all appropriate measures to ensure non-discrimination and the equal rights of women migrant workers, including in their own communities. Measures that may be required include, but are not limited to, the following:

26.k Social inclusion of women migrant workers: States parties should adopt policies and programmes with the aim of enabling women migrant workers to integrate into the new society. Such efforts should be respectful of the cultural identity of women migrant workers and protective of their human rights, in compliance with the Convention (article 5);

General Recommendation No. 27: on the core obligations of States parties under article 2 of the Convention on the Elimination of All Forms of Discrimination against Women

18 Intersectionality is a basic concept for understanding the scope of the general obligations of States parties contained in article 2. The discrimination of women based on sex and gender is inextricably linked with other factors that affect women, such as race, ethnicity, religion or belief, health, status, age, class, caste and sexual orientation and gender identity. Discrimination on the basis of sex or gender may affect women belonging to such groups to a different degree or in different ways to men. States parties must legally recognize such intersecting forms of discrimination and their compounded negative impact on the women concerned and

prohibit them. They also need to adopt and pursue policies and programmes designed to eliminate such occurrences, including, where appropriate, temporary special measures in accordance with article 4, paragraph 1, of the Convention and general recommendation No. 25.

General Recommendation No. 34: Rights of rural women

15 States parties should eliminate all forms of discrimination against disadvantaged and marginalized groups of rural women. For example, States parties should ensure that disadvantaged and marginalized groups of rural women, including those belonging to indigenous, Afro-descendent, ethnic and religious minorities, heads of household, peasants, pastoralists, fisherfolk, landless women, migrants and conflict-affected rural women, are protected from intersecting forms of discrimination and have access to education, employment, water and sanitation and health care, among others. States parties should develop policies and programmes ensuring the equal enjoyment of rights by rural women with disabilities, including by ensuring the accessibility of infrastructures and services. States parties should similarly ensure that older rural women have access to social services and adequate social protection, as well as economic resources and the empowerment to live life with dignity, including through access to financial services and social security.

Committee on Economic, Social and Cultural Rights General Comments

General Comment No. 5: Persons with disabilities

9. The obligation of States parties to the Covenant to promote progressive realization of the relevant rights to the maximum of their available resources clearly requires Governments to do much more than merely abstain from taking measures which might have a negative impact on persons with disabilities. The obligation in the case of such a vulnerable and disadvantaged group is to take positive action to reduce structural disadvantages and to give appropriate preferential treatment to people with disabilities in order to achieve the objectives of full participation and equality within society for all persons with disabilities. This almost invariably means that additional resources will need to be made available for this purpose and that a wide range of specially tailored measures will be required.

15. Both de jure and de facto discrimination against persons with disabilities have a long history and take various forms. They range from invidious discrimination, such as the denial of educational opportunities, to more “subtle” forms of discrimination such as segregation and isolation achieved through the imposition of physical and social barriers. For the purposes of the Covenant, “disability based discrimination” may be defined as including any distinction, exclusion, restriction or preference, or denial of reasonable accommodation based on disability which has the effect of nullifying or impairing the recognition, enjoyment or exercise of economic, social or cultural rights. Through neglect, ignorance, prejudice and false assumptions, as well as through exclusion, distinction or separation, persons with disabilities have very often been prevented from exercising their economic, social or cultural rights on an equal basis with persons without disabilities. The effects of disability based discrimination have been particularly severe in the fields of education, employment, housing, transport, cultural life, and access to public places and services.

37. The right to full participation in cultural and recreational life for persons with disabilities further requires that communication barriers be eliminated to the greatest extent possible. Useful measures in this regard might include “the use of talking books, papers

written in simple language and with clear format and colours for persons with mental disability, [and] adapted television and theatre for deaf persons”.

General Comment No. 20: Non-discrimination

8. In order for States parties to “guarantee” that the Covenant rights will be exercised without discrimination of any kind, discrimination must be eliminated both formally and substantively:

8.a Formal discrimination: Eliminating formal discrimination requires ensuring that a State’s constitution, laws and policy documents do not discriminate on prohibited grounds; for example, laws should not deny equal social security benefits to women on the basis of their marital status;

8.b Substantive discrimination: Merely addressing formal discrimination will not ensure substantive equality as envisaged and defined by article 2, paragraph 2. The effective enjoyment of Covenant rights is often influenced by whether a person is a member of a group characterized by the prohibited grounds of discrimination. Eliminating discrimination in practice requires paying sufficient attention to groups of individuals which suffer historical or persistent prejudice instead of merely comparing the formal treatment of individuals in similar situations. States parties must therefore immediately adopt the necessary measures to prevent, diminish and eliminate the conditions and attitudes which cause or perpetuate substantive or de facto discrimination. For example, ensuring that all individuals have equal access to adequate housing, water and sanitation will help to overcome discrimination against women and girl children and persons living in informal settlements and rural areas.

General Comment No. 20: Non-discrimination

37. Adoption of legislation to address discrimination is indispensable in complying with article 2, paragraph 2. States parties are therefore encouraged to adopt specific legislation that prohibits discrimination in the field of economic, social and cultural rights. Such laws should aim at eliminating formal and substantive discrimination, attribute obligations to public and private actors and cover the prohibited grounds discussed above. Other laws should be regularly reviewed and, where necessary, amended in order to ensure that they do not discriminate or lead to discrimination, whether formally or substantively, in relation to the exercise and enjoyment of Covenant rights.

Committee on the Elimination of Racial Discrimination General Recommendations

General Recommendation No. 30: Discrimination against non-citizens

11. Take steps to address xenophobic attitudes and behaviour towards non-citizens, in particular hate speech and racial violence, and to promote a better understanding of the principle of non-discrimination in respect of the situation of non-citizens;

Committee on the Rights of Persons with Disabilities General Comments

General Comment No. 1: Equal Recognition before the law

32. To achieve equal recognition before the law, legal capacity must not be denied discriminatorily. Article 5 of the Convention guarantees equality for all persons under and before the law and the right to equal protection of the law. It expressly prohibits all

		<p>discrimination on the basis of disability. Discrimination on the basis of disability is defined in article 2 of the Convention as “any distinction, exclusion or restriction on the basis of disability which has the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise, on an equal basis with others, of all human rights and fundamental freedoms”. Denial of legal capacity having the purpose or effect of interfering with the right of persons with disabilities to equal recognition before the law is a violation of articles 5 and 12 of the Convention. States have the ability to restrict the legal capacity of a person based on certain circumstances, such as bankruptcy or criminal conviction. However, the right to equal recognition before the law and freedom from discrimination requires that when the State denies legal capacity, it must be on the same basis for all persons. Denial of legal capacity must not be based on a personal trait such as gender, race, or disability, or have the purpose or effect of treating the person differently.</p>
<p>10.3</p>	<p>Ensure equal opportunity and reduce inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard</p>	<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Rights of the Child (CRC)</p> <p>2.1 States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.</p> <p>4 States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation.</p> <p>19.1 States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.</p> <p>19.2 Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.</p> <p>26.1 States Parties shall recognize for every child the right to benefit from social security, including social insurance, and shall take the necessary measures to achieve the full realization of this right in accordance with their national law.</p> <p>26.2 The benefits should, where appropriate, be granted, taking into account the resources and the circumstances of the child and persons having responsibility for the maintenance of the child, as well as any other consideration relevant to an application for benefits made by or on behalf of the child.</p> <p>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</p>

		<p>1 For the purposes of the present Convention, the term "discrimination against women" shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.</p> <p>2.f To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;</p> <p>2.g To repeal all national penal provisions which constitute discrimination against women.</p> <p>2.a To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle;</p> <p>2.b To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;</p> <p>2.c To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;</p> <p>2.d To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation;</p> <p>2.e To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise;</p> <p>3 States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.</p> <p>7.a To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;</p> <p>7.b To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;</p> <p>7.c To participate in non-governmental organizations and associations concerned with the public and political life of the country.</p> <p>11.2.c To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities;</p> <p>13 States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights, in particular:</p>
--	--	---

14.2.a To participate in the elaboration and implementation of development planning at all levels;

Convention on the Rights of Persons with Disabilities (CRPD)

4.1.a To adopt all appropriate legislative, administrative and other measures for the implementation of the rights recognized in the present Convention;

4.1.b To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices that constitute discrimination against persons with disabilities;

4.1.c To take into account the protection and promotion of the human rights of persons with disabilities in all policies and programmes;

4.2 With regard to economic, social and cultural rights, each State Party undertakes to take measures to the maximum of its available resources and, where needed, within the framework of international cooperation, with a view to achieving progressively the full realization of these rights, without prejudice to those obligations contained in the present Convention that are immediately applicable according to international law.

27.1.b Protect the rights of persons with disabilities, on an equal basis with others, to just and favourable conditions of work, including equal opportunities and equal remuneration for work of equal value, safe and healthy working conditions, including protection from harassment, and the redress of grievances;

28.2.c To ensure access by persons with disabilities and their families living in situations of poverty to assistance from the State with disability-related expenses, including adequate training, counselling, financial assistance and respite care;

28.2.b To ensure access by persons with disabilities, in particular women and girls with disabilities and older persons with disabilities, to social protection programmes and poverty reduction programmes;

International Covenant on Economic, Social, and Cultural Rights (ICESCR)

2.1 Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and co-operation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures.

2.2 The States Parties to the present Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

3 The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the present Covenant.

		<p>9 The States Parties to the present Covenant recognize the right of everyone to social security, including social insurance.</p> <p>11.1 The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent.</p> <p>International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)</p> <p>1.1 In this Convention, the term "racial discrimination" shall mean any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.</p> <p>1.4 Special measures taken for the sole purpose of securing adequate advancement of certain racial or ethnic groups or individuals requiring such protection as may be necessary in order to ensure such groups or individuals equal enjoyment or exercise of human rights and fundamental freedoms shall not be deemed racial discrimination, provided, however, that such measures do not, as a consequence, lead to the maintenance of separate rights for different racial groups and that they shall not be continued after the objectives for which they were taken have been achieved.</p> <p>2.2 States Parties shall, when the circumstances so warrant, take, in the social, economic, cultural and other fields, special and concrete measures to ensure the adequate development and protection of certain racial groups or individuals belonging to them, for the purpose of guaranteeing them the full and equal enjoyment of human rights and fundamental freedoms. These measures shall in no case entail as a consequence the maintenance of unequal or separate rights for different racial groups after the objectives for which they were taken have been achieved.</p> <p>5.c Political rights, in particular the right to participate in elections-to vote and to stand for election-on the basis of universal and equal suffrage, to take part in the Government as well as in the conduct of public affairs at any level and to have equal access to public service;</p> <p>5.e.i The rights to work, to free choice of employment, to just and favourable conditions of work, to protection against unemployment, to equal pay for equal work, to just and favourable remuneration;</p> <p>International Covenant on Civil and Political Rights (ICCPR)</p> <p>2.1 Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.</p>
--	--	---

		<p>2.2 Where not already provided for by existing legislative or other measures, each State Party to the present Covenant undertakes to take the necessary steps, in accordance with its constitutional processes and with the provisions of the present Covenant, to adopt such laws or other measures as may be necessary to give effect to the rights recognized in the present Covenant.</p> <p>25.a To take part in the conduct of public affairs, directly or through freely chosen representatives;</p> <p>25.b To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors;</p> <p>25.c To have access, on general terms of equality, to public service in his country.</p> <p>Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CRMW)</p> <p>7 States Parties undertake, in accordance with the international instruments concerning human rights, to respect and to ensure to all migrant workers and members of their families within their territory or subject to their jurisdiction the rights provided for in the present Convention without distinction of any kind such as to sex, race, colour, language, religion or conviction, political or other opinion, national, ethnic or social origin, nationality, age, economic position, property, marital status, birth or other status.</p> <p>27.1 With respect to social security, migrant workers and members of their families shall enjoy in the State of employment the same treatment granted to nationals in so far as they fulfil the requirements provided for by the applicable legislation of that State and the applicable bilateral and multilateral treaties. The competent authorities of the State of origin and the State of employment can at any time establish the necessary arrangements to determine the modalities of application of this norm.</p> <p>43.1.e Access to social and health services, provided that the requirements for participation in the respective schemes are met;</p> <p>45.1.c Access to social and health services, provided that requirements for participation in the respective schemes are met;</p> <p>84 Each State Party undertakes to adopt the legislative and other measures that are necessary to implement the provisions of the present Convention.</p> <p>Universal Declaration of Human Rights (UDHR)</p> <p>2 Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.</p> <p>21.1 Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.</p> <p>21.2 Everyone has the right to equal access to public service in his country.</p>
--	--	---

		<p>22 Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.</p> <p>25.1 Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.</p> <p>African Charter on Human and Peoples' Rights</p> <p>18.3 The State shall ensure the elimination of every discrimination against women and also ensure the protection of the rights of women and the child as stipulated in international declarations and conventions.</p> <p>19 All peoples shall be equal; they shall enjoy the same respect and shall have the same rights. Nothing shall justify the domination of a people by another.</p> <p>African Charter on the Rights and Welfare of the Child</p> <p>3 Every child shall be entitled to the enjoyment of the rights and freedoms recognized and guaranteed in this Charter irrespective of the child's or his/her parents' or legal guardians' race, ethnic group, colour, sex, language, religion, political or other opinion, national and social origin, fortune, birth or other status.</p> <p>13.1 Every child who is mentally or physically disabled shall have the right to special measures of protection in keeping with his physical and moral needs and under conditions which ensure his dignity, promote his self-reliance and active participation in the community.</p> <p>American Convention on Human Rights</p> <p>24 All persons are equal before the law. Consequently, they are entitled, without discrimination, to equal protection of the law.</p> <p>Protocol to the American Convention on Human Rights 1988</p> <p>3 The State Parties to this Protocol undertake to guarantee the exercise of the rights set forth herein without discrimination of any kind for reasons related to race, colour, sex, language, religion, political or other opinions, national or social origin, economic status, birth or any other social condition.</p> <p>Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women</p> <p>7 The States Parties condemn all forms of violence against women and agree to pursue, by all appropriate means and without delay, policies to prevent, punish and eradicate such violence and undertake to:</p>
--	--	--

		<p>7.a refrain from engaging in any act or practice of violence against women and to ensure that their authorities, officials, personnel, agents, and institutions act in conformity with this obligation;</p> <p>7.b apply due diligence to prevent, investigate and impose penalties for violence against women;</p> <p>7.c include in their domestic legislation penal, civil, administrative and any other type of provisions that may be needed to prevent, punish and eradicate violence against women and to adopt appropriate administrative measures where necessary;</p> <p>7.d adopt legal measures to require the perpetrator to refrain from harassing, intimidating or threatening the woman or using any method that harms or endangers her life or integrity, or damages her property;</p> <p>7.e take all appropriate measures, including legislative measures, to amend or repeal existing laws and regulations or to modify legal or customary practices which sustain the persistence and tolerance of violence against women;</p> <p>7.f establish fair and effective legal procedures for women who have been subjected to violence which include, among others, protective measures, a timely hearing and effective access to such procedures;</p> <p>7.g establish the necessary legal and administrative mechanisms to ensure that women subjected to violence have effective access to restitution, reparations or other just and effective remedies; and</p> <p>7.h adopt such legislative or other measures as may be necessary to give effect to this Convention.</p> <p>8 The States Parties agree to undertake progressively specific measures, including programs:</p> <p>8.a to promote awareness and observance of the right of women to be free from violence, and the right of women to have their human rights respected and protected;</p> <p>8.b to modify social and cultural patterns of conduct of men and women, including the development of formal and informal educational programs appropriate to every level of the educational process, to counteract prejudices, customs and all other practices which are based on the idea of the inferiority or superiority of either of the sexes or on the stereotyped roles for men and women which legitimize or exacerbate violence against women;</p> <p>8.c to promote the education and training of all those involved in the administration of justice, police and other law enforcement officers as well as other personnel responsible for implementing policies for the prevention, punishment and eradication of violence against women;</p> <p>8.d to provide appropriate specialized services for women who have been subjected to violence, through public and private sector agencies, including shelters, counselling services for all family members where appropriate, and care and custody of the affected children;</p> <p>8.e to promote and support governmental and private sector education designed to raise the awareness of the public with respect to the problems of and remedies for violence against women;</p>
--	--	---

		<p>8.f to provide women who are subjected to violence access to effective readjustment and training programs to enable them to fully participate in public, private and social life;</p> <p>8.g to encourage the communications media to develop appropriate media guidelines in order to contribute to the eradication of violence against women in all its forms, and to enhance respect for the dignity of women;</p> <p>8.h to ensure research and the gathering of statistics and other relevant information relating to the causes, consequences and frequency of violence against women, in order to assess the effectiveness of measures to prevent, punish and eradicate violence against women and to formulate and implement the necessary changes; and</p> <p>8.i to foster international cooperation for the exchange of ideas and experiences and the execution of programs aimed at protecting women who are subjected to violence.</p> <p>European Convention on Human Rights</p> <p>14 The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.</p> <p>Protocol to the European Convention on Human Rights No. 12</p> <p>1.1 The enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.</p> <p>1.2 No one shall be discriminated against by any public authority on any ground such as those mentioned in paragraph 1.</p> <p>➤ SUPPORTING REFERENCES (NOT LEGALLY BINDING)</p> <p>Beijing Platform of Action (1995)</p> <p>1.1 Promote and protect the human rights of women, through the full implementation of all human rights instruments, especially the Convention on the Elimination of All Forms of Discrimination against Women.</p> <p>1.2 Ensure equality and non-discrimination under the law and in practice.</p> <p>International Conference on Population and Development (ICPD) (1994)</p> <p>6.30 Governments at all levels should consider the needs of persons with disabilities in terms of ethical and human rights dimensions. Governments should recognize needs concerning, inter alia, reproductive health, including family planning and sexual health, HIV/AIDS, information, education and communication. Governments should eliminate specific forms of discrimination that</p>
--	--	---

persons with disabilities may face with regard to reproductive rights, household and family formation, and international migration, while taking into account health and other considerations relevant under national immigration regulations.

Vienna Declaration and Programme of Action

20 The World Conference on Human Rights urges all Governments to take immediate measures and to develop strong policies to prevent and combat all forms and manifestations of racism, xenophobia or related intolerance, where necessary by enactment of appropriate legislation, including penal measures, and by the establishment of national institutions to combat such phenomena.

63. The World Conference on Human Rights reaffirms that all human rights and fundamental freedoms are universal and thus unreservedly include persons with disabilities. Every person is born equal and has the same rights to life and welfare, education and work, living independently and active participation in all aspects of society. Any direct discrimination or other negative discriminatory treatment of a disabled person is therefore a violation of his or her rights. The World Conference on Human Rights calls on Governments, where necessary, to adopt or adjust legislation to assure access to these and other rights for disabled persons.

31 The World Conference on Human Rights urges States to ensure the full and free participation of indigenous people in all aspects of society, in particular in matters of concern to them.

CRC Committee General Comments

General Comment No. 5: General measures of implementation of the Convention on the Rights of the Child

12. Article 2: the obligation of States to respect and ensure the rights set forth in the Convention to each child within their jurisdiction without discrimination of any kind. This non-discrimination obligation requires States actively to identify individual children and groups of children the recognition and realization of whose rights may demand special measures. For example, the Committee highlights, in particular, the need for data collection to be disaggregated to enable discrimination or potential discrimination to be identified. Addressing discrimination may require changes in legislation, administration and resource allocation, as well as educational measures to change attitudes. It should be emphasized that the application of the non-discrimination principle of equal access to rights does not mean identical treatment. A general comment by the Human Rights Committee has underlined the importance of taking special measures in order to diminish or eliminate conditions that cause discrimination.

General Comment No. 6: Treatment of unaccompanied and separated children outside their country of origin

18. The principle of non-discrimination, in all its facets, applies in respect to all dealings with separated and unaccompanied children. In particular, it prohibits any discrimination on the basis of the status of a child as being unaccompanied or separated, or as being a refugee, asylum seeker or migrant. This principle, when properly understood, does not prevent, but may indeed call for, differentiation on the basis of different protection needs such as those deriving from age and/or gender. Measures should also be taken to address possible misperceptions and stigmatization of unaccompanied or separated children within the society. Policing or other measures concerning unaccompanied or separated children relating to public order are only permissible where such measures are based on the law; entail individual rather than collective assessment; comply with the principle of proportionality; and

represent the least intrusive option. In order not to violate the prohibition on non-discrimination, such measures can, therefore, never be applied on a group or collective basis.

General Comment No. 10: Children's rights in juvenile justice

6. States parties have to take all necessary measures to ensure that all children in conflict with the law are treated equally. Particular attention must be paid to de facto discrimination and disparities, which may be the result of a lack of a consistent policy and involve vulnerable groups of children, such as street children, children belonging to racial, ethnic, religious or linguistic minorities, indigenous children, girl children, children with disabilities and children who are repeatedly in conflict with the law (recidivists). In this regard, training of all professionals involved in the administration of juvenile justice is important (see paragraph 97 below), as well as the establishment of rules, regulations or protocols which enhance equal treatment of child offenders and provide redress, remedies and compensation.

General Comment No. 19: Public Budgets to Realize the Rights of the Child

61. States shall not discriminate against any child or category of children through resource mobilization or the allocation or execution of public funds. Spending equitably does not always mean spending the same amount on each child, but rather making spending decisions that lead to substantive equality amongst children. Resources should be fairly targeted to promote equality. States are obliged to remove all discriminatory barriers that children may face in accessing their rights.

General Comment No. 20: Implementation of the rights of the child during adolescence

36. The Committee strongly endorses the rights of adolescents to freedom of expression and respect for their emerging autonomy, and deplores the imposition of treatments to try to change sexual orientation and gender identity, and that transgender identity and same-sex attraction are often pathologised as psychiatric disorders. It urges States to eliminate such practices, and to repeal all laws criminalizing or otherwise discriminating against individuals on the basis of their sexual orientation or gender identity. Measures are also needed to ensure that adolescents who belong to LGBTI groups or from LGBTI families are not subjected to any forms of violence, discrimination or bullying by raising public awareness and by putting in place safety and support measures for adolescents in need of protection.

CEDAW Committee General Recommendations

General Recommendation No. 6: Effective machinery and publicity

1. Establish and/or strengthen effective national machinery, institutions and procedures, at a high level of Government, and with adequate resources, commitment and authority to:

1.a Advise on the impact on women of all government policies;

1.b Monitor the situation of women comprehensively;

1.c Help formulate new policies and effectively carry out strategies and measures to eliminate discrimination;

General Recommendation No. 25: Temporary special measures

12. Certain groups of women, in addition to suffering from discrimination directed against them as women, may also suffer from multiple forms of discrimination based on additional grounds such as race, ethnic or religious identity, disability, age, class, caste or other factors. Such discrimination may affect these groups of women primarily, or to a different degree or in different ways than men. States parties may need to take specific temporary special measures to eliminate such multiple forms of discrimination against women and its compounded negative impact on them.

General Recommendation No. 26: Women migrant workers

6 All women migrant workers are entitled to the protection of their human rights, which include the right to life, the right to personal liberty and security, the right not to be tortured, the right to be free of degrading and inhumane treatment, the right to be free from discrimination on the basis of sex, race, ethnicity, cultural particularities, nationality, language, religion or other status, the right to be free from poverty, the right to an adequate standard of living, the right to equality before the law and the right to benefit from the due processes of the law. These rights are provided for in the Universal Declaration of Human Rights and the many human rights treaties ratified or acceded to by States Members of the United Nations.

General Recommendation No. 34: Rights of rural women

15 States parties should eliminate all forms of discrimination against disadvantaged and marginalized groups of rural women. For example, States parties should ensure that disadvantaged and marginalized groups of rural women, including those belonging to indigenous, Afro-descendent, ethnic and religious minorities, heads of household, peasants, pastoralists, fisherfolk, landless women, migrants and conflict-affected rural women, are protected from intersecting forms of discrimination and have access to education, employment, water and sanitation and health care, among others. States parties should develop policies and programmes ensuring the equal enjoyment of rights by rural women with disabilities, including by ensuring the accessibility of infrastructures and services. States parties should similarly ensure that older rural women have access to social services and adequate social protection, as well as economic resources and the empowerment to live life with dignity, including through access to financial services and social security.

Committee on Economic, Social and Cultural Rights General Comments

General Comment No. 5: Persons with disabilities

9. The obligation of States parties to the Covenant to promote progressive realization of the relevant rights to the maximum of their available resources clearly requires Governments to do much more than merely abstain from taking measures which might have a negative impact on persons with disabilities. The obligation in the case of such a vulnerable and disadvantaged group is to take positive action to reduce structural disadvantages and to give appropriate preferential treatment to people with disabilities in order to achieve the objectives of full participation and equality within society for all persons with disabilities. This almost invariably means that additional resources will need to be made available for this purpose and that a wide range of specially tailored measures will be required.

15. Both de jure and de facto discrimination against persons with disabilities have a long history and take various forms. They range from invidious discrimination, such as the denial of educational opportunities, to more “subtle” forms of discrimination such as segregation and isolation achieved through the imposition of physical and social barriers. For the purposes of the Covenant, “disability based discrimination” may be defined as including any distinction, exclusion, restriction or preference, or denial of reasonable accommodation based on disability which has the effect of nullifying or impairing the recognition, enjoyment or exercise of economic, social or cultural rights. Through neglect, ignorance, prejudice and false assumptions, as well as through exclusion, distinction or separation, persons with disabilities have very often been prevented from exercising their economic, social or cultural rights on an equal basis with persons without disabilities. The effects of disability based discrimination have been particularly severe in the fields of education, employment, housing, transport, cultural life, and access to public places and services.

General Comment No. 20: Non-discrimination

8. In order for States parties to “guarantee” that the Covenant rights will be exercised without discrimination of any kind, discrimination must be eliminated both formally and substantively:

8.a Formal discrimination: Eliminating formal discrimination requires ensuring that a State’s constitution, laws and policy documents do not discriminate on prohibited grounds; for example, laws should not deny equal social security benefits to women on the basis of their marital status;

8.b Substantive discrimination: Merely addressing formal discrimination will not ensure substantive equality as envisaged and defined by article 2, paragraph 2. The effective enjoyment of Covenant rights is often influenced by whether a person is a member of a group characterized by the prohibited grounds of discrimination. Eliminating discrimination in practice requires paying sufficient attention to groups of individuals which suffer historical or persistent prejudice instead of merely comparing the formal treatment of individuals in similar situations. States parties must therefore immediately adopt the necessary measures to prevent, diminish and eliminate the conditions and attitudes which cause or perpetuate substantive or de facto discrimination. For example, ensuring that all individuals have equal access to adequate housing, water and sanitation will help to overcome discrimination against women and girl children and persons living in informal settlements and rural areas.

General Comment No. 20: Non-discrimination

37. Adoption of legislation to address discrimination is indispensable in complying with article 2, paragraph 2. States parties are therefore encouraged to adopt specific legislation that prohibits discrimination in the field of economic, social and cultural rights. Such laws should aim at eliminating formal and substantive discrimination, attribute obligations to public and private actors and cover the prohibited grounds discussed above. Other laws should be regularly reviewed and, where necessary, amended in order to ensure that they do not discriminate or lead to discrimination, whether formally or substantively, in relation to the exercise and enjoyment of Covenant rights.

Committee on the Elimination of Racial Discrimination General Recommendations

General Recommendation No. 23: The rights of indigenous people

		<p>4. The Committee calls in particular upon States parties to:</p> <p>4.b Ensure that members of indigenous peoples are free and equal in dignity and rights and free from any discrimination, in particular that based on indigenous origin or identity;</p> <p><i>General Recommendation No. 29: on article 1, paragraph 1, of the Convention (Descent)</i></p> <p>a. Steps to identify those descent-based communities under their jurisdiction who suffer from discrimination, especially on the basis of caste and analogous systems of inherited status, and whose existence may be recognized on the basis of various factors including some or all of the following: inability or restricted ability to alter inherited status; socially enforced restrictions on marriage outside the community; private and public segregation, including in housing and education, access to public spaces, places of worship and public sources of food and water; limitation of freedom to renounce inherited occupations or degrading or hazardous work; subjection to debt bondage; subjection to dehumanizing discourses referring to pollution or untouchability; and generalized lack of respect for their human dignity and equality;</p> <p>c. Review and enact or amend legislation in order to outlaw all forms of discrimination based on descent in accordance with the Convention;</p> <p>hh. Take substantial and effective measures to eradicate poverty among descent-based communities and combat their social exclusion or marginalization;</p> <p><i>General Recommendation No. 34: Racial discrimination against people of African descent</i></p> <p>10. Review and enact or amend legislation, as appropriate, in order to eliminate, in line with the Convention, all forms of racial discrimination against people of African descent.</p> <p>11. Review, adopt and implement national strategies and programmes with a view to improving the situation of people of African descent and protecting them against discrimination by State agencies and public officials, as well as by any persons, group or organization.</p> <p>12. Fully implement legislation and other measures already in place to ensure that people of African descent are not discriminated against.</p> <p>25. Recognizing the particular vulnerability of children of African descent, which may lead to the transmission of poverty from generation to generation, and the inequality affecting people of African descent, adopt special measures to ensure equality in the exercise of their rights, in particular corresponding to the areas that most affect the lives of children.</p> <p>26. Undertake initiatives specifically aimed at protecting the special rights of the girl child and the rights of boys in vulnerable situations.</p> <p>Committee on the Rights of Persons with Disabilities General Comments</p>
--	--	--

		<p><i>General Comment No. 1: Equal Recognition before the law</i></p> <p>14. Legal capacity is an inherent right accorded to all people, including persons with disabilities. As noted above, it consists of two strands. The first is legal standing to hold rights and to be recognized as a legal person before the law. This may include, for example, having a birth certificate, seeking medical assistance, registering to be on the electoral role or applying for a passport. The second is legal agency to act on those rights and to have those actions recognized by the law. It is this component that is frequently denied or diminished for persons with disabilities. For example, laws may allow persons with disabilities to own property, but may not always respect the actions taken by them in terms of buying and selling property. Legal capacity means that all people, including persons with disabilities, have legal standing and legal agency simply by virtue of being human. Therefore, both strands of legal capacity must be recognized for the right to legal capacity to be fulfilled; they cannot be separated. The concept of mental capacity is highly controversial in and of itself. Mental capacity is not, as is commonly presented, an objective, scientific and naturally occurring phenomenon. Mental capacity is contingent on social and political contexts, as are the disciplines, professions and practices which play a dominant role in assessing mental capacity.</p> <p>36. While article 12 of the Convention protects equality before the law for all persons, regardless of age, article 7 of the Convention recognizes the developing capacities of children and requires that “in all actions concerning children with disabilities, the best interests of the child ... be a primary consideration” (para. 2) and that “their views [be] given due weight in accordance with their age and maturity” (para. 3). To comply with article 12, States parties must examine their laws to ensure that the will and preferences of children with disabilities are respected on an equal basis with other children.</p>
--	--	--

GOAL 11: SUSTAINABLE CITIES AND COMMUNITIES

SDG Targets		Corresponding human rights mechanisms and other supporting references
11.2	By 2030, provide access to safe, affordable, accessible and sustainable transport systems for all, improving road safety, notably by expanding public transport, with special attention to the needs of those in vulnerable situations,	<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Rights of the Child (CRC)</p> <p>2.1 States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.</p> <p>23.1 States Parties recognize that a mentally or physically disabled child should enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community.</p> <p>23.2 States Parties recognize the right of the disabled child to special care and shall encourage and ensure the extension, subject to available resources, to the eligible child and those responsible for his or her care, of assistance for which application is made and which is appropriate to the child's condition and to the circumstances of the parents or others caring for the child.</p> <p>23.3 Recognizing the special needs of a disabled child, assistance extended in accordance with paragraph 2 of the present article shall be provided free of charge, whenever possible, taking into account the financial resources of the parents or others caring for</p>

<p>women, children, persons with disabilities and older persons</p>	<p>the child, and shall be designed to ensure that the disabled child has effective access to and receives education, training, health care services, rehabilitation services, preparation for employment and recreation opportunities in a manner conducive to the child's achieving the fullest possible social integration and individual development, including his or her cultural and spiritual development</p> <p>23.4 States Parties shall promote, in the spirit of international cooperation, the exchange of appropriate information in the field of preventive health care and of medical, psychological and functional treatment of disabled children, including dissemination of and access to information concerning methods of rehabilitation, education and vocational services, with the aim of enabling States Parties to improve their capabilities and skills and to widen their experience in these areas. In this regard, particular account shall be taken of the needs of developing countries.</p> <p>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</p> <p>14.2.h To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.</p> <p>Convention on the Rights of Persons with Disabilities (CRPD)</p> <p>9.1.a Buildings, roads, transportation and other indoor and outdoor facilities, including schools, housing, medical facilities and workplaces;</p> <p>9.1.b Information, communications and other services, including electronic services and emergency services.</p> <p>9.2.a Develop, promulgate and monitor the implementation of minimum standards and guidelines for the accessibility of facilities and services open or provided to the public;</p> <p>9.2.b Ensure that private entities that offer facilities and services which are open or provided to the public take into account all aspects of accessibility for persons with disabilities;</p> <p>International Covenant on Economic, Social, and Cultural Rights (ICESCR)</p> <p>2.2 The States Parties to the present Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.</p> <p>11.1 The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent.</p> <p>Protocol to the American Convention on Human Rights 1988</p>
---	---

18 Everyone affected by a diminution of his physical or mental capacities is entitled to receive special attention designed to help him achieve the greatest possible development of his personality. The States Parties agree to adopt such measures as may be necessary for this purpose and, especially, to:

18.c Include the consideration of solutions to specific requirements arising from needs of this group as a priority component of their urban development plans;

European Convention on Human Rights

14 The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

Protocol to the European Convention on Human Rights No. 12

1.1 The enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

1.2 No one shall be discriminated against by any public authority on any ground such as those mentioned in paragraph 1.

➤ SUPPORTING REFERENCES (NOT LEGALLY BINDING)

International Conference on Population and Development (ICPD) (1994)

9.14 Governments should increase the capacity and competence of city and municipal authorities to manage urban development, to safeguard the environment, to respond to the need of all citizens, including urban squatters, for personal safety, basic infrastructure and services, to eliminate health and social problems, including problems of drugs and criminality, and problems resulting from overcrowding and disasters, and to provide people with alternatives to living in areas prone to natural and man-made disasters.

CRC Committee General Comments

General Comment No. 9: The rights of children with disabilities

39. The physical inaccessibility of public transportation and other facilities, including governmental buildings, shopping areas, recreational facilities among others, is a major factor in the marginalization and exclusion of children with disabilities and markedly compromises their access to services, including health and education. Although this provision may be mostly realized in developed countries, it remains largely un-addressed in the developing world. All States parties are urged to set out appropriate policies and procedures to make public transportation safe, easily accessible to children with disabilities, and free of charge, whenever possible, taking into account the financial resources of the parents or others caring for the child.

CEDAW Committee General Recommendations

		<p><i>General Recommendation No. 34: Rights of rural women</i></p> <p>87 States parties should analyse the sex-differentiated demands for transport services in rural areas, ensure that transportation sector policies and programmes reflect the mobility needs of rural women and provide them with safe, affordable and accessible means of transport.</p> <p>Committee on Economic, Social and Cultural Rights General Comments</p> <p><i>General Comment No. 5: Persons with disabilities</i></p> <p>23. Similarly, the failure of Governments to ensure that modes of transportation are accessible to persons with disabilities greatly reduces the chances of such persons finding suitable, integrated jobs, taking advantage of educational and vocational training, or commuting to facilities of all types. Indeed, the provision of access to appropriate and, where necessary, specially tailored forms of transportation is crucial to the realization by persons with disabilities of virtually all the rights recognized in the Covenant.</p> <p>Committee on the Rights of Persons with Disabilities General Comments</p> <p><i>General Comment No. 2: Accessibility</i></p> <p>17. Article 9, paragraph 1, requires States parties to identify and eliminate obstacles and barriers to accessibility to, inter alia:</p> <p>17.a Buildings, roads, transportation and other indoor and outdoor facilities, including schools, housing, medical facilities and workplaces; The other indoor and outdoor facilities, mentioned above, should include law enforcement agencies, tribunals, prisons, social institutions, areas for social interaction and recreation, cultural, religious, political and sports activities, and shopping establishments. Other services should include postal, banking, telecommunication and information services.</p>
11.7	By 2030, provide universal access to safe, inclusive and accessible, green and public spaces, in particular for women and children, older persons and persons with disabilities	<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Rights of the Child (CRC)</p> <p>31.2 States Parties shall respect and promote the right of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity.</p> <p>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</p> <p>13.c The right to participate in recreational activities, sports and all aspects of cultural life.</p> <p>Convention on the Rights of Persons with Disabilities (CRPD)</p> <p>9.1.a Buildings, roads, transportation and other indoor and outdoor facilities, including schools, housing, medical facilities and workplaces;</p>

		<p>9.2.a Develop, promulgate and monitor the implementation of minimum standards and guidelines for the accessibility of facilities and services open or provided to the public;</p> <p>9.2.b Ensure that private entities that offer facilities and services which are open or provided to the public take into account all aspects of accessibility for persons with disabilities;</p> <p>9.2.c Provide training for stakeholders on accessibility issues facing persons with disabilities;</p> <p>30.1.c Enjoy access to places for cultural performances or services, such as theatres, museums, cinemas, libraries and tourism services, and, as far as possible, enjoy access to monuments and sites of national cultural importance.</p> <p>African Charter on Human and Peoples' Rights</p> <p>18.3 The State shall ensure the elimination of every discrimination against women and also ensure the protection of the rights of women and the child as stipulated in international declarations and conventions.</p> <p>24 All peoples shall have the right to a general satisfactory environment favourable to their development.</p> <p>African Charter on the Rights and Welfare of the Child</p> <p>13.1 Every child who is mentally or physically disabled shall have the right to special measures of protection in keeping with his physical and moral needs and under conditions which ensure his dignity, promote his self-reliance and active participation in the community.</p> <p>Protocol to the American Convention on Human Rights 1988</p> <p>18 Everyone affected by a diminution of his physical or mental capacities is entitled to receive special attention designed to help him achieve the greatest possible development of his personality. The States Parties agree to adopt such measures as may be necessary for this purpose and, especially, to:</p> <p>18.c Include the consideration of solutions to specific requirements arising from needs of this group as a priority component of their urban development plans;</p> <p>European Convention on Human Rights</p> <p>14 The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.</p> <p>Protocol to the European Convention on Human Rights No. 12</p> <p>1.1 The enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.</p>
--	--	---

1.2 No one shall be discriminated against by any public authority on any ground such as those mentioned in paragraph 1.

➤ **SUPPORTING REFERENCES (NOT LEGALLY BINDING)**

International Conference on Population and Development (ICPD) (1994)

9.14 Governments should increase the capacity and competence of city and municipal authorities to manage urban development, to safeguard the environment, to respond to the need of all citizens, including urban squatters, for personal safety, basic infrastructure and services, to eliminate health and social problems, including problems of drugs and criminality, and problems resulting from overcrowding and disasters, and to provide people with alternatives to living in areas prone to natural and man-made disasters.

CRC Committee General Comments

General Comment No. 17: The right of the child to rest, leisure, play, recreational activities, cultural life and the arts

37. Resistance to children's use of public spaces: Children's use of public space for play, recreation and their own cultural activities is also impeded by the increasing commercialization of public areas, from which children are excluded. Furthermore, in many parts of the world, there is decreasing tolerance of children in public spaces. The introduction, for example, of curfews on children; gated communities or parks; reduced noise-level tolerance; playgrounds with strict rules for "acceptable" play behaviour; restrictions on access to shopping malls builds a perception of children as "problems" and/or delinquents. Adolescents, in particular, are widely perceived as a threat by widespread negative media coverage and representation, and discouraged from using public spaces.

38. The exclusion of children has significant implications for their development as citizens. Shared experience of inclusive public spaces by different age groups serves to promote and strengthen civil society and encourage children to recognize themselves as citizens with rights. States are encouraged to promote dialogue between older and younger generations to encourage greater recognition of children as rights holders, and of the importance of networks of diverse community spaces in local areas or municipalities which can accommodate the play and recreational needs of all children.

58.e Universal design: Investment in universal design is necessary with regard to play, recreational, cultural, arts and sports facilities, buildings, equipment and services, consistent with the obligations to promote inclusion and protect children with disabilities from discrimination. States should engage with non-State actors to ensure the implementation of universal design in the planning and production of all materials and venues, for example, accessible entrances to be used by wheelchair users and inclusive design for play environments, including those in schools;

Committee on the Rights of Persons with Disabilities General Comments

General Comment No. 2: Accessibility

17. Article 9, paragraph 1, requires States parties to identify and eliminate obstacles and barriers to accessibility to, inter alia:

17.a Buildings, roads, transportation and other indoor and outdoor facilities, including schools, housing, medical facilities and workplaces; The other indoor and outdoor facilities, mentioned above, should include law enforcement agencies, tribunals, prisons,

social institutions , areas for social interaction and recreation, cultural, religious, political and sports activities, and shopping establishments. Other services should include postal, banking, telecommunication and information services.

GOAL 13: CLIMATE ACTION

SDG Targets

Corresponding human rights mechanisms and other supporting references



This SDG target cannot be explicitly supported by any legally binding human rights obligation. The corresponding human rights obligations listed below are all INDIRECTLY and IMPLICITLY related to the SDG target.

Building resilience to natural disasters can be indirectly related to the right to life, the right to the highest attainable standard of health, and others (listed below). But it must be noted that no human rights instrument specifically requires a State Party to build the resilience of its population to climate-related hazards and natural disasters.

➤ **CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)**

Convention on the Rights of the Child (CRC)

6.1 States Parties recognize that every child has the inherent right to life.

6.2 States Parties shall ensure to the maximum extent possible the survival and development of the child.

Convention on the Rights of Persons with Disabilities (CRPD)

10 States Parties reaffirm that every human being has the inherent right to life and shall take all necessary measures to ensure its effective enjoyment by persons with disabilities on an equal basis with others.

11 States Parties shall take, in accordance with their obligations under international law, including international humanitarian law and international human rights law, all necessary measures to ensure the protection and safety of persons with disabilities in situations of risk, including situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters.

International Covenant on Economic, Social, and Cultural Rights (ICESCR)

12.2.b The improvement of all aspects of environmental and industrial hygiene;

International Covenant on Civil and Political Rights (ICCPR)

6.1 Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.

Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CRMW)

13.1

Strengthen resilience and adaptive capacity to climate-related hazards and natural disasters in all countries

9 The right to life of migrant workers and members of their families shall be protected by law.

Universal Declaration of Human Rights (UDHR)

3 Everyone has the right to life, liberty and security of person.

African Charter on Human and Peoples' Rights

24 All peoples shall have the right to a general satisfactory environment favourable to their development.

Protocol to the American Convention on Human Rights 1988

11.1 Everyone shall have the right to live in a healthy environment and to have access to basic public services.

11.2 The States Parties shall promote the protection, preservation, and improvement of the environment.

➤ **SUPPORTING REFERENCES (NOT LEGALLY BINDING)**

Beijing Platform of Action (1995)

K.1 Involve women actively in environmental decision-making at all levels.

K.2. Integrate gender concerns and perspectives in policies and programmes for sustainable development.

K.3. Strengthen or establish mechanisms at the national, regional, and international levels to assess the impact of development and environmental policies on women.

International Conference on Population and Development (ICPD) (1994)

9.21 Countries should address the causes of internal displacement, including environmental degradation, natural disasters, armed conflict and forced resettlement, and establish the necessary mechanisms to protect and assist displaced persons, including, where possible, compensation for damages, especially those who are not able to return to their normal place of residence in the short term. Adequate capacities for disaster preparedness should be developed. The United Nations, through dialogue with Governments and all intergovernmental and non-governmental organizations, is encouraged to continue to review the need for protection and assistance to internally displaced persons, the root causes of internal displacement, prevention and long-term solutions, taking into account specific situations.

CRC Committee General Comments

General Comment No. 12: The right of the child to be heard

126. Accordingly, the Committee encourages States parties to support mechanisms which enable children, in particular adolescents, to play an active role in both post-emergency reconstruction and post-conflict resolution processes. Their views should be elicited in the assessment, design, implementation, monitoring and evaluation of programmes. For example, children in refugee camps can be encouraged to contribute to their own safety and well-being through the establishment of children's forums. Support

		<p>needs to be given to enable children to establish such forums, while ensuring that their operation is consistent with children’s best interests and their right to protection from harmful experiences.</p> <p><i>General Comment No. 15: The right of the child to the highest attainable standard of health</i></p> <p>40. There is a need to recognize the particular challenges to children’s health for children affected by humanitarian emergencies, including those resulting in large-scale displacements due to natural or man-made disasters. All possible measures should be taken to ensure that children have uninterrupted access to health services, to (re)unite them with their families and to protect them not only with physical support, such as food and clean water, but also to encourage special parental or other psychosocial care to prevent or address fear and traumas.</p> <p>CEDAW Committee General Recommendations</p> <p><i>General Recommendation No. 34: Rights of rural women</i></p> <p>12. States parties should address specific threats posed to rural women by climate change, natural disasters, land and soil degradation, water pollution, droughts, floods, desertification, pesticides and agrochemicals, extractive industries, monocultures, biopiracy and the loss of biodiversity, in particular agro-biodiversity. They should alleviate and mitigate those threats and ensure that rural women enjoy a safe, clean and healthy environment. They should effectively address the impact of such risks on rural women in the planning and implementation of all policies concerning the environment, climate change, disaster risk reduction, preparedness and management and ensure the full participation of rural women in designing, planning and implementing such policies. States parties should also ensure the protection and security of rural women and girls in all phases of disasters and other crises, ranging from early warning to relief, recovery, rehabilitation and reconstruction.</p>		
13.2	Integrate climate change measures into national policies, strategies and planning	<table border="1" data-bbox="510 837 2085 1008"> <tr> <td data-bbox="510 837 750 1008"></td> <td data-bbox="750 837 2085 1008">This SDG target cannot be linked to by any legally binding human rights obligation.</td> </tr> </table> <p>➤ SUPPORTING REFERENCES (NOT LEGALLY BINDING)</p> <p>Beijing Platform of Action (1995)</p> <p>K.1 Involve women actively in environmental decision-making at all levels.</p> <p>K.2. Integrate gender concerns and perspectives in policies and programmes for sustainable development.</p> <p>K.3. Strengthen or establish mechanisms at the national, regional, and international levels to assess the impact of development and environmental policies on women.</p> <p>International Conference on Population and Development (ICPD) (1994)</p> <p>9.21 Countries should address the causes of internal displacement, including environmental degradation, natural disasters, armed conflict and forced resettlement, and establish the necessary mechanisms to protect and assist displaced persons, including, where</p>		This SDG target cannot be linked to by any legally binding human rights obligation.
	This SDG target cannot be linked to by any legally binding human rights obligation.			

		<p>possible, compensation for damages, especially those who are not able to return to their normal place of residence in the short term. Adequate capacities for disaster preparedness should be developed. The United Nations, through dialogue with Governments and all intergovernmental and non-governmental organizations, is encouraged to continue to review the need for protection and assistance to internally displaced persons, the root causes of internal displacement, prevention and long-term solutions, taking into account specific situations.</p>	
<p>13.3</p>	<p>Improve education, awareness-raising and human and institutional capacity on climate change mitigation, adaptation, impact reduction and early warning</p>		<p>This SDG target cannot be explicitly supported by any legally binding human rights obligation. The corresponding human rights obligations listed below are all INDIRECTLY and IMPLICITLY related to the SDG target.</p> <p>International law does not speak specifically about building awareness about climate change. However, States Parties to different treaties are obliged to ensure that information (of all types) is accessible to all persons.</p>
		<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Rights of the Child (CRC)</p> <p>12.1 States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.</p> <p>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</p> <p>7.c To participate in non-governmental organizations and associations concerned with the public and political life of the country.</p> <p>7.b To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;</p> <p>10.c The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods;</p> <p>10.h Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.</p> <p>14.2.h To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.</p> <p>Convention on the Rights of Persons with Disabilities (CRPD)</p>	

		<p>4.3 In the development and implementation of legislation and policies to implement the present Convention, and in other decision-making processes concerning issues relating to persons with disabilities, States Parties shall closely consult with and actively involve persons with disabilities, including children with disabilities, through their representative organizations.</p> <p>9.2.g Promote access for persons with disabilities to new information and communications technologies and systems, including the Internet;</p> <p>9.2.h Promote the design, development, production and distribution of accessible information and communications technologies and systems at an early stage, so that these technologies and systems become accessible at minimum cost.</p> <p>21.a Providing information intended for the general public to persons with disabilities in accessible formats and technologies appropriate to different kinds of disabilities in a timely manner and without additional cost;</p> <p>21.b Accepting and facilitating the use of sign languages, Braille, augmentative and alternative communication, and all other accessible means, modes and formats of communication of their choice by persons with disabilities in official interactions;</p> <p>21.c Urging private entities that provide services to the general public, including through the Internet, to provide information and services in accessible and usable formats for persons with disabilities;</p> <p>21.d Encouraging the mass media, including providers of information through the Internet, to make their services accessible to persons with disabilities;</p> <p>21.e Recognizing and promoting the use of sign languages.</p> <p>24.3.b Facilitating the learning of sign language and the promotion of the linguistic identity of the deaf community;</p> <p>24.3.c Ensuring that the education of persons, and in particular children, who are blind, deaf or deafblind, is delivered in the most appropriate languages and modes and means of communication for the individual, and in environments which maximize academic and social development.</p> <p>24.3.a Facilitating the learning of Braille, alternative script, augmentative and alternative modes, means and formats of communication and orientation and mobility skills, and facilitating peer support and mentoring;</p> <p>International Covenant on Economic, Social, and Cultural Rights (ICESCR)</p> <p>13.1 The States Parties to the present Covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace.</p> <p>15.1.b To enjoy the benefits of scientific progress and its applications;</p>
--	--	---

		<p>International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)</p> <p>5.c Political rights, in particular the right to participate in elections-to vote and to stand for election-on the basis of universal and equal suffrage, to take part in the Government as well as in the conduct of public affairs at any level and to have equal access to public service;</p> <p>International Covenant on Civil and Political Rights (ICCPR)</p> <p>19.1 Everyone shall have the right to hold opinions without interference.</p> <p>19.2 Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.</p> <p>25.a To take part in the conduct of public affairs, directly or through freely chosen representatives;</p> <p>25.b To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors;</p> <p>Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CRMW)</p> <p>41.1 Migrant workers and members of their families shall have the right to participate in public affairs of their State of origin and to vote and to be elected at elections of that State, in accordance with its legislation.</p> <p>41.2 The States concerned shall, as appropriate and in accordance with their legislation, facilitate the exercise of these rights.</p> <p>42.1 States Parties shall consider the establishment of procedures or institutions through which account may be taken, both in States of origin and in States of employment, of special needs, aspirations and obligations of migrant workers and members of their families and shall envisage, as appropriate, the possibility for migrant workers and members of their families to have their freely chosen representatives in those institutions.</p> <p>42.2 States of employment shall facilitate, in accordance with their national legislation, the consultation or participation of migrant workers and members of their families in decisions concerning the life and administration of local communities.</p> <p>42.3 Migrant workers may enjoy political rights in the State of employment if that State, in the exercise of its sovereignty, grants them such rights.</p> <p>Universal Declaration of Human Rights (UDHR)</p> <p>19 Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.</p>
--	--	--

		<p>21.1 Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.</p> <p>26.2 Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.</p> <p>27.2 Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.</p> <p>African Charter on Human and Peoples' Rights</p> <p>9.1 Every individual shall have the right to receive information.</p> <p>24 All peoples shall have the right to a general satisfactory environment favourable to their development.</p> <p>➤ SUPPORTING REFERENCES (NOT LEGALLY BINDING)</p> <p>Beijing Platform of Action (1995)</p> <p>K.1 Involve women actively in environmental decision-making at all levels.</p> <p>K.2. Integrate gender concerns and perspectives in policies and programmes for sustainable development.</p> <p>K.3. Strengthen or establish mechanisms at the national, regional, and international levels to assess the impact of development and environmental policies on women.</p> <p>CRC Committee General Comments</p> <p><i>General Comment No. 12: The right of the child to be heard</i></p> <p>126. Accordingly, the Committee encourages States parties to support mechanisms which enable children, in particular adolescents, to play an active role in both post-emergency reconstruction and post-conflict resolution processes. Their views should be elicited in the assessment, design, implementation, monitoring and evaluation of programmes. For example, children in refugee camps can be encouraged to contribute to their own safety and well-being through the establishment of children's forums. Support needs to be given to enable children to establish such forums, while ensuring that their operation is consistent with children's best interests and their right to protection from harmful experiences.</p>
--	--	--

GOAL 16: PEACE, JUSTICE AND STRONG INSTITUTIONS

SDG Targets	Corresponding human rights mechanisms and other supporting references
--------------------	--

<p>16.1</p>	<p>Significantly reduce all forms of violence and related death rates everywhere</p>	<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Rights of the Child (CRC)</p> <p>6.1 States Parties recognize that every child has the inherent right to life</p> <p>6.2 States Parties shall ensure to the maximum extent possible the survival and development of the child</p> <p>19.1 States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.</p> <p>19.2 Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.</p> <p>38.2 States Parties shall take all feasible measures to ensure that persons who have not attained the age of fifteen years do not take a direct part in hostilities.</p> <p>38.3 States Parties shall refrain from recruiting any person who has not attained the age of fifteen years into their armed forces. In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of eighteen years, States Parties shall endeavour to give priority to those who are oldest.</p> <p>Optional Protocol to the CRC on Children in Armed Conflict (CRC OPAC)</p> <p>The Optional Protocol to the CRC on Children in Armed Conflict (CRC OPAC) raises the minimum age of recruitment into any State or non-State armed forces from age 15 (under the CRC) to age 18.</p> <p>Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography (CRC OPSC)</p> <p>The Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography (CRC OPSC) prohibits the sale and sexual exploitation of children in all its forms.</p> <p>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</p> <p>5 States Parties shall take all appropriate measures: (a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women;</p> <p>Convention on the Rights of Persons with Disabilities (CRPD)</p>
-------------	--	---

		<p>10 States Parties reaffirm that every human being has the inherent right to life and shall take all necessary measures to ensure its effective enjoyment by persons with disabilities on an equal basis with others.</p> <p>16.1 States Parties shall take all appropriate legislative, administrative, social, educational and other measures to protect persons with disabilities, both within and outside the home, from all forms of exploitation, violence and abuse, including their gender-based aspects.</p> <p>16.2 States Parties shall also take all appropriate measures to prevent all forms of exploitation, violence and abuse by ensuring, inter alia, appropriate forms of gender- and age-sensitive assistance and support for persons with disabilities and their families and caregivers, including through the provision of information and education on how to avoid, recognize and report instances of exploitation, violence and abuse. States Parties shall ensure that protection services are age-, gender- and disability-sensitive.</p> <p>16.3 In order to prevent the occurrence of all forms of exploitation, violence and abuse, States Parties shall ensure that all facilities and programmes designed to serve persons with disabilities are effectively monitored by independent authorities.</p> <p>International Convention on the Elimination of All Forms of Racial Discrimination (CERD)</p> <p>5.b The right to security of person and protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual group or institution;</p> <p>International Covenant on Civil and Political Rights (ICCPR)</p> <p>6.1 Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.</p> <p>7 No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation.</p> <p>9.1 Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.</p> <p>Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CRMW)</p> <p>9 The right to life of migrant workers and members of their families shall be protected by law.</p> <p>10 No migrant worker or member of his or her family shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.</p> <p>16.1 Migrant workers and members of their families shall have the right to liberty and security of person.</p> <p>16.2 Migrant workers and members of their families shall be entitled to effective protection by the State against violence, physical injury, threats and intimidation, whether by public officials or by private individuals, groups or institutions.</p>
--	--	--

		<p>Universal Declaration of Human Rights (UDHR)</p> <p>3 Everyone has the right to life, liberty and security of person.</p> <p>5 No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.</p> <p>African Charter on Human and Peoples' Rights</p> <p>4 Human beings are inviolable. Every human being shall be entitled to respect for his life and the integrity of his person. No one may be arbitrarily deprived of this right.</p> <p>16.1 Every individual shall have the right to enjoy the best attainable state of physical and mental health.</p> <p>African Charter on the Rights and Welfare of the Child</p> <p>16.1 States Parties to the present Charter shall take specific legislative, administrative, social and educational measures to protect the child from all forms of torture, inhuman or degrading treatment and especially physical or mental injury or abuse, neglect or maltreatment including sexual abuse, while in the care of the child.</p> <p>16.2 Protective measures under this Article shall include effective procedures for the establishment of special monitoring units to provide necessary support for the child and for those who have the care of the child, as well as other forms of prevention and for identification, reporting referral investigation, treatment, and follow-up of instances of child abuse and neglect.</p> <p>17.1 Every child accused or found guilty of having infringed penal law shall have the right to special treatment in a manner consistent with the child's sense of dignity and worth and which reinforces the child's respect for human rights and fundamental freedoms of others.</p> <p>17.2 States Parties to the present Charter shall in particular:</p> <p>17.2.a ensure that no child who is detained or imprisoned or otherwise deprived of his/her liberty is subjected to torture, inhuman or degrading treatment or punishment;</p> <p>21.1 States Parties to the present Charter shall take all appropriate measures to eliminate harmful social and cultural practices affecting the welfare, dignity, normal growth and development of the child and in particular:</p> <p>21.1.a those customs and practices prejudicial to the health or life of the child; and</p> <p>21.2.b those customs and practices discriminatory to the child on the grounds of sex or other status.</p> <p>21.2. Child marriage and the betrothal of girls and boys shall be prohibited and effective action, including legislation, shall be taken to specify the minimum age of marriage to be 18 years and make registration of all marriages in an official registry compulsory.</p>
--	--	--

		<p>22.2 States Parties to the present Charter shall take all necessary measures to ensure that no child shall take a direct part in hostilities and refrain in particular, from recruiting any child.</p> <p>27.1 States Parties to the present Charter shall undertake to protect the child from all forms of sexual exploitation and sexual abuse and shall in particular take measures to prevent:</p> <p>27.1.a the inducement, coercion or encouragement of a child to engage in any sexual activity;</p> <p>27.1.b the use of children in prostitution or other sexual practices;</p> <p>27.1.c the use of children in pornographic activities, performances and materials.</p> <p>29 States Parties to the present Charter shall take appropriate measures to prevent:</p> <p>29.a the abduction, the sale of, or traffic of children for any purpose or in any form, by any person including parents or legal guardians of the child;</p> <p>29.b the use of children in all forms of begging.</p> <p>American Convention on Human Rights</p> <p>5.1 Every person has the right to have his physical, mental, and moral integrity respected.</p> <p>5.2 No one shall be subjected to torture or to cruel, inhuman, or degrading punishment or treatment. All persons deprived of their liberty shall be treated with respect for the inherent dignity of the human person.</p> <p>Protocol to the American Convention on Human Rights 1988</p> <p>3 The State Parties to this Protocol undertake to guarantee the exercise of the rights set forth herein without discrimination of any kind for reasons related to race, colour, sex, language, religion, political or other opinions, national or social origin, economic status, birth or any other social condition.</p> <p>Protocol to the American Convention on Human Rights 1990</p> <p>1 The States Parties to this Protocol shall not apply the death penalty in their territory to any person subject to their jurisdiction.</p> <p>Inter-American Convention to Prevent and Punish Torture</p> <p>1 The State Parties undertake to prevent and punish torture in accordance with the terms of this Convention.</p> <p>European Convention on Human Rights</p>
--	--	--

2 Everyone's right to life shall be protected by law. No one shall be deprived of his life intentionally save in the execution of a sentence of a court following his conviction of a crime for which this penalty is provided by law.

3 No one shall be subjected to torture or to inhuman or degrading treatment or punishment.

Protocol to the European Convention on Human Rights No. 13

1 The death penalty shall be abolished. No one shall be condemned to such penalty or executed.

Protocol to the European Convention on Human Rights No. 12

1.1 The enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

1.2 No one shall be discriminated against by any public authority on any ground such as those mentioned in paragraph 1.

European Social Charter (1996, revised)

17 With a view to ensuring the effective exercise of the right of children and young persons to grow up in an environment which encourages the full development of their personality and of their physical and mental capacities, the Parties undertake, either directly or in co-operation with public and private organisations, to take all appropriate and necessary measures designed:

17.1.b to protect children and young persons against negligence, violence or exploitation;

➤ **SUPPORTING REFERENCES (NOT LEGALLY BINDING)**

Beijing Platform of Action (1995)

D.1 Take integrated measures to prevent and eliminate violence against women.

International Conference on Population and Development (ICPD) (1994)

4.9 Countries should take full measures to eliminate all forms of exploitation, abuse, harassment and violence against women, adolescents and children. This implies both preventive actions and rehabilitation of victims. Countries should prohibit degrading practices, such as trafficking in women, adolescents and children and exploitation through prostitution, and pay special attention to protecting the rights and safety of those who suffer from these crimes and those in potentially exploitable situations, such as migrant women, women in domestic service and schoolgirls. In this regard, international safeguards and mechanisms for cooperation should be put in place to ensure that these measures are implemented.

Vienna Declaration and Programme of Action

38 In particular, the World Conference on Human Rights stresses the importance of working towards the elimination of violence against women in public and private life, the elimination of all forms of sexual harassment, exploitation and trafficking in women, the elimination of gender bias in the administration of justice and the eradication of any conflicts which may arise between the rights of women and the harmful effects of certain traditional or customary practices, cultural prejudices and religious extremism. The World Conference on Human Rights calls upon the General Assembly to adopt the draft declaration on violence against women and urges States to combat violence against women in accordance with its provisions. Violations of the human rights of women in situations of armed conflict are violations of the fundamental principles of international human rights and humanitarian law. All violations of this kind, including in particular murder, systematic rape, sexual slavery, and forced pregnancy, require a particularly effective response.

CRC Committee General Comments

General Comment No. 3: Adolescent health and development in the context of the Convention on the Rights of the Child

19. Violence results from a complex interplay of individual, family, community and societal factors. Vulnerable adolescents such as those who are homeless or who are living in institutions, who belong to gangs or who have been recruited as child soldiers are especially exposed to both institutional and interpersonal violence. Under article 19 of the Convention, States parties must take all appropriate measures to prevent and eliminate: (a) institutional violence against adolescents, including through legislation and administrative measures in relation to public and private institutions for adolescents (schools, institutions for disabled adolescents, juvenile reformatories, etc.), and training and monitoring of personnel in charge of institutionalized children or who otherwise have contact with children through their work, including the police; and (b) interpersonal violence among adolescents, including by supporting adequate parenting and opportunities for social and educational development in early childhood, fostering non-violent cultural norms and values (as foreseen in article 29 of the Convention), strictly controlling firearms and restricting access to alcohol and drugs.

General Comment No. 9: The rights of children with disabilities

43. In addressing the issue of violence and abuse, States parties are urged to take all necessary measures for the prevention of abuse of and violence against children with disabilities, such as:

43.a Train and educate parents or others caring for the child to understand the risks and detect the signs of abuse of the child;

43.b Ensure that parents are vigilant about choosing caregivers and facilities for their children and improve their ability to detect abuse;

43.c Provide and encourage support groups for parents, siblings and others taking care of the child to assist them in caring for their children and coping with their disabilities;

43.d Ensure that children and caregivers know that the child is entitled as a matter of right to be treated with dignity and respect and they have the right to complain to appropriate authorities if those rights are breached;

	<p>43.e Ensure that schools take all measures to combat school bullying and pay particular attention to children with disabilities providing them with the necessary protection while maintaining their inclusion into the mainstream education system;</p> <p>43.f Ensure that institutions providing care for children with disabilities are staffed with specially trained personnel, subject to appropriate standards, regularly monitored and evaluated, and have accessible and sensitive complaint mechanisms;</p> <p>43.g Establish an accessible, child-sensitive complaint mechanism and a functioning monitoring system based on the Paris Principles (see paragraph 24 above);</p> <p>43.h Take all necessary legislative measures required to punish and remove perpetrators from the home ensuring that the child is not deprived of his or her family and continue to live in a safe and healthy environment;</p> <p>43.i Ensure the treatment and re-integration of victims of abuse and violence with a special focus on their overall recovery programmes.</p> <p>60. The Committee is deeply concerned about the prevailing practice of forced sterilisation of children with disabilities, particularly girls with disabilities. This practice, which still exists, seriously violates the right of the child to her or his physical integrity and results in adverse lifelong physical and mental health effects. Therefore, the Committee urges States parties to prohibit by law the forced sterilisation of children on grounds of disability.</p> <p><i>General Comment No. 13: The right of the child to freedom from all forms of violence</i></p> <p>4. Definition of violence. For the purposes of the present general comment, “violence” is understood to mean “all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse” as listed in article 19, paragraph 1, of the Convention. The term violence has been chosen here to represent all forms of harm to children as listed in article 19, paragraph 1, in conformity with the terminology used in the 2006 United Nations study on violence against children, although the other terms used to describe types of harm (injury, abuse, neglect or negligent treatment, maltreatment and exploitation) carry equal weight. In common parlance the term violence is often understood to mean only physical harm and/or intentional harm. However, the Committee emphasizes most strongly that the choice of the term violence in the present general comment must not be interpreted in any way to minimize the impact of, and need to address, non-physical and/or non-intentional forms of harm (such as, inter alia, neglect and psychological maltreatment).</p> <p>17. No exceptions. The Committee has consistently maintained the position that all forms of violence against children, however light, are unacceptable. “All forms of physical or mental violence” does not leave room for any level of legalized violence against children. Frequency, severity of harm and intent to harm are not prerequisites for the definitions of violence. States parties may refer to such factors in intervention strategies in order to allow proportional responses in the best interests of the child, but definitions must in no way erode the child’s absolute right to human dignity and physical and psychological integrity by describing some forms of violence as legally and/or socially acceptable.</p> <p>46. Prevention. The Committee emphasizes in the strongest terms that child protection must begin with proactive prevention of all forms of violence as well as explicitly prohibit all forms of violence. States have the obligation to adopt all measures necessary to ensure that adults responsible for the care, guidance and upbringing of children will respect and protect children’s rights. Prevention</p>
--	---

includes public health and other measures to positively promote respectful child-rearing, free from violence, for all children, and to target the root causes of violence at the levels of the child, family, perpetrator, community, institution and society. Emphasis on general (primary) and targeted (secondary) prevention must remain paramount at all times in the development and implementation of child protection systems. Preventive measures offer the greatest return in the long term. However, commitment to prevention does not lessen States' obligations to respond effectively to violence when it occurs.

68. Beyond national plans of action. The Committee recognizes that many national plans of action adopted by States parties to implement the rights of the child include measures to prohibit, prevent and eliminate all forms of violence against children. Such plans of action, while contributing to more enjoyment by children of their rights, have nevertheless faced many challenges in their implementation, monitoring, evaluation and follow-up. For example, they have often lacked links with the overall development policy, programmes, budget and coordinating mechanisms. In order to establish a more feasible and flexible instrument, the Committee is proposing a "coordinating framework on violence against children" for all child rights-based measures to protect children from violence in all its forms and to support a protective environment. Such a coordinating framework can be used in place of national plans of action where these do not yet exist or where they are proving unwieldy. Where national plans of action are being effectively implemented already, the coordinating framework can nonetheless complement those efforts, stimulate discussion and generate new ideas and resources to improve their functioning.

General Comment No. 15: The right of the child to the highest attainable standard of health

64. Recognizing violence as a significant cause of mortality and morbidity in children, particularly adolescents, the Committee emphasizes the need to create an environment that protects children from violence and encourages their participation in attitudinal and behavioural changes at home, in schools and in public spaces; to support parents and caregivers in healthy child-rearing; and to challenge attitudes which perpetuate the tolerance and condoning of violence in all forms, including by regulating the depiction of violence by mass media.

General Comment No. 20: Implementation of the rights of the child during adolescence

54. Protection from all forms of violence: The Committee reminds States parties that Article 19 guarantees all children, including adolescents, protection from violence, abuse and exploitation. Comprehensive legislative, administrative, social and educational measures are needed in accordance with General Comment 13 to bring an end to all forms of violence, including a legal prohibition on corporal punishment in all settings. Adolescents can be particularly vulnerable to harmful norms and practices, such as, inter alia, forced marriages, female genital mutilation, harmful initiation rites, 'honour' killings, harmful gender stereotypes, and deliberate discriminatory practices. The Committee refers States parties to the recommendations in General Comments 13 and 18 for action to transform and bring an end to these practices. In particular, it highlights the need to involve adolescents in the development of both prevention and protective responses to victims of violence. Specific strategies are required to engage with adolescents in developing programmes to combat bullying, including cyberbullying, and to promote positive peer relationships. States parties need to create more opportunities for scaling up institutional programmes on prevention, rehabilitation and social reintegration of adolescents at risk.

CEDAW Committee General Recommendations

General Recommendation No. 30 on women in conflict prevention, conflict and post-conflict situations

29. States parties to the Convention are required to focus on the prevention of conflict and all forms of violence. Such conflict prevention includes effective early warning systems to collect and analyse open-source information, preventive diplomacy and mediation, and prevention efforts that tackle the root causes of conflict. It also includes robust and effective regulation of the arms trade, in addition to appropriate control over the circulation of existing and often illicit conventional arms, including small arms, to prevent their use to commit or facilitate serious acts of gender-based violence. There is a correlation between the increased prevalence of gender-based violence and discrimination and the outbreak of conflict. For example, rapid increases in the prevalence of sexual violence can serve as an early warning of conflict. Accordingly, efforts to eliminate gender-based violations also contribute in the long term to preventing conflict, its escalation and the recurrence of violence in the post-conflict phase.

38. The Committee recommends that States parties:

38.a Prohibit all forms of gender-based violence by State and non-State actors, including through legislation, policies and protocols;

38.b Prevent, investigate and punish all forms of gender-based violence, in particular sexual violence perpetrated by State and non-State actors, and implement a policy of zero tolerance;

Human Rights Committee (CCPR) General Comments

General Comment No. 6: The right to life

2. The Committee observes that war and other acts of mass violence continue to be a scourge of humanity and take the lives of thousands of innocent human beings every year. Under the Charter of the United Nations the threat or use of force by any State against another State, except in exercise of the inherent right of self-defence, is already prohibited. The Committee considers that States have the supreme duty to prevent wars, acts of genocide and other acts of mass violence causing arbitrary loss of life. Every effort they make to avert the danger of war, especially thermonuclear war, and to strengthen international peace and security would constitute the most important condition and guarantee for the safeguarding of the right to life. In this respect, the Committee notes, in particular, a connection between article 6 and article 20, which states that the law shall prohibit any propaganda for war (para. 1) or incitement to violence (para. 2) as therein described.

3. The protection against arbitrary deprivation of life which is explicitly required by the third sentence of article 6 (1) is of paramount importance. The Committee considers that States parties should take measures not only to prevent and punish deprivation of life by criminal acts, but also to prevent arbitrary killing by their own security forces. The deprivation of life by the authorities of the State is a matter of the utmost gravity. Therefore, the law must strictly control and limit the circumstances in which a person may be deprived of his life by such authorities.

General Comment No. 35: Liberty and security of person

3. Liberty of person concerns freedom from confinement of the body, not a general freedom of action. Security of person concerns freedom from injury to the body and the mind, or bodily and mental integrity, as further discussed in paragraph 9 below. Article 9

		<p>guarantees those rights to everyone. “Everyone” includes, among others, girls and boys, soldiers, persons with disabilities, lesbian, gay, bisexual and transgender persons, aliens, refugees and asylum seekers, stateless persons, migrant workers, persons convicted of crime, and persons who have engaged in terrorist activity.</p>
<p>16.2</p>	<p>End abuse, exploitation, trafficking and all forms of violence against and torture of children</p>	<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Rights of the Child (CRC)</p> <p>19.1 States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.</p> <p>19.2 Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.</p> <p>20.1 A child temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State.</p> <p>33 States Parties shall take all appropriate measures, including legislative, administrative, social and educational measures, to protect children from the illicit use of narcotic drugs and psychotropic substances as defined in the relevant international treaties, and to prevent the use of children in the illicit production and trafficking of such substances.</p> <p>34.a The inducement or coercion of a child to engage in any unlawful sexual activity;</p> <p>34.b The exploitative use of children in prostitution or other unlawful sexual practices;</p> <p>34.c The exploitative use of children in pornographic performances and materials.</p> <p>35 States Parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form.</p> <p>36 States Parties shall protect the child against all other forms of exploitation prejudicial to any aspects of the child's welfare.</p> <p>Optional Protocol to the CRC on Children in Armed Conflict (CRC OPAC)</p> <p>The Optional Protocol to the CRC on Children in Armed Conflict (CRC OPAC) raises the minimum age of recruitment into any State or non-State armed forces from age 15 (under the CRC) to age 18.</p> <p>Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography (CRC OPSC)</p>

The Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography (CRC OPSC) prohibits the sale and sexual exploitation of children in all its forms.

Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)

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

Convention on the Rights of Persons with Disabilities (CRPD)

16.1 States Parties shall take all appropriate legislative, administrative, social, educational and other measures to protect persons with disabilities, both within and outside the home, from all forms of exploitation, violence and abuse, including their gender-based aspects.

16.2 States Parties shall also take all appropriate measures to prevent all forms of exploitation, violence and abuse by ensuring, inter alia, appropriate forms of gender- and age-sensitive assistance and support for persons with disabilities and their families and caregivers, including through the provision of information and education on how to avoid, recognize and report instances of exploitation, violence and abuse. States Parties shall ensure that protection services are age-, gender- and disability-sensitive.

16.3 In order to prevent the occurrence of all forms of exploitation, violence and abuse, States Parties shall ensure that all facilities and programmes designed to serve persons with disabilities are effectively monitored by independent authorities.

27.2 States Parties shall ensure that persons with disabilities are not held in slavery or in servitude, and are protected, on an equal basis with others, from forced or compulsory labour.

Convention Against Torture (CAT)

Comment: The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment is relevant in its entirety.

International Covenant on Economic, Social, and Cultural Rights (ICESCR)

10.3 Special measures of protection and assistance should be taken on behalf of all children and young persons without any discrimination for reasons of parentage or other conditions. Children and young persons should be protected from economic and social exploitation. Their employment in work harmful to their morals or health or dangerous to life or likely to hamper their normal development should be punishable by law. States should also set age limits below which the paid employment of child labour should be prohibited and punishable by law.

International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)

5.b The right to security of person and protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual group or institution;

		<p>International Covenant on Civil and Political Rights (ICCPR)</p> <p>7 No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation.</p> <p>8.1 No one shall be held in slavery; slavery and the slave-trade in all their forms shall be prohibited.</p> <p>8.2 No one shall be held in servitude.</p> <p>8.3.a No one shall be required to perform forced or compulsory labour;</p> <p>9.1 Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.</p> <p>Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CRMW)</p> <p>10 No migrant worker or member of his or her family shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.</p> <p>11.1 No migrant worker or member of his or her family shall be held in slavery or servitude.</p> <p>11.2 No migrant worker or member of his or her family shall be required to perform forced or compulsory labour.</p> <p>16.1 Migrant workers and members of their families shall have the right to liberty and security of person.</p> <p>16.2 Migrant workers and members of their families shall be entitled to effective protection by the State against violence, physical injury, threats and intimidation, whether by public officials or by private individuals, groups or institutions.</p> <p>Universal Declaration of Human Rights (UDHR)</p> <p>3 Everyone has the right to life, liberty and security of person.</p> <p>4 No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.</p> <p>5 No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.</p> <p>Forced Labour Convention (No. 29)</p> <p>ILO 29 ILO Convention No. 29 is a fundamental Convention that requires ratifying states to suppress the use of forced or compulsory labour in all its forms within the shortest possible period.</p> <p>Protocol of 2014 to the Forced Labour Convention</p>
--	--	--

ILO Protocol 29 The 2014 Protocol to the Forced Labour Convention addresses gaps in implementation of the Forced Labour Convention, and reaffirms that measures of prevention, protection, and remedies, such as compensation and rehabilitation, are necessary to achieve the effective and sustained suppression of forced or compulsory labour, including in its contemporary forms.

Abolition of Forced Labour Convention (No. 105)

ILO 105 This fundamental ILO Convention requires ratifying states to take effective measures to secure the immediate and complete abolition of forced or compulsory labour.

Forced Labour (Supplementary Measures) Recommendation (No. 203)

ILO Rec 203 This recommendation recommends ILO member states to establish or strengthen: a) national policies and plans of action with time-bound measures using a gender- and child-sensitive approach to achieve the effective and sustained suppression of forced or compulsory labour in all its forms through prevention, protection and access to remedies, such as compensation of victims, and the sanctioning of perpetrators; and b) competent authorities such as the labour inspectorates, the judiciary and national bodies or other institutional mechanisms that are concerned with forced or compulsory labour, to ensure the development, coordination, implementation, monitoring and evaluation of the national policies and plans of action.

Worst Forms of Child Labour Convention (No. 182)

ILO 182 This fundamental ILO Convention requires states to eliminate the worst forms of child labour; to provide direct assistance for the removal of children from the worst forms of child labour and for their rehabilitation and social integration.

African Charter on Human and Peoples' Rights

4 Human beings are inviolable. Every human being shall be entitled to respect for his life and the integrity of his person. No one may be arbitrarily deprived of this right.

5 Every individual shall have the right to the respect of the dignity inherent in a human being and to the recognition of his legal status. All forms of exploitation and degradation of man, particularly slavery, slave trade, torture, cruel, inhuman or degrading punishment and treatment shall be prohibited.

African Charter on the Rights and Welfare of the Child

16.1 States Parties to the present Charter shall take specific legislative, administrative, social and educational measures to protect the child from all forms of torture, inhuman or degrading treatment and especially physical or mental injury or abuse, neglect or maltreatment including sexual abuse, while in the care of the child.

16.2 Protective measures under this Article shall include effective procedures for the establishment of special monitoring units to provide necessary support for the child and for those who have the care of the child, as well as other forms of prevention and for identification, reporting referral investigation, treatment, and follow-up of instances of child abuse and neglect.

		<p>21.1 States Parties to the present Charter shall take all appropriate measures to eliminate harmful social and cultural practices affecting the welfare, dignity, normal growth and development of the child and in particular:</p> <p>21.1.a those customs and practices prejudicial to the health or life of the child; and</p> <p>21.2.b those customs and practices discriminatory to the child on the grounds of sex or other status.</p> <p>21.2. Child marriage and the betrothal of girls and boys shall be prohibited and effective action, including legislation, shall be taken to specify the minimum age of marriage to be 18 years and make registration of all marriages in an official registry compulsory.</p> <p>22.2 States Parties to the present Charter shall take all necessary measures to ensure that no child shall take a direct part in hostilities and refrain in particular, from recruiting any child.</p> <p>27.1 States Parties to the present Charter shall undertake to protect the child from all forms of sexual exploitation and sexual abuse and shall in particular take measures to prevent:</p> <p>27.1.a the inducement, coercion or encouragement of a child to engage in any sexual activity;</p> <p>27.1.b the use of children in prostitution or other sexual practices;</p> <p>27.1.c the use of children in pornographic activities, performances and materials.</p> <p>29 States Parties to the present Charter shall take appropriate measures to prevent:</p> <p>29.a the abduction, the sale of, or traffic of children for any purpose or in any form, by any person including parents or legal guardians of the child;</p> <p>29.b the use of children in all forms of begging.</p> <p>American Convention on Human Rights</p> <p>5.1 Every person has the right to have his physical, mental, and moral integrity respected.</p> <p>6.1 No one shall be subject to slavery or to involuntary servitude, which are prohibited in all their forms, as are the slave trade and traffic in women.</p> <p>6.2 No one shall be required to perform forced or compulsory labor. This provision shall not be interpreted to mean that, in those countries in which the penalty established for certain crimes is deprivation of liberty at forced labor, the carrying out of such a sentence imposed by a competent court is prohibited. Forced labor shall not adversely affect the dignity or the physical or intellectual capacity of the prisoner.</p> <p>Protocol to the American Convention on Human Rights 1988</p>
--	--	---

3 The State Parties to this Protocol undertake to guarantee the exercise of the rights set forth herein without discrimination of any kind for reasons related to race, colour, sex, language, religion, political or other opinions, national or social origin, economic status, birth or any other social condition.

Inter-American Convention to Prevent and Punish Torture

1 The State Parties undertake to prevent and punish torture in accordance with the terms of this Convention.

European Convention on Human Rights

2 Everyone's right to life shall be protected by law. No one shall be deprived of his life intentionally save in the execution of a sentence of a court following his conviction of a crime for which this penalty is provided by law.

3 No one shall be subjected to torture or to inhuman or degrading treatment or punishment.

4.1 No one shall be held in slavery or servitude.

4.2 No one shall be required to perform forced or compulsory labour.

4.3 For the purpose of this article the term forced or compulsory labour' shall not include:

4.3.a any work required to be done in the ordinary course of detention imposed according to the provisions of Article 5 of this Convention or during conditional release from such detention;

4.3.b any service of a military character or, in case of conscientious objectors in countries where they are recognized, service exacted instead of compulsory military service;

4.3.c any service exacted in case of an emergency or calamity threatening the life or well-being of the community;

4.3.d any work or service which forms part of normal civic obligations.

Protocol to the European Convention on Human Rights No. 13

1 The death penalty shall be abolished. No one shall be condemned to such penalty or executed.

Protocol to the European Convention on Human Rights No. 12

1.1 The enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

1.2 No one shall be discriminated against by any public authority on any ground such as those mentioned in paragraph 1.

European Social Charter (1996, revised)

17 With a view to ensuring the effective exercise of the right of children and young persons to grow up in an environment which encourages the full development of their personality and of their physical and mental capacities, the Parties undertake, either directly or in co-operation with public and private organisations, to take all appropriate and necessary measures designed:

17.1.b to protect children and young persons against negligence, violence or exploitation;

UN Security Council Resolution 1325

10 Calls on all parties to armed conflict to take special measures to protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse, and all other forms of violence in situations of armed conflict;

➤ **SUPPORTING REFERENCES (NOT LEGALLY BINDING)**

Beijing Platform of Action (1995)

D.1 Take integrated measures to prevent and eliminate violence against women.

D.3 Eliminate trafficking in women and assist victims of violence due to prostitution and trafficking. Actions to be taken.

International Conference on Population and Development (ICPD) (1994)

4.9 Countries should take full measures to eliminate all forms of exploitation, abuse, harassment and violence against women, adolescents and children. This implies both preventive actions and rehabilitation of victims. Countries should prohibit degrading practices, such as trafficking in women, adolescents and children and exploitation through prostitution, and pay special attention to protecting the rights and safety of those who suffer from these crimes and those in potentially exploitable situations, such as migrant women, women in domestic service and schoolgirls. In this regard, international safeguards and mechanisms for cooperation should be put in place to ensure that these measures are implemented.

4.23 Governments are urged to take the necessary measures to prevent infanticide, prenatal sex selection, trafficking in girl children and use of girls in prostitution and pornography.

Vienna Declaration and Programme of Action

48 The World Conference on Human Rights urges all States, with the support of international cooperation, to address the acute problem of children under especially difficult circumstances. Exploitation and abuse of children should be actively combated, including by addressing their root causes. Effective measures are required against female infanticide, harmful child labour, sale of children and organs, child prostitution, child pornography, as well as other forms of sexual abuse.

56 The World Conference on Human Rights reaffirms that under human rights law and international humanitarian law, freedom from torture is a right which must be protected under all circumstances, including in times of internal or international disturbance or armed conflicts.

CRC Committee General Comments

General Comment No. 3: Adolescent health and development in the context of the Convention on the Rights of the Child

8. States parties must take effective measures to ensure that adolescents are protected from all forms of violence, abuse, neglect and exploitation (arts. 19, 32-36 and 38), paying increased attention to the specific forms of abuse, neglect, violence and exploitation that affects this age group. In particular, they should adopt special measures to ensure the physical, sexual and mental integrity of adolescents with disabilities, who are particularly vulnerable to abuse and neglect. States parties should also ensure that adolescents affected by poverty who are socially marginalized are not criminalized. In this regard, financial and human resources need to be allocated to promote research that would inform the adoption of effective local and national laws, policies and programmes. Policies and strategies should be reviewed regularly and revised accordingly. In taking these measures, States parties have to take into account the evolving capacities of adolescents and involve them in an appropriate manner in developing measures, including programmes, designed to protect them. In this context, the Committee emphasizes the positive impact that peer education can have, and the positive influence of proper role models, especially those in the worlds of arts, entertainment and sports.

General Comment No. 6: Treatment of unaccompanied and separated children outside their country of origin

23. The obligation of the State party under article 6 includes protection from violence and exploitation, to the maximum extent possible, which would jeopardize a child's right to life, survival and development. Separated and unaccompanied children are vulnerable to various risks that affect their life, survival and development such as trafficking for purposes of sexual or other exploitation or involvement in criminal activities which could result in harm to the child, or in extreme cases, in death. Accordingly, article 6 necessitates vigilance by States parties in this regard, particularly when organized crime may be involved. While the issue of trafficking of children is beyond the scope of this general comment, the Committee notes that there is often a link between trafficking and the situation of separated and unaccompanied children.

52. Trafficking of such a child, or "re-trafficking" in cases where a child was already a victim of trafficking, is one of many dangers faced by unaccompanied or separated children. Trafficking in children is a threat to the fulfilment of their right to life, survival and development (art. 6). In accordance with article 35 of the Convention, States parties should take appropriate measures to prevent such trafficking. Necessary measures include identifying unaccompanied and separated children; regularly inquiring as to their whereabouts; and conducting information campaigns that are age-appropriate, gender-sensitive and in a language and medium that is understandable to the child. Adequate legislation should also be passed and effective mechanisms of enforcement be established with respect to labour regulations and border crossing.

53. Risks are also great for a child who has already been a victim of trafficking, resulting in the status of being unaccompanied or separated. Such children should not be penalized and should receive assistance as victims of a serious human rights violation. Some trafficked children may be eligible for refugee status under the 1951 Convention, and States should ensure that separated and unaccompanied trafficked children who wish to seek asylum or in relation to whom there is otherwise indication that

international protection needs exist, have access to asylum procedures. Children who are at risk of being re-trafficked should not be returned to their country of origin unless it is in their best interests and appropriate measures for their protection have been taken. States should consider complementary forms of protection for trafficked children when return is not in their best interests.

General Comment No. 7: Implementing child rights in early childhood

36.a Abuse and neglect (art. 19). Young children are frequent victims of neglect, maltreatment and abuse, including physical and mental violence. Abuse very often happens within families, which can be especially destructive. Young children are least able to avoid or resist, least able to comprehend what is happening and least able to seek the protection of others. There is compelling evidence that trauma as a result of neglect and abuse has negative impacts on development, including, for the very youngest children, measurable effects on processes of brain maturation. Bearing in mind the prevalence of abuse and neglect in early childhood and the evidence that it has long term repercussions, States parties should take all necessary measures to safeguard young children at risk and offer protection to victims of abuse, taking positive steps to support their recovery from trauma while avoiding stigmatization for the violations they have suffered;

36.g Sexual abuse and exploitation (art. 34). Young children, especially girls, are vulnerable to early sexual abuse and exploitation within and outside families. Young children in difficult circumstances are at particular risk, for example girl children employed as domestic workers. Young children may also be victims of producers of pornography; this is covered by the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography of 2002;

36.h Sale, trafficking and abduction of children (art. 35). The Committee has frequently expressed concern about evidence of the sale and trafficking of abandoned and separated children for various purposes. As far as the youngest age groups are concerned, these purposes can include adoption, particularly (though not solely) by foreigners. In addition to the Optional Protocol on the sale of children, child prostitution and child pornography, the 1993 Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption provides a framework and mechanism for preventing abuses in this sphere, and the Committee has therefore always consistently and strongly urged all States parties that recognize and/or permit adoption to ratify or accede to this treaty. Universal birth registration, in addition to international cooperation, can help to combat this violation of rights;

General Comment No. 8: The right of the child to protection from corporal punishment and other cruel or degrading forms of punishment

18. Article 37 of the Convention requires States to ensure that “no child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment”. This is complemented and extended by article 19, which requires States to “take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child”. There is no ambiguity: “all forms of physical or mental violence” does not leave room for any level of legalized violence against children. Corporal punishment and other cruel or degrading forms of punishment are forms of violence and States must take all appropriate legislative, administrative, social and educational measures to eliminate them.

19. In addition, article 28, paragraph 2, of the Convention refers to school discipline and requires States parties to “take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child’s human dignity and in conformity with the present Convention”.

23. Corporal punishment has also been condemned by regional human rights mechanisms. The European Court of Human Rights, in a series of judgements, has progressively condemned corporal punishment of children, first in the penal system, then in schools, including private schools, and most recently in the home. The European Committee of Social Rights, monitoring compliance of member States of the Council of Europe with the European Social Charter and Revised Social Charter, has found that compliance with the Charters requires prohibition in legislation against any form of violence against children, whether at school, in other institutions, in their home or elsewhere.

General Comment No. 9: The rights of children with disabilities

77. The Committee has often expressed grave concern at the growing number of child victims of child prostitution and child pornography. Children with disabilities are more likely than others to become victims of these serious crimes. Governments are urged to ratify and implement the Optional Protocol on the sale of children, child prostitution and child pornography (OPSC) and, in fulfilling their obligations to the Optional Protocol, States parties should pay particular attention to the protection of children with disabilities recognizing their particular vulnerability.

General Comment No. Indigenous children and their rights under the Convention

70. Provisions in the Convention on the Rights of the Child refer to the use of children in illicit production and trafficking of drugs (art. 33), sexual exploitation (art. 34), trafficking in children (art. 35), children in armed conflicts (art. 38). These provisions are closely related to the definition of the worst forms of child labour under ILO Convention No. 182. The Committee notes with grave concern that indigenous children are disproportionately affected by poverty and at particular risk of being used in child labour, especially its worst forms, such as slavery, bonded labour, child trafficking, including for domestic work, use in armed conflict, prostitution and hazardous work.

72. Articles 34 and 35 of the Convention with consideration to the provisions of article 20, call on States to ensure that children are protected against sexual exploitation and abuse as well as the abduction, sale or traffic of children for any purposes. The Committee is concerned that indigenous children whose communities are affected by poverty and urban migration are at a high risk of becoming victims of sexual exploitation and trafficking. Young girls, particularly those not registered at birth, are especially vulnerable. In order to improve the protection of all children, including indigenous, States parties are encouraged to ratify and implement the Optional Protocol on the sale of children, child prostitution and child pornography.

73. States should, in consultation with indigenous communities, including children, design preventive measures and allocate targeted financial and human resources for their implementation. States should base preventive measures on studies which include documentation of the patterns of violations and analysis of root causes.

General Comment No. 12: The right of the child to be heard

120. Much of the violence perpetrated against children goes unchallenged both because certain forms of abusive behaviour are understood by children as accepted practices, and due to the lack of child-friendly reporting mechanisms. For example, they have no one to whom they can report in confidence and safety about experienced maltreatment, such as corporal punishment, genital mutilation or early marriage, and no channel to communicate their general observations to those accountable for implementation of their rights. Thus, effective inclusion of children in protective measures requires that children be informed about their right to be heard and to grow up free from all forms of physical and psychological violence. States parties should oblige all children's institutions to establish easy access to individuals or organizations to which they can report in confidence and safety, including through telephone helplines, and to provide places where children can contribute their experience and views on combating violence against children.

General Comment No. 17: The right of the child to rest, leisure, play, recreational activities, cultural life and the arts

57.d Online safety: Measures should be introduced to promote online access and accessibility, as well as safety for children. These should include action to empower and inform children to enable them to act safely online, to become confident and responsible citizens of digital environments and to report abuse or inappropriate activity when it is encountered. Measures are also needed to reduce impunity of abusive adults through legislation and international collaboration; limit access to harmful or adult-rated material and gaming networks; improve information for parents, teachers and policymakers to raise awareness of the potential harm associated with violent games and develop strategies for promoting safer and attractive options for children;

General Comment No. 15: The right of the child to the highest attainable standard of health

64. Recognizing violence as a significant cause of mortality and morbidity in children, particularly adolescents, the Committee emphasizes the need to create an environment that protects children from violence and encourages their participation in attitudinal and behavioural changes at home, in schools and in public spaces; to support parents and caregivers in healthy child-rearing; and to challenge attitudes which perpetuate the tolerance and condoning of violence in all forms, including by regulating the depiction of violence by mass media.

General Comment No. 16: State obligations regarding the impact of the business sector on children's rights

58. The mass media industry, including advertising and marketing industries, can have positive as well as negative impacts on children's rights. Under article 17 of the Convention, States have obligations to encourage the mass media, including private media, to disseminate information and materials of social and cultural benefit to the child, for example regarding healthy lifestyles. The media must be regulated appropriately to protect children from harmful information, especially pornographic materials and materials that portray or reinforce violence, discrimination and sexualized images of children, while recognizing children's right to information and freedom of expression. States should encourage the mass media to develop guidelines to ensure full respect for the rights of the child, including their protection from violence and from portrayals that perpetuate discrimination, in all media coverage. States should establish copyright exceptions which permit the reproduction of books and other printed publications in formats that are accessible for children with visual or other impairments.

60. Digital media is of particular concern, as many children can be users of the Internet but also become victims of violence such as cyber-bullying, cyber-grooming, trafficking or sexual abuse and exploitation through the Internet. Although companies may not be directly involved in such criminal acts, they can be complicit in these violations through their actions; for example, child sex tourism

can be facilitated by travel agencies operating on the Internet, as they enable the exchange of information and the planning of sex tourism activities. Child pornography can be indirectly facilitated by Internet businesses and credit-card providers. As well as meeting their obligations under the Optional Protocol on the sale of children, child prostitution and child pornography, States should provide children with age-appropriate information regarding web-related safety so they can manage the risks and know where to go for help. They should coordinate with the information and communication technology industry so that it develops and puts in place adequate measures to protect children from violent and inappropriate material.

General Comment No. 20: Implementation of the rights of the child during adolescence

82. Trafficking: Many adolescents are at risk of trafficking for economic or sexual exploitation. States are urged to establish a comprehensive and systematic mechanism for data collection on the sale, trafficking and abduction of children, as well as ensuring that the data are disaggregated, with particular attention to children living in the most vulnerable situations. Attention must be paid to the gender-based dimensions of vulnerability and exploitation. Awareness-raising activities, including through social media, need to be conducted in order to make parents and children aware of the dangers of both domestic and international trafficking. States are urged to ratify the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and the Palermo Protocol to the Transnational Organized Crime Convention and to harmonize legislation accordingly.

CEDAW Committee General Recommendations

General Recommendation No. 19: Violence against women

13. States parties are required by article 6 to take measures to suppress all forms of traffic in women and exploitation of the prostitution of women.

16. Wars, armed conflicts and the occupation of territories often lead to increased prostitution, trafficking in women and sexual assault of women, which require specific protective and punitive measures.

General Recommendation No. 32 on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women

45. States parties should recognize that trafficking is part and parcel of gender-related persecution, with the result that women and girls who are victims of trafficking or who fear becoming victims should be informed of and effectively enjoy the right of access to asylum procedures without discrimination or any preconditions. States parties are encouraged to classify victims of trafficking under the “social group” ground in the refugee definition in line with the UNHCR “Guidelines on international protection: the application of article 1A(2) of the 1951 Convention and/or 1967 Protocol relating to the Status of Refugees to victims of trafficking and persons at risk of being trafficked” and are recommended to take measures so that women and girls are not returned to places where they risk being re-trafficked.

General Recommendation No. 34: Rights of rural women

27. States parties should address the root causes of the traffic in women by economically empowering rural women and raising awareness in rural areas of the risks of being lured by traffickers and the ways in which traffickers operate. States parties should ensure that anti-trafficking legislation addresses the social and economic challenges faced by rural women and girls and provide gender-responsive training on prevention measures, protection and assistance for victims to the judiciary, the police, border guards, other law enforcement officials and social workers, especially in rural areas and indigenous communities.

Human Rights Committee (CCPR) General Comments

General Comment No. 17: Rights of the child

2. In this connection, the Committee points out that the rights provided for in article 24 are not the only ones that the Covenant recognizes for children and that, as individuals, children benefit from all of the civil rights enunciated in the Covenant. In enunciating a right, some provisions of the Covenant expressly indicate to States measures to be adopted with a view to affording minors greater protection than adults. Thus, as far as the right to life is concerned, the death penalty cannot be imposed for crimes committed by persons under 18 years of age. Similarly, if lawfully deprived of their liberty, accused juvenile persons shall be separated from adults and are entitled to be brought as speedily as possible for adjudication; in turn, convicted juvenile offenders shall be subject to a penitentiary system that involves segregation from adults and is appropriate to their age and legal status, the aim being to foster reformation and social rehabilitation. In other instances, children are protected by the possibility of the restriction provided that such restriction is warranted of a right recognized by the Covenant, such as the right to publicize a judgement in a suit at law or a criminal case, from which an exception may be made when the interest of the minor so requires.

General Comment No. 20: Prohibition of torture, or other cruel, inhuman or degrading treatment or punishment

5. The prohibition in article 7 relates not only to acts that cause physical pain but also to acts that cause mental suffering to the victim. In the Committee's view, moreover, the prohibition must extend to corporal punishment, including excessive chastisement ordered as punishment for a crime or as an educative or disciplinary measure. It is appropriate to emphasize in this regard that article 7 protects, in particular, children, pupils and patients in teaching and medical institutions.

General Comment No. 21: Humane treatment of persons deprived of their liberty

4. Treating all persons deprived of their liberty with humanity and with respect for their dignity is a fundamental and universally applicable rule. Consequently, the application of this rule, as a minimum, cannot be dependent on the material resources available in the State party. This rule must be applied without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

13. Moreover, the Committee notes that in the reports of some States parties no information has been provided concerning the treatment accorded to accused juvenile persons and juvenile offenders. Article 10, paragraph 2 (b), provides that accused juvenile persons shall be separated from adults. The information given in reports shows that some States parties are not paying the necessary attention to the fact that this is a mandatory provision of the Covenant. The text also provides that cases involving juveniles must be considered as speedily as possible. Reports should specify the measures taken by States parties to give effect to that provision. Lastly, under article 10, paragraph 3, juvenile offenders shall be segregated from adults and be accorded treatment appropriate to their age and legal status insofar as conditions of detention are concerned, such as shorter working hours and

		<p>contact with relatives, with the aim of furthering their reformation and rehabilitation. Article 10 does not indicate any limits of juvenile age. While this is to be determined by each State party in the light of relevant social, cultural and other conditions, the Committee is of the opinion that article 6, paragraph 5, suggests that all persons under the age of 18 should be treated as juveniles, at least in matters relating to criminal justice. States should give relevant information about the age groups of persons treated as juveniles. In that regard, States parties are invited to indicate whether they are applying the United Nations Standard Minimum Rules for the Administration of Juvenile Justice, known as the Beijing Rules (1987).</p> <p><i>General Comment No. 28: The equality of rights between men and women</i></p> <p>12. Having regard to their obligations under article 8, States parties should inform the Committee of measures taken to eliminate trafficking of women and children, within the country or across borders, and forced prostitution. They must also provide information on measures taken to protect women and children, including foreign women and children, from slavery, disguised, inter alia, as domestic or other kinds of personal service. States parties where women and children are recruited, and from which they are taken, and States parties where they are received should provide information on measures, national or international, which have been taken in order to prevent the violation of women's and children's rights.</p> <p>Committee on Economic, Social and Cultural Rights General Comments</p> <p><i>General Comment No. 13: The right to education</i></p> <p>41. In the Committee's view, corporal punishment is inconsistent with the fundamental guiding principle of international human rights law enshrined in the Preambles to the Universal Declaration of Human Rights and both Covenants: the dignity of the individual. Other aspects of school discipline may also be inconsistent with human dignity, such as public humiliation. Nor should any form of discipline breach other rights under the Covenant, such as the right to food. A State party is required to take measures to ensure that discipline which is inconsistent with the Covenant does not occur in any public or private educational institution within its jurisdiction. The Committee welcomes initiatives taken by some States parties which actively encourage schools to introduce "positive", non-violent approaches to school discipline.</p>
16.3	Promote the rule of law at the national and international levels and ensure equal access to justice for all	<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Rights of the Child (CRC)</p> <p>12.2 For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.</p> <p>Optional Protocol to the CRC on Children in Armed Conflict (CRC OPAC)</p> <p>The Optional Protocol to the CRC on Children in Armed Conflict (CRC OPAC) raises the minimum age of recruitment into any State or non-State armed forces from age 15 (under the CRC) to age 18.</p>

		<p>Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography (CRC OPSC)</p> <p>8.1 States Parties shall adopt appropriate measures to protect the rights and interests of child victims of the practices prohibited under the present Protocol at all stages of the criminal justice process, in particular by:</p> <p>8.1.a Recognizing the vulnerability of child victims and adapting procedures to recognize their special needs, including their special needs as witnesses;</p> <p>8.1.b Informing child victims of their rights, their role and the scope, timing and progress of the proceedings and of the disposition of their cases;</p> <p>8.1.c Allowing the views, needs and concerns of child victims to be presented and considered in proceedings where their personal interests are affected, in a manner consistent with the procedural rules of national law;</p> <p>8.1.d Providing appropriate support services to child victims throughout the legal process;</p> <p>8.1.e Protecting, as appropriate, the privacy and identity of child victims and taking measures in accordance with national law to avoid the inappropriate dissemination of information that could lead to the identification of child victims;</p> <p>8.1.f Providing, in appropriate cases, for the safety of child victims, as well as that of their families and witnesses on their behalf, from intimidation and retaliation;</p> <p>8.1.g Avoiding unnecessary delay in the disposition of cases and the execution of orders or decrees granting compensation to child victims.</p> <p>8.2 States Parties shall ensure that uncertainty as to the actual age of the victim shall not prevent the initiation of criminal investigations, including investigations aimed at establishing the age of the victim.</p> <p>8.3 States Parties shall ensure that, in the treatment by the criminal justice system of children who are victims of the offences described in the present Protocol, the best interest of the child shall be a primary consideration;</p> <p>8.4 States Parties shall take measures to ensure appropriate training, in particular legal and psychological training, for the persons who work with victims of the offences prohibited under the present Protocol.</p> <p>8.5 States Parties shall, in appropriate cases, adopt measures in order to protect the safety and integrity of those persons and/or organizations involved in the prevention and/or protection and rehabilitation of victims of such offences.</p> <p>8.6 Nothing in the present article shall be construed to be prejudicial to or inconsistent with the rights of the accused to a fair and impartial trial.</p> <p>Optional Protocol to the CRC on a Communications Procedure (CRC OPIC, aka OP3 CRC)</p>
--	--	--

The Optional Protocol to the CRC on a Communications Procedure (CRC OPSP, also known as OP3 CRC) provides access to justice for children by allowing the UN Committee on the Rights of the Child (the Committee) to hear complaints alleging that a child's rights have been violated. Children will only be able to approach the UN if the national legal system has not been able to provide a remedy for the violation.

Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)

15.1 States Parties shall accord to women equality with men before the law.

15.2 States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. In particular, they shall give women equal rights to conclude contracts and to administer property and shall treat them equally in all stages of procedure in courts and tribunals.

Convention on the Rights of Persons with Disabilities (CRPD)

13.1 States Parties shall ensure effective access to justice for persons with disabilities on an equal basis with others, including through the provision of procedural and age-appropriate accommodations, in order to facilitate their effective role as direct and indirect participants, including as witnesses, in all legal proceedings, including at investigative and other preliminary stages.

13.2 In order to help to ensure effective access to justice for persons with disabilities, States Parties shall promote appropriate training for those working in the field of administration of justice, including police and prison staff.

International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)

5.A The right to equal treatment before the tribunals and all other organs administering justice;

6 States Parties shall assure to everyone within their jurisdiction effective protection and remedies, through the competent national tribunals and other State institutions, against any acts of racial discrimination which violate his human rights and fundamental freedoms contrary to this Convention, as well as the right to seek from such tribunals just and adequate reparation or satisfaction for any damage suffered as a result of such discrimination.

International Covenant on Civil and Political Rights (ICCPR)

2.3.a To ensure that any person whose rights or freedoms as herein recognized are violated shall have an effective remedy, notwithstanding that the violation has been committed by persons acting in an official capacity;

2.3.b To ensure that any person claiming such a remedy shall have his right thereto determined by competent judicial, administrative or legislative authorities, or by any other competent authority provided for by the legal system of the State, and to develop the possibilities of judicial remedy;

2.3.c To ensure that the competent authorities shall enforce such remedies when granted.

		<p>14.1 All persons shall be equal before the courts and tribunals. In the determination of any criminal charge against him, or of his rights and obligations in a suit at law, everyone shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law. The press and the public may be excluded from all or part of a trial for reasons of morals, public order (ordre public) or national security in a democratic society, or when the interest of the private lives of the parties so requires, or to the extent strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice; but any judgement rendered in a criminal case or in a suit at law shall be made public except where the interest of juvenile persons otherwise requires or the proceedings concern matrimonial disputes or the guardianship of children.</p> <p>14.2 Everyone charged with a criminal offence shall have the right to be presumed innocent until proved guilty according to law.</p> <p>14.3.e To examine, or have examined, the witnesses against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him;</p> <p>14.3.f To have the free assistance of an interpreter if he cannot understand or speak the language used in court;</p> <p>14.3.g Not to be compelled to testify against himself or to confess guilt.</p> <p>14.3.a To be informed promptly and in detail in a language which he understands of the nature and cause of the charge against him;</p> <p>14.3.b To have adequate time and facilities for the preparation of his defence and to communicate with counsel of his own choosing;</p> <p>14.3.c To be tried without undue delay;</p> <p>14.3.d To be tried in his presence, and to defend himself in person or through legal assistance of his own choosing; to be informed, if he does not have legal assistance, of this right; and to have legal assistance assigned to him, in any case where the interests of justice so require, and without payment by him in any such case if he does not have sufficient means to pay for it;</p> <p>14.4 In the case of juvenile persons, the procedure shall be such as will take account of their age and the desirability of promoting their rehabilitation.</p> <p>14.5 Everyone convicted of a crime shall have the right to his conviction and sentence being reviewed by a higher tribunal according to law.</p> <p>14.6 When a person has by a final decision been convicted of a criminal offence and when subsequently his conviction has been reversed or he has been pardoned on the ground that a new or newly discovered fact shows conclusively that there has been a miscarriage of justice, the person who has suffered punishment as a result of such conviction shall be compensated according to law, unless it is proved that the non-disclosure of the unknown fact in time is wholly or partly attributable to him.</p>
--	--	---

14.7 No one shall be liable to be tried or punished again for an offence for which he has already been finally convicted or acquitted in accordance with the law and penal procedure of each country.
16 Everyone shall have the right to recognition everywhere as a person before the law.

Universal Declaration of Human Rights (UDHR)

6 Everyone has the right to recognition everywhere as a person before the law.

7 All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

8 Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

10 Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

African Charter on Human and Peoples' Rights

7.1 Every individual shall have the right to have his cause heard. This comprises:

7.1.a The right to an appeal to competent national organs against acts of violating his fundamental rights as recognized and guaranteed by conventions, laws, regulations and customs in force;

7.1.b The right to be presumed innocent until proved guilty by a competent court or tribunal;

7.1.c The right to defence, including the right to be defended by counsel of his choice;

7.1.d The right to be tried within a reasonable time by an impartial court or tribunal.

African Charter on the Rights and Welfare of the Child

17.1 Every child accused or found guilty of having infringed penal law shall have the right to special treatment in a manner consistent with the child's sense of dignity and worth and which reinforces the child's respect for human rights and fundamental freedoms of others.

17.2 States Parties to the present Charter shall in particular:

17.2.a ensure that no child who is detained or imprisoned or otherwise deprived of his/her liberty is subjected to torture, inhuman or degrading treatment or punishment;

17.2.b ensure that children are separated from adults in their place of detention or imprisonment;

		<p>17.2.c ensure that every child accused in infringing the penal law:</p> <p>17.2.c.i. shall be presumed innocent until duly recognized guilty;</p> <p>17.2.c.ii. shall be informed promptly in a language that he understands and in detail of the charge against him, and shall be entitled to the assistance of an interpreter if he or she cannot understand the language used;</p> <p>17.2.c.iii. shall be afforded legal and other appropriate assistance in the preparation and presentation of his defence;</p> <p>17.2.c.iv. shall have the matter determined as speedily as possible by an impartial tribunal and if found guilty, be entitled to an appeal by a higher tribunal;</p> <p>17.2.d prohibit the press and the public from trial.</p> <p>17.3 The essential aim of treatment of every child during the trial and also if found guilty of infringing the penal law shall be his or her reformation, re-integration into his or her family and social rehabilitation.</p> <p>17.4 There shall be a minimum age below which children shall be presumed not to have the capacity to infringe the penal law.</p> <p>American Convention on Human Rights</p> <p>5 Capital punishment shall not be imposed upon persons who, at the time the crime was committed, were under 18 years of age or over 70 years of age; nor shall it be applied to pregnant women.</p> <p>24 All persons are equal before the law. Consequently, they are entitled, without discrimination, to equal protection of the law.</p> <p>Protocol to the American Convention on Human Rights 1988</p> <p>3 The State Parties to this Protocol undertake to guarantee the exercise of the rights set forth herein without discrimination of any kind for reasons related to race, colour, sex, language, religion, political or other opinions, national or social origin, economic status, birth or any other social condition.</p> <p>Protocol to the European Convention on Human Rights No. 12</p> <p>1.1 The enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.</p> <p>1.2 No one shall be discriminated against by any public authority on any ground such as those mentioned in paragraph 1.</p> <p>UN Security Council Resolution 1325</p>
--	--	---

8 Calls on all actors involved, when negotiating and implementing peace agreements, to adopt a gender perspective, including, inter alia:

8.a The special needs of women and girls during repatriation and resettlement and for rehabilitation, reintegration and post-conflict reconstruction;

8.b Measures that support local women's peace initiatives and indigenous processes for conflict resolution, and that involve women in all of the implementation mechanisms of the peace agreements;

8.c Measures that ensure the protection of and respect for human rights of women and girls, particularly as they relate to the constitution, the electoral system, the police and the judiciary;

11 Emphasizes the responsibility of all States to put an end to impunity and to prosecute those responsible for genocide, crimes against humanity, and war crimes including those relating to sexual and other violence against women and girls, and in this regard stresses the need to exclude these crimes, where feasible from amnesty provisions;

Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention)

15.1 Parties shall provide or strengthen appropriate training for the relevant professionals dealing with victims or perpetrators of all acts of violence covered by the scope of this Convention, on the prevention and detection of such violence, equality between women and men, the needs and rights of victims, as well as on how to prevent secondary victimisation.

18.2 Parties shall take the necessary legislative or other measures, in accordance with internal law, to ensure that there are appropriate mechanisms to provide for effective co - operation between all relevant state agencies, including the judiciary, public prosecutors, law enforcement agencies, local and regional authorities as well as non - governmental organisations and other relevant organisations and entities, in protecting and supporting victims and witnesses of all forms of violence covered by the scope of this Convention, including by referring to general and specialist support services as detailed in Articles 20 and 22 of this Convention.

19 Parties shall take the necessary legislative or other measures to ensure that victims receive adequate and timely information on available support services and legal measures in a language they understand.

21 Parties shall ensure that victims have information on and access to applicable regional and international individual/collective complaints mechanisms. Parties shall promote the provision of sensitive and knowledgeable assistance to victims in presenting any such complaints.

27 Parties shall take the necessary measures to encourage any person witness to the commission of acts of violence covered by the scope of this Convention or who has reasonable grounds to believe that such an act may be committed, or that further acts of violence are to be expected, to report this to the competent organisations or authorities.

➤ **SUPPORTING REFERENCES (NOT LEGALLY BINDING)**

Beijing Platform of Action (1995)

E.1 Increase the participation of women in conflict resolution at decision-making levels and protect women living in situations of armed and other conflicts or under foreign occupation.

E.4 Promote women's contribution to fostering a culture of peace.

CRC Committee General Comments

General Comment No. 9: The rights of children with disabilities

74. With reference to the rights enshrined in article 23 and given the high level of vulnerability of children with disabilities, the Committee recommends - in addition to the general recommendation made in paragraph 73 above - that the following elements of the treatment of children with disabilities (allegedly) in conflict with the law be taken into account:

74.a A child with disability who comes in conflict with the law should be interviewed using appropriate languages and otherwise dealt with by professionals such as police officers, attorneys/advocates/social workers, prosecutors and/or judges, who have received proper training in this regard;

74.b Governments should develop and implement alternative measures with a variety and a flexibility that allow for an adjustment of the measure to the individual capacities and abilities of the child in order to avoid the use of judicial proceedings. Children with disabilities in conflict with the law should be dealt with as much as possible without resorting to formal/legal procedures. Such procedures should only be considered when necessary in the interest of public order. In those cases special efforts have to be made to inform the child about the juvenile justice procedure and his or her rights therein;

74.c Children with disabilities in conflict with the law should not be placed in a regular juvenile detention centre by way of pre-trial detention nor by way of a punishment. Deprivation of liberty should only be applied if necessary with a view to providing the child with adequate treatment for addressing his or her problems which have resulted in the commission of a crime and the child should be placed in an institution that has the specially trained staff and other facilities to provide this specific treatment. In making such decisions the competent authority should make sure that the human rights and legal safeguards are fully respected.

General Comment No. 10: Children's rights in juvenile justice

13. CRC provides a set of fundamental principles for the treatment to be accorded to children in conflict with the law: Treatment that is consistent with the child's sense of dignity and worth. This principle reflects the fundamental human right enshrined in article 1 of UDHR, which stipulates that all human beings are born free and equal in dignity and rights. This inherent right to dignity and worth, to which the preamble of CRC makes explicit reference, has to be respected and protected throughout the entire process of dealing with the child, from the first contact with law enforcement agencies and all the way to the implementation of all measures for dealing with the child;

General Comment No. 11: General Comment No. Indigenous children and their rights under the Convention

75. States parties are encouraged to take all appropriate measures to support indigenous peoples to design and implement traditional restorative justice systems as long as those programmes are in accordance with the rights set out in the Convention, notably with the best interests of the child. The Committee draws the attention of States parties to the United Nations Guidelines for the Prevention of Juvenile Delinquency, which encourage the development of community programmes for the prevention of juvenile delinquency. States parties should seek to support, in consultation with indigenous peoples, the development of community-based policies, programmes and services which consider the needs and culture of indigenous children, their families and communities. States should provide adequate resources to juvenile justice systems, including those developed and implemented by indigenous peoples.

76. States parties are reminded that pursuant to article 12 of the Convention, all children should have an opportunity to be heard in any judicial or criminal proceedings affecting them, either directly or through a representative. In the case of indigenous children, States parties should adopt measures to ensure that an interpreter is provided free of charge if required and that the child is guaranteed legal assistance, in a culturally sensitive manner.

General Comment No. 12: The right of the child to be heard

120. Much of the violence perpetrated against children goes unchallenged both because certain forms of abusive behaviour are understood by children as accepted practices, and due to the lack of child-friendly reporting mechanisms. For example, they have no one to whom they can report in confidence and safety about experienced maltreatment, such as corporal punishment, genital mutilation or early marriage, and no channel to communicate their general observations to those accountable for implementation of their rights. Thus, effective inclusion of children in protective measures requires that children be informed about their right to be heard and to grow up free from all forms of physical and psychological violence. States parties should oblige all children's institutions to establish easy access to individuals or organizations to which they can report in confidence and safety, including through telephone helplines, and to provide places where children can contribute their experience and views on combating violence against children.

General Comment No. 13: The right of the child to freedom from all forms of violence

49. Reporting. The Committee strongly recommends that all States parties develop safe, well-publicized, confidential and accessible support mechanisms for children, their representatives and others to report violence against children, including through the use of 24-hour toll-free hotlines and other ICTs. The establishment of reporting mechanisms includes: (a) providing appropriate information to facilitate the making of complaints; (b) participation in investigations and court proceedings; (c) developing protocols which are appropriate for different circumstances and made widely known to children and the general public; (d) establishing related support services for children and families; and (e) training and providing ongoing support for personnel to receive and advance the information received through reporting systems. Reporting mechanisms must be coupled with, and should present themselves as help-oriented services offering public health and social support, rather than as triggering responses which are primarily punitive. Children's right to be heard and to have their views taken seriously must be respected. In every country, the reporting of instances, suspicion or risk of violence should, at a minimum, be required by professionals working directly with children. When reports are made in good faith, processes must be in place to ensure the protection of the professional making the report.

51. Investigation. Investigation of instances of violence, whether reported by the child, a representative or an external party, must be undertaken by qualified professionals who have received role-specific and comprehensive training, and require a child rights-

		<p>based and child-sensitive approach. Rigorous but child-sensitive investigation procedures will help to ensure that violence is correctly identified and help provide evidence for administrative, civil, child-protection and criminal proceedings. Extreme care must be taken to avoid subjecting the child to further harm through the process of the investigation. Towards this end, all parties are obliged to invite and give due weight to the child's views.</p> <p>54. Judicial involvement. At all times and in all cases, due process must be respected. In particular, the protection and the further development of the child and his or her best interests (and the best interests of other children where there is a risk of a perpetrator reoffending) must form the primary purpose of decision-making, with regard given to the least intrusive intervention as warranted by the circumstances.</p> <p><i>General Comment No. 16: State obligations regarding the impact of the business sector on children's rights</i></p> <p>66. Children often find it difficult to access the justice system to seek effective remedies for abuse or violations of their rights when business enterprises are involved. Children may lack legal standing, which prevents them from pursuing a claim; children and their families often lack knowledge about their rights and the mechanisms and procedures available to them to seek redress or may lack confidence in the justice system. States may not always investigate breaches of criminal, civil or administrative laws committed by business enterprises. There are vast power imbalances between children and business and, often, prohibitive costs involved in litigation against companies as well as difficulties in securing legal representation. Cases involving business are frequently settled out of court and in the absence of a body of developed case law; children and their families in jurisdictions where judicial precedent is persuasive may be more likely to abandon undertaking litigation given uncertainty surrounding the outcome.</p> <p>68. States should focus their attention on removing social, economic and juridical barriers so that children can in practice have access to effective judicial mechanisms without discrimination of any kind. Children and their representatives should be provided with information about remedies through, for example, the school curriculum, youth centres or community-based programmes. They should be allowed to initiate proceedings in their own right and have access to legal aid and the support of lawyers and legal aid providers in bringing cases against business enterprises to ensure equality of arms. States that do not already have provision for collective complaints, such as class actions and public interest litigation, should introduce these as a means of increasing accessibility to the courts for large numbers of children similarly affected by business actions. States may have to provide special assistance to children who face obstacles to accessing justice, for example, because of language or disability or because they are very young.</p> <p>69. Age should not be a barrier to a child's right to participate fully in the justice process. Likewise, special arrangements should be developed for child victims and witnesses in both civil and criminal proceedings, in line with the Committee's general comment No. 12. Furthermore, States should implement the Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime. Confidentiality and privacy must be respected and children should be kept informed of progress at all stages of the process, giving due weight to the child's maturity and any speech, language or communication difficulties they might have.</p> <p><i>General Comment No. 20: Implementation of the rights of the child during adolescence</i></p> <p>92. The Committee emphasises that the rights to protection in respect of juvenile justice apply equally to adolescents, all the way up to 18 years. States are urged to introduce comprehensive juvenile justice policies with an emphasis on restorative justice, diversion from judicial proceedings, alternative measures to detention, and preventive interventions to tackle the social factors and root</p>
--	--	---

causes, consistent with Articles 37 and 40, and the Riyadh Guidelines. The focus must be on rehabilitation and reintegration, including for those adolescents involved in conflict, and activities categorised as terrorism, in line with recommendations in General Comment 10, the Beijing Rules, and the UN Rules for the Protection of Juveniles Deprived of their Liberty and United Nations Guidelines on Justice in matters involving child victims and witnesses of crime (2005). Restriction of liberty must always be a last resort and for the shortest possible time. Detention should be avoided at all costs. The Committee emphasises the imperative to prohibit life imprisonment and to introduce and enforce a ban on the death penalty for anyone convicted of a crime committed under the age of 18. The Committee is concerned at the number of States seeking to lower the age of criminal responsibility and encourages a progressive commitment to raising the age of criminal responsibility towards 18 years.

CEDAW Committee General Recommendations

General Recommendation No. 19: Violence against women

24. In light of these comments, the Committee on the Elimination of Discrimination against Women recommends:

24.h States parties in their reports should describe the extent of all these problems and the measures, including penal provisions, preventive and rehabilitation measures, that have been taken to protect women engaged in prostitution or subject to trafficking and other forms of sexual exploitation. The effectiveness of these measures should also be described;

24.i Effective complaints procedures and remedies, including compensation, should be provided;

24.j States parties should include in their reports information on sexual harassment, and on measures to protect women from sexual harassment and other forms of violence of coercion in the workplace;

General Recommendation No. 26: Women migrant workers

26. States parties in countries where migrant women work should take all appropriate measures to ensure non-discrimination and the equal rights of women migrant workers, including in their own communities. Measures that may be required include, but are not limited to, the following:

26.j The rights of women migrant workers in detention, whether they are documented or undocumented: States parties should ensure that women migrant workers who are in detention do not suffer discrimination or gender-based violence, and that pregnant and breastfeeding mothers as well as women in ill health have access to appropriate services. They should review, eliminate or reform laws, regulations, or policies that result in a disproportionate number of women migrant workers being detained for migration-related reasons (articles 2 (d) and 5);

Joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child on harmful practices

55. The Committees recommend that the States parties to the Conventions adopt or amend legislation with a view to effectively addressing and eliminating harmful practices. In doing so, they should ensure:

		<p>55.o That women and children subjected to harmful practices have equal access to justice, including by addressing legal and practical barriers to initiating legal proceedings, such as the limitation period, and that the perpetrators and those who aid or condone such practices are held accountable;</p> <p>87. The Committees recommend that the States parties to the Conventions:</p> <p>87.d Ensure that children participating in legal processes have access to appropriate child -sensitive services to safeguard their rights and safety and to limit the possible negative impacts of the proceedings. Protective action may include limiting the number of times that a victim is required to give a statement and not requiring that individual to face the perpetrator or perpetrators. Other steps may include appointing a guardian ad litem (especially where the perpetrator is a parent or legal guardian) and ensuring that child victims have access to adequate child -sensitive information about the process and fully understand what to expect;</p> <p><i>General Recommendation No. 34: Rights of rural women</i></p> <p>9. States parties should ensure that legal frameworks are non-discriminatory and guarantee access to justice to rural women, in line with general recommendation No. 33, including by:</p> <p>9.f Dismantling barriers to rural women’s access to justice by ensuring that formal and informal justice mechanisms and dispute resolution alternatives are available to them;</p> <p>25. States parties should prevent and eliminate all forms of violence against rural women and girls, and, in line with general recommendations No. 19 and No. 33:</p> <p>25.c Ensure that victims living in rural areas have effective access to justice, including legal aid, as well as compensation and other forms of redress or reparation, and that authorities at all levels in rural areas, including the judiciary, judicial administrators and civil servants, have the resources needed and the political will to respond to violence against rural women and girls and protect them against retaliation when reporting abuses;</p> <p>Human Rights Committee (CCPR) General Comments</p> <p><i>General Comment No. 32: Right to equality before courts and tribunals and to a fair trial</i></p> <p>9. Article 14 encompasses the right of access to the courts in cases of determination of criminal charges and rights and obligations in a suit at law. Access to administration of justice must effectively be guaranteed in all such cases to ensure that no individual is deprived, in procedural terms, of his/her right to claim justice. The right of access to courts and tribunals and equality before them is not limited to citizens of States parties, but must also be available to all individuals, regardless of nationality or statelessness, or whatever their status, whether asylum seekers, refugees, migrant workers, unaccompanied children or other persons, who may find themselves in the territory or subject to the jurisdiction of the State party. A situation in which an individual’s attempts to access the competent courts or tribunals are systematically frustrated de jure or de facto runs counter to the guarantee of article 14, paragraph 1, first sentence. This guarantee also prohibits any distinctions regarding access to courts and tribunals that are not based on law and cannot be justified on objective and reasonable grounds. The guarantee is violated if certain persons are barred from bringing</p>
--	--	--

suit against any other persons such as by reason of their race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

42. Article 14, paragraph 4, provides that in the case of juvenile persons, procedures should take account of their age and the desirability of promoting their rehabilitation. Juveniles are to enjoy at least the same guarantees and protection as are accorded to adults under article 14 of the Covenant. In addition, juveniles need special protection. In criminal proceedings they should, in particular, be informed directly of the charges against them and, if appropriate, through their parents or legal guardians, be provided with appropriate assistance in the preparation and presentation of their defence; be tried as soon as possible in a fair hearing in the presence of legal counsel, other appropriate assistance and their parents or legal guardians, unless it is considered not to be in the best interest of the child, in particular taking into account their age or situation. Detention before and during the trial should be avoided to the extent possible.

43. States should take measures to establish an appropriate juvenile criminal justice system, in order to ensure that juveniles are treated in a manner commensurate with their age. It is important to establish a minimum age below which children and juveniles shall not be put on trial for criminal offences; that age should take into account their physical and mental immaturity.

44. Whenever appropriate, in particular where the rehabilitation of juveniles alleged to have committed acts prohibited under penal law would be fostered, measures other than criminal proceedings, such as mediation between the perpetrator and the victim, conferences with the family of the perpetrator, counselling or community service or educational programmes, should be considered, provided they are compatible with the requirements of this Covenant and other relevant human rights standards.

General Comment No. 35: Liberty and security of person

18. Detention in the course of proceedings for the control of immigration is not per se arbitrary, but the detention must be justified as reasonable, necessary and proportionate in the light of the circumstances and reassessed as it extends in time. Asylum seekers who unlawfully enter a State party's territory may be detained for a brief initial period in order to document their entry, record their claims and determine their identity if it is in doubt. To detain them further while their claims are being resolved would be arbitrary in the absence of particular reasons specific to the individual, such as an individualized likelihood of absconding, a danger of crimes against others or a risk of acts against national security. The decision must consider relevant factors case by case and not be based on a mandatory rule for a broad category; must take into account less invasive means of achieving the same ends, such as reporting obligations, sureties or other conditions to prevent absconding; and must be subject to periodic re-evaluation and judicial review. Decisions regarding the detention of migrants must also take into account the effect of the detention on their physical or mental health. Any necessary detention should take place in appropriate, sanitary, non-punitive facilities and should not take place in prisons. The inability of a State party to carry out the expulsion of an individual because of statelessness or other obstacles does not justify indefinite detention. Children should not be deprived of liberty, except as a measure of last resort and for the shortest appropriate period of time, taking into account their best interests as a primary consideration with regard to the duration and conditions of detention, and also taking into account the extreme vulnerability and need for care of unaccompanied minors.

Committee on the Elimination of Racial Discrimination General Recommendations

General Recommendation No. 30: Discrimination against non-citizens

		<p>18. Ensure that non-citizens enjoy equal protection and recognition before the law and in this context, to take action against racially motivated violence and to ensure the access of victims to effective legal remedies and the right to seek just and adequate reparation for any damage suffered as a result of such violence;</p> <p>5.i To implement national strategies or plans of action aimed at the elimination of structural racial discrimination. These long term strategies should include specific objectives and actions as well as indicators against which progress can be measured. They should include, in particular, guidelines for prevention, recording, investigation and prosecution of racist or xenophobic incidents, assessment of the level of satisfaction among all communities concerning their relations with the police and the system of justice, and recruitment and promotion in the judicial system of persons belonging to various racial or ethnic groups;</p> <p>Committee on the Rights of Persons with Disabilities General Comments</p> <p><i>General Comment No. 1: Equal recognition before the law</i></p> <p>38. States parties have an obligation to ensure that persons with disabilities have access to justice on an equal basis with others. The recognition of the right to legal capacity is essential for access to justice in many respects. In order to seek enforcement of their rights and obligations on an equal basis with others, persons with disabilities must be recognized as persons before the law with equal standing in courts and tribunals. States parties must also ensure that persons with disabilities have access to legal representation on an equal basis with others. This has been identified as a problem in many jurisdictions and must be remedied, including by ensuring that persons who experience interference with their right to legal capacity have the opportunity to challenge such interference — on their own behalf or with legal representation — and to defend their rights in court. Persons with disabilities have often been excluded from key roles in the justice system as lawyers, judges, witnesses or members of a jury.</p> <p>39. Police officers, social workers and other first responders must be trained to recognize persons with disabilities as full persons before the law and to give the same weight to complaints and statements from persons with disabilities as they would to non-disabled persons. This entails training and awareness-raising in these important professions. Persons with disabilities must also be granted legal capacity to testify on an equal basis with others. Article 12 of the Convention guarantees support in the exercise of legal capacity, including the capacity to testify in judicial, administrative and other legal proceedings. Such support could take various forms, including recognition of diverse communication methods, allowing video testimony in certain situations, procedural accommodation, the provision of professional sign language interpretation and other assistive methods. The judiciary must also be trained and made aware of their obligation to respect the legal capacity of persons with disabilities, including legal agency and standing.</p>
16.6	Develop effective, accountable and transparent institutions at all levels	<div data-bbox="533 1193 683 1321" data-label="Image"> </div> <p>This SDG target cannot be explicitly supported by any legally binding human rights obligation. The corresponding human rights obligations listed below are all INDIRECTLY and IMPLICITLY related to the SDG target.</p> <p>It is worth noting that the concept of transparency on institutions is a bit weak in international law. However, international law does require that States Parties ensure the participation of all persons in decision-making at all levels, as well as access to information, which can be linked with accountability and transparency.</p>

➤ **CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)**

Convention on the Rights of the Child (CRC)

4 States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation.

Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)

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

International Covenant on Economic, Social, and Cultural Rights (ICESCR)

2.1 Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and co-operation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures.

International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)

2.2 States Parties shall, when the circumstances so warrant, take, in the social, economic, cultural and other fields, special and concrete measures to ensure the adequate development and protection of certain racial groups or individuals belonging to them, for the purpose of guaranteeing them the full and equal enjoyment of human rights and fundamental freedoms. These measures shall in no case entail as a consequence the maintenance of unequal or separate rights for different racial groups after the objectives for which they were taken have been achieved.

International Covenant on Civil and Political Rights (ICCPR)

2.2 Where not already provided for by existing legislative or other measures, each State Party to the present Covenant undertakes to take the necessary steps, in accordance with its constitutional processes and with the provisions of the present Covenant, to adopt such laws or other measures as may be necessary to give effect to the rights recognized in the present Covenant.

African Charter on Human and Peoples' Rights

9.1 Every individual shall have the right to receive information.

9.2 Every individual shall have the right to express and disseminate his opinions within the law.

➤ **SUPPORTING REFERENCES (NOT LEGALLY BINDING)**

CRC Committee General Comments

General Comment No. 5: General measures of implementation of the Convention on the Rights of the Child

51. In its reporting guidelines and in the consideration of States parties' reports, the Committee has paid much attention to the identification and analysis of resources for children in national and other budgets. No State can tell whether it is fulfilling children's economic, social and cultural rights "to the maximum extent of ... available resources", as it is required to do under article 4, unless it can identify the proportion of national and other budgets allocated to the social sector and, within that, to children, both directly and indirectly. Some States have claimed it is not possible to analyse national budgets in this way. But others have done it and publish annual "children's budgets". The Committee needs to know what steps are taken at all levels of Government to ensure that economic and social planning and decision-making and budgetary decisions are made with the best interests of children as a primary consideration and that children, including in particular marginalized and disadvantaged groups of children, are protected from the adverse effects of economic policies or financial downturns.

52. Emphasizing that economic policies are never neutral in their effect on children's rights, the Committee has been deeply concerned by the often negative effects on children of structural adjustment programmes and transition to a market economy. The implementation duties of article 4 and other provisions of the Convention demand rigorous monitoring of the effects of such changes and adjustment of policies to protect children's economic, social and cultural rights.

General Comment No. 15: The right of the child to the highest attainable standard of health

104. In their decisions about budget allocation and spending, States should strive to ensure availability, accessibility, acceptability and quality of essential children's health services for all, without discrimination.

105. States should continually assess the impact of macroeconomic policy decisions on children's right to health, particularly children in vulnerable situations, prevent any decisions that may compromise children's rights, and apply the "best interests" principle when making such decisions. States should also consider obligations under article 24 in all aspects of their negotiations with international financial institutions and other donors, to ensure that children's right to health is given adequate consideration in international cooperation.

General Comment No. 16: State obligations regarding the impact of the business sector on children's rights

34. States must adopt specific measures that take account of the involvement of the private sector in service delivery to ensure the rights enumerated in the Convention are not compromised. They have an obligation to set standards in conformity with the Convention and closely monitor them. Inadequate oversight, inspection and monitoring of these bodies can result in serious violations of children's rights such as violence, exploitation and neglect. They must ensure that such provision does not threaten children's access to services on the basis of discriminatory criteria, especially under the principle of protection from discrimination, and that, for all service sectors, children have access to an independent monitoring body, complaints mechanisms and, where relevant, to judicial recourse that can provide them with effective remedies in case of violations. The Committee recommends that

		<p>there should be a permanent monitoring mechanism or process aimed at ensuring that all non-State service providers have in place and apply policies, programmes and procedures which are in compliance with the Convention.</p> <p>65. As part of child-rights due diligence, large business enterprises should be encouraged and, where appropriate, required to make public their efforts to address child-rights impacts. Such communication should be available, efficient and comparable across enterprises and address measures taken by business to mitigate potential and actual adverse impacts for children caused by their activities. Business enterprises should be required to publish the actions taken to ensure that the goods and services they produce or commercialize do not involve serious violations of children’s rights, such as slavery or forced labour. Where reporting is mandatory, States should put in place verification and enforcement mechanisms to ensure compliance. States may support reporting by creating instruments to benchmark and recognize good performance with regard to children’s rights.</p> <p><i>General Comment No. 19: Public Budgets to Realize the Rights of the Child</i></p> <p>54. The Committee recognizes that budget transparency is a prerequisite for meaningful participation. Transparency means ensuring that user-friendly information is made publically available in a timely manner in relation to the planning, enactment, execution and follow-up of budgets. This includes both quantitative budget data as well as relevant information about legislation, policies, programmes, the budget process timetable, motivation for spending priorities and decisions, outputs, outcomes and service delivery information. The Committee underlines the need for States to budget for and provide contextually appropriate materials, mechanisms and institutions to enable meaningful participation.</p> <p>55. To enable meaningful participation in the budget process, the Committee also stresses the importance of States having legislation and policies for freedom of information in place that include, or at a minimum do not exclude, children and child rights advocates from the right to access key budgetary documents - such as pre-budget statements, budget proposals, enacted budgets, mid-term reports, in-year reports and audit reports.</p> <p>59. States should plan, enact, execute and follow up in ways that lead to advances in child rights. States should invest in understanding the child rights situation in their context and formulate and implement legislation, policies and programmes that are strategically designed to overcome challenges of realizing the rights of the child. States should constantly assess how budgets affect different groups of children and ensure that their budget decisions lead to the best possible outcomes for the largest number of children, giving special attention to children in vulnerable situations.</p>
<p>16.7</p>	<p>Ensure responsive, inclusive, participatory and representative decision-making at all levels</p>	<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Rights of the Child (CRC)</p> <p>12.1 States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.</p> <p>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</p> <p>7.c To participate in non-governmental organizations and associations concerned with the public and political life of the country.</p>

		<p>7.a To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;</p> <p>7.b To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;</p> <p>Convention on the Rights of Persons with Disabilities (CRPD)</p> <p>4.3 In the development and implementation of legislation and policies to implement the present Convention, and in other decision-making processes concerning issues relating to persons with disabilities, States Parties shall closely consult with and actively involve persons with disabilities, including children with disabilities, through their representative organizations.</p> <p>International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)</p> <p>5.c Political rights, in particular the right to participate in elections-to vote and to stand for election-on the basis of universal and equal suffrage, to take part in the Government as well as in the conduct of public affairs at any level and to have equal access to public service;</p> <p>International Covenant on Civil and Political Rights (ICCPR)</p> <p>25.a To take part in the conduct of public affairs, directly or through freely chosen representatives;</p> <p>25.b To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors;</p> <p>25.c To have access, on general terms of equality, to public service in his country.</p> <p>Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CRMW)</p> <p>41.1 Migrant workers and members of their families shall have the right to participate in public affairs of their State of origin and to vote and to be elected at elections of that State, in accordance with its legislation.</p> <p>41.2 The States concerned shall, as appropriate and in accordance with their legislation, facilitate the exercise of these rights.</p> <p>42.1 States Parties shall consider the establishment of procedures or institutions through which account may be taken, both in States of origin and in States of employment, of special needs, aspirations and obligations of migrant workers and members of their families and shall envisage, as appropriate, the possibility for migrant workers and members of their families to have their freely chosen representatives in those institutions.</p> <p>42.2 States of employment shall facilitate, in accordance with their national legislation, the consultation or participation of migrant workers and members of their families in decisions concerning the life and administration of local communities.</p>
--	--	--

42.3 Migrant workers may enjoy political rights in the State of employment if that State, in the exercise of its sovereignty, grants them such rights.

Universal Declaration of Human Rights (UDHR)

21.1 Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

African Charter on Human and Peoples' Rights

9.1 Every individual shall have the right to receive information.

9.2 Every individual shall have the right to express and disseminate his opinions within the law.

13.1 Every citizen shall have the right to participate freely in the government of his country, either directly or through freely chosen representatives in accordance with the provisions of the law.

13.2 Every citizen shall have the right of equal access to the public service of the country.

African Charter on the Rights and Welfare of the Child

7 Every child who is capable of communicating his or her own views shall be assured the rights to express his opinions freely in all matters and to disseminate his opinions subject to such restrictions as are prescribed by laws.

American Convention on Human Rights

23.1 Every citizen shall enjoy the following rights and opportunities:

23.1.a to take part in the conduct of public affairs, directly or through freely chosen representatives;

23.1.b to vote and to be elected in genuine periodic elections, which shall be by universal and equal suffrage and by secret ballot that guarantees the free expression of the will of the voters; and

23.1.c to have access, under general conditions of equality, to the public service of his country.

Protocol to the American Convention on Human Rights 1988

3 The State Parties to this Protocol undertake to guarantee the exercise of the rights set forth herein without discrimination of any kind for reasons related to race, colour, sex, language, religion, political or other opinions, national or social origin, economic status, birth or any other social condition.

European Convention on Human Rights

10 Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.

Protocol to the European Convention on Human Rights No. 12

1.1 The enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

1.2 No one shall be discriminated against by any public authority on any ground such as those mentioned in paragraph 1.

EU Framework Convention for the Protection of National Minorities

15 The Parties shall create the conditions necessary for the effective participation of persons belonging to national minorities in cultural, social and economic life and in public affairs, in particular those affecting them.

UN Security Council Resolution 1325

1. Urges Member States to ensure increased representation of women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management, and resolution of conflict;

48. Denial or restriction of legal capacity has been used to deny political participation, especially the right to vote, to certain persons with disabilities. In order to fully realize the equal recognition of legal capacity in all aspects of life, it is important to recognize the legal capacity of persons with disabilities in public and political life (art. 29). This means that a person's decision-making ability cannot be a justification for any exclusion of persons with disabilities from exercising their political rights, including the right to vote, the right to stand for election and the right to serve as a member of a jury.

49. States parties have an obligation to protect and promote the right of persons with disabilities to access the support of their choice in voting by secret ballot, and to participate in all elections and referendums without discrimination. The Committee further recommends that States parties guarantee the right of persons with disabilities to stand for election, to hold office effectively and to perform all public functions at all levels of government, with reasonable accommodation and support, where desired, in the exercise of their legal capacity.

➤ **SUPPORTING REFERENCES (NOT LEGALLY BINDING)**

Beijing Platform of Action (1995)

E.1 Increase the participation of women in conflict resolution at decision-making levels and protect women living in situations of armed and other conflicts or under foreign occupation.

E.4 Promote women's contribution to fostering a culture of peace.

		<p>G.1 Take measures to ensure women's equal access to and full participation in power structures and decision-making.</p> <p>G.2 Increase women's capacity to participate in decision-making and leadership.</p> <p>J.1 Increase the participation and access of women to expression and decision-making in and through the media and new technologies of communication.</p> <p>K.1 Involve women actively in environmental decision-making at all levels.</p> <p>L.8 Promote the girl-child's awareness of and participation in social, economic and political life.</p> <p>Vienna Declaration and Programme of Action</p> <p>31 The World Conference on Human Rights urges States to ensure the full and free participation of indigenous people in all aspects of society, in particular in matters of concern to them.</p> <p>CRC Committee General Comments</p> <p><i>General Comment No. 3: Adolescent health and development in the context of the Convention on the Rights of the Child</i></p> <p>4. The right to express views freely and have them duly taken into account (art. 12) is also fundamental in realizing adolescents' right to health and development. States parties need to ensure that adolescents are given a genuine chance to express their views freely on all matters affecting them, especially within the family, in school, and in their communities. In order for adolescents to be able safely and properly to exercise this right, public authorities, parents and other adults working with or for children need to create an environment based on trust, information sharing, the capacity to listen and sound guidance that is conducive for adolescents' participating equally including in decision-making processes.</p> <p><i>General Comment No. 17: The right of the child to rest, leisure, play, recreational activities, cultural life and the arts</i></p> <p>14.g Participate freely: The right of children to participate freely in cultural life and the arts requires that States parties respect and abstain from interfering in the child's access to, choice of and engagement in such activities, subject to the obligation to ensure the protection of the child and the promotion of the child's best interests. States parties must also ensure that others do not restrict that right. The child's decision to exercise or not exercise this right is his or her choice and, as such, should be recognized, respected and protected.</p> <p><i>General Comment No. 5: General measures of implementation of the Convention on the Rights of the Child</i></p> <p>Article 3 (1): the best interests of the child as a primary consideration in all actions concerning children. The article refers to actions undertaken by "public or private social welfare institutions, courts of law, administrative authorities or legislative bodies". The principle requires active measures throughout Government, parliament and the judiciary. Every legislative, administrative and judicial body or institution is required to apply the best interests principle by systematically considering how children's rights and</p>
--	--	---

interests are or will be affected by their decisions and actions - by, for example, a proposed or existing law or policy or administrative action or court decision, including those which are not directly concerned with children, but indirectly affect children.

12. Article 12: the child's right to express his or her views freely in "all matters affecting the child", those views being given due weight. This principle, which highlights the role of the child as an active participant in the promotion, protection and monitoring of his or her rights, applies equally to all measures adopted by States to implement the Convention. Opening government decision-making processes to children is a positive challenge which the Committee finds States are increasingly responding to. Given that few States as yet have reduced the voting age below 18, there is all the more reason to ensure respect for the views of unenfranchised children in Government and parliament. If consultation is to be meaningful, documents as well as processes need to be made accessible. But appearing to "listen" to children is relatively unchallenging; giving due weight to their views requires real change. Listening to children should not be seen as an end in itself, but rather as a means by which States make their interactions with children and their actions on behalf of children ever more sensitive to the implementation of children's rights. One-off or regular events like Children's Parliaments can be stimulating and raise general awareness. But article 12 requires consistent and ongoing arrangements. Involvement of and consultation with children must also avoid being tokenistic and aim to ascertain representative views. The emphasis on "matters that affect them" in article 12 (1) implies the ascertainment of the views of particular groups of children on particular issues - for example children who have experience of the juvenile justice system on proposals for law reform in that area, or adopted children and children in adoptive families on adoption law and policy. It is important that Governments develop a direct relationship with children, not simply one mediated through non-governmental organizations (NGOs) or human rights institutions. In the early years of the Convention, NGOs had played a notable role in pioneering participatory approaches with children, but it is in the interests of both Governments and children to have appropriate direct contact.

General Comment No. 7: Implementing child rights in early childhood

14. Respect for the views and feelings of the young child. Article 12 states that the child has a right to express his or her views freely in all matters affecting the child, and to have them taken into account. This right reinforces the status of the young child as an active participant in the promotion, protection and monitoring of their rights. Respect for the young child's agency as a participant in family, community and society is frequently overlooked, or rejected as inappropriate on the grounds of age and immaturity. In many countries and regions, traditional beliefs have emphasized young children's need for training and socialization. They have been regarded as undeveloped, lacking even basic capacities for understanding, communicating and making choices. They have been powerless within their families, and often voiceless and invisible within society. The Committee wishes to emphasize that article 12 applies both to younger and to older children. As holders of rights, even the youngest children are entitled to express their views, which should be "given due weight in accordance with the age and maturity of the child" (art. 12.1). Young children are acutely sensitive to their surroundings and very rapidly acquire understanding of the people, places and routines in their lives, along with awareness of their own unique identity. They make choices and communicate their feelings, ideas and wishes in numerous ways, long before they are able to communicate through the conventions of spoken or written language. In this regard:

14.a The Committee encourages States parties to take all appropriate measures to ensure that the concept of the child as rights holder with freedom to express views and the right to be consulted in matters that affect him or her is implemented from the earliest stage in ways appropriate to the child's capacities, best interests, and rights to protection from harmful experiences;

General Comment No. 9: The rights of children with disabilities

32. More often than not, adults with and without disabilities make policies and decisions related to children with disabilities while the children themselves are left out of the process. It is essential that children with disabilities be heard in all procedures affecting them and that their views be respected in accordance with their evolving capacities. In order for this principle to be respected, children should be represented in various bodies such as parliament, committees and other forums where they may voice views and participate in the making of decisions that affect them as children in general and as children with disabilities specifically. Engaging children in such a process not only ensures that the policies are targeted to their needs and desires, but also functions as a valuable tool for inclusion since it ensures that the decision-making process is a participatory one. Children should be provided with whatever mode of communication they need to facilitate expressing their views. Furthermore, States parties should support the training for families and professionals on promoting and respecting the evolving capacities of children to take increasing responsibilities for decision-making in their own lives.

General Comment No. 10: Children's rights in juvenile justice

12. The right of the child to express his/her views freely in all matters affecting the child should be fully respected and implemented throughout every stage of the process of juvenile justice (see paragraphs 43-45 below). The Committee notes that the voices of children involved in the juvenile justice system are increasingly becoming a powerful force for improvements and reform, and for the fulfilment of their rights.

General Comment No. 11: Indigenous children and their rights under the Convention

38. With regard to the individual indigenous child, the State party has the obligation to respect the child's right to express his or her view in all matters affecting him or her, directly or through a representative, and give due weight to this opinion in accordance with the age and maturity of the child. The obligation is to be respected in any judicial or administrative proceeding. Taking into account the obstacles which prevent indigenous children from exercising this right, the State party should provide an environment that encourages the free opinion of the child. The right to be heard includes the right to representation, culturally appropriate interpretation and also the right not to express one's opinion.

General Comment No. 12: The right of the child to be heard

11. States parties should encourage the child to form a free view and should provide an environment that enables the child to exercise her or his right to be heard.

75. The right to non-discrimination is an inherent right guaranteed by all human rights instruments including the Convention on the Rights of the Child. According to article 2 of the Convention, every child has the right not to be discriminated against in the exercise of his or her rights including those provided under article 12. The Committee stresses that States parties shall take adequate measures to assure to every child the right to freely express his or her views and to have those views duly taken into account without discrimination on grounds of race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status. States parties shall address discrimination, including against vulnerable or marginalized groups of children, to ensure that children are assured their right to be heard and are enabled to participate in all matters affecting them on an equal basis with all other children.

	<p>77. The Committee urges States parties to pay special attention to the right of the girl child to be heard, to receive support, if needed, to voice her view and her view be given due weight, as gender stereotypes and patriarchal values undermine and place severe limitations on girls in the enjoyment of the right set forth in article 12.</p> <p>92. States parties should encourage, through legislation and policy, parents, guardians and childminders to listen to children and give due weight to their views in matters that concern them. Parents should also be advised to support children in realizing the right to express their views freely and to have children's views duly taken into account at all levels of society.</p> <p>97. Mechanisms must be introduced to ensure that children in all forms of alternative care, including in institutions, are able to express their views and that those views be given due weight in matters of their placement, the regulations of care in foster families or homes and their daily lives.</p> <p>98. The realization of the provisions of the Convention requires respect for the child's right to express his or her views and to participate in promoting the healthy development and well-being of children. This applies to individual health-care decisions, as well as to children's involvement in the development of health policy and services.</p> <p>105. Respect for right of the child to be heard within education is fundamental to the realization of the right to education. The Committee notes with concern continuing authoritarianism, discrimination, disrespect and violence which characterize the reality of many schools and classrooms. Such environments are not conducive to the expression of children's views and the due weight to be given these views.</p> <p>117. Working children have a right to be protected by law against exploitation and should be heard when worksites and conditions of work are examined by inspectors investigating the implementation of labour laws. Children and, if existing, representatives of working children's associations should also be heard when labour laws are drafted or when the enforcement of laws is considered and evaluated.</p> <p>123. Children who come to a country following their parents in search of work or as refugees are in a particularly vulnerable situation. For this reason it is urgent to fully implement their right to express their views on all aspects of the immigration and asylum proceedings. In the case of migration, the child has to be heard on his or her educational expectations and health conditions in order to integrate him or her into school and health services. In the case of an asylum claim, the child must additionally have the opportunity to present her or his reasons leading to the asylum claim.</p> <p>126. Accordingly, the Committee encourages States parties to support mechanisms which enable children, in particular adolescents, to play an active role in both post-emergency reconstruction and post-conflict resolution processes. Their views should be elicited in the assessment, design, implementation, monitoring and evaluation of programmes. For example, children in refugee camps can be encouraged to contribute to their own safety and well-being through the establishment of children's forums. Support needs to be given to enable children to establish such forums, while ensuring that their operation is consistent with children's best interests and their right to protection from harmful experiences.</p> <p>128. Children should be supported and encouraged to form their own child-led organizations and initiatives, which will create space for meaningful participation and representation. In addition, children can contribute their perspectives, for example, on the design of schools, playgrounds, parks, leisure and cultural facilities, public libraries, health facilities and local transport systems in order to</p>
--	--

ensure more appropriate services. In community development plans that call for public consultation, children's views should be explicitly included.

133. If participation is to be effective and meaningful, it needs to be understood as a process, not as an individual one-off event. Experience since the Convention on the Rights of the Child was adopted in 1989 has led to a broad consensus on the basic requirements which have to be reached for effective, ethical and meaningful implementation of article 12. The Committee recommends that States parties integrate these requirements into all legislative and other measures for the implementation of article 12.

General Comment No. 14: The right of the child to have his or her best interests taken as a primary consideration

13. Each State party must respect and implement the right of the child to have his or her best interests assessed and taken as a primary consideration, and is under the obligation to take all necessary, deliberate and concrete measures for the full implementation of this right.

General Comment No. 19: Public Budgets to Realize the Rights of the Child

53. The Committee recalls that "investment in the realization of the child's right to be heard in all matters of concern to her or him and for her or his views to be given due consideration, is a clear and immediate legal obligation of States parties under the Convention... It also requires a commitment to resources and training" underlines the responsibility of States to ensure that there is funding to achieve meaningful participation of children in all decisions affecting them. It recognizes the important role played by officials of the executive, independent ombudspersons for children, educational institutions, the media, civil society organizations including children's organizations, and legislatures in assuring children's participation in relation to public budgets.

CEDAW Committee General Recommendations

General Recommendation No. 23: Political and public life

5. Article 7 obliges States parties to take all appropriate measures to eliminate discrimination against women in political and public life and to ensure that they enjoy equality with men in political and public life. The obligation specified in article 7 extends to all areas of public and political life and is not limited to those areas specified in subparagraphs (a), (b) and (c). The political and public life of a country is a broad concept. It refers to the exercise of political power, in particular the exercise of legislative, judicial, executive and administrative powers. The term covers all aspects of public administration and the formulation and implementation of policy at the international, national, regional and local levels. The concept also includes many aspects of civil society, including public boards and local councils and the activities of organizations such as political parties, trade unions, professional or industry associations, women's organizations, community-based organizations and other organizations concerned with public and political life.

17. In order to achieve broad representation in public life, women must have full equality in the exercise of political and economic power; they must be fully and equally involved in decision-making at all levels, both nationally and internationally, so that they may make their contribution to the goals of equality, development and the achievement of peace. A gender perspective is critical if these goals are to be met and if true democracy is to be assured. For these reasons, it is essential to involve women in public life to take

		<p>advantage of their contribution, to assure their interests are protected and to fulfil the guarantee that the enjoyment of human rights is for all people regardless of gender. Women’s full participation is essential not only for their empowerment but also for the advancement of society as a whole.</p> <p>18. The Convention obliges States parties in constitutions or legislation to take appropriate steps to ensure that women, on the basis of equality with men, enjoy the right to vote in all elections and referendums, and to be elected. These rights must be enjoyed both de jure and de facto.</p> <p>26. States parties have a responsibility, where it is within their control, both to appoint women to senior decision-making roles and, as a matter of course, to consult and incorporate the advice of groups which are broadly representative of women’s views and interests.</p> <p>27. States parties have a further obligation to ensure that barriers to women’s full participation in the formulation of government policy are identified and overcome. These barriers include complacency when token women are appointed, and traditional and customary attitudes that discourage women’s participation. When women are not broadly represented in the senior levels of government or are inadequately or not consulted at all, government policy will not be comprehensive and effective.</p> <p>Committee on Economic, Social and Cultural Rights General Comments</p> <p><i>General Comment No. 5: Persons with disabilities</i></p> <p>37. The right to full participation in cultural and recreational life for persons with disabilities further requires that communication barriers be eliminated to the greatest extent possible. Useful measures in this regard might include “the use of talking books, papers written in simple language and with clear format and colours for persons with mental disability, [and] adapted television and theatre for deaf persons”.</p> <p>Committee on the Elimination of Racial Discrimination General Recommendations</p> <p><i>General Recommendation No. 23: The rights of indigenous people</i></p> <p>4. The Committee calls in particular upon States parties to:</p> <p>4.e Ensure that indigenous communities can exercise their rights to practise and revitalize their cultural traditions and customs and to preserve and to practise their languages.</p> <p>Committee on the Rights of Persons with Disabilities General Comments</p> <p><i>General Comment No. 1: Equal recognition before the law</i></p> <p>44. To fully realize the rights provided for in article 12, it is imperative that persons with disabilities have opportunities to develop and express their will and preferences, in order to exercise their legal capacity on an equal basis with others. This means that</p>
--	--	---

		<p>persons with disabilities must have the opportunity to live independently in the community and to make choices and to have control over their everyday lives, on an equal basis with others, as provided for in article 19.</p>
<p>16.9</p>	<p>By 2030, provide legal identity for all, including birth registration</p>	<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Rights of the Child (CRC)</p> <p>7.1 The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents.</p> <p>7.2 States Parties shall ensure the implementation of these rights in accordance with their national law and their obligations under the relevant international instruments in this field, in particular where the child would otherwise be stateless.</p> <p>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</p> <p>9.1 States Parties shall grant women equal rights with men to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless or force upon her the nationality of the husband.</p> <p>9.2 States Parties shall grant women equal rights with men with respect to the nationality of their children.</p> <p>Convention on the Rights of Persons with Disabilities (CRPD)</p> <p>18.1.a Have the right to acquire and change a nationality and are not deprived of their nationality arbitrarily or on the basis of disability;</p> <p>18.1.b Are not deprived, on the basis of disability, of their ability to obtain, possess and utilize documentation of their nationality or other documentation of identification, or to utilize relevant processes such as immigration proceedings, that may be needed to facilitate exercise of the right to liberty of movement;</p> <p>18.2 Children with disabilities shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by their parents.</p> <p>International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)</p> <p>5.d.iii The right to nationality;</p> <p>International Covenant on Civil and Political Rights (ICCPR)</p> <p>24.2 Every child shall be registered immediately after birth and shall have a name.</p> <p>24.3 Every child has the right to acquire a nationality.</p>

		<p>Universal Declaration of Human Rights (UDHR)</p> <p>15.1 Everyone has the right to a nationality.</p> <p>African Charter on Human and Peoples’ Rights</p> <p>3.1 Every individual shall be equal before the law</p> <p>3.2 Every individual shall be entitled to equal protection of the law</p> <p>African Charter on the Rights and Welfare of the Child</p> <p>3 Every child shall be entitled to the enjoyment of the rights and freedoms recognized and guaranteed in this Charter irrespective of the child’s or his/her parents’ or legal guardians’ race, ethnic group, colour, sex, language, religion, political or other opinion, national and social origin, fortune, birth or other status.</p> <p>6.1 Every child shall have the right from his birth to a name.</p> <p>6.2 Every child shall be registered immediately after birth.</p> <p>6.3 Every child has the right to acquire a nationality.</p> <p>American Convention on Human Rights</p> <p>3 Every person has the right to recognition as a person before the law.</p> <p>20.1 Every person has the right to a nationality.</p> <p>Protocol to the American Convention on Human Rights 1988</p> <p>3 The State Parties to this Protocol undertake to guarantee the exercise of the rights set forth herein without discrimination of any kind for reasons related to race, colour, sex, language, religion, political or other opinions, national or social origin, economic status, birth or any other social condition.</p> <p>➤ SUPPORTING REFERENCES (NOT LEGALLY BINDING)</p> <p>CRC Committee General Comments</p> <p><i>General Comment No. 2: HIV/AIDS and the rights of the child</i></p> <p>29. The Committee wishes to emphasize the critical implications of proof of identity for children affected by HIV/AIDS, as it relates to securing recognition as a person before the law, safeguarding the protection of rights, in particular to inheritance, education, health and other social services, as well as to making children less vulnerable to abuse and exploitation, particularly if separated</p>
--	--	---

from their families due to illness or death. In this respect, birth registration is critical to ensure the rights of the child and is also necessary to minimize the impact of HIV/AIDS on the lives of affected children. States parties are therefore reminded of their obligation under article 7 of the Convention to ensure that systems are in place for the registration of every child at or shortly after birth.

General Comment No. 7: Implementing child rights in early childhood

25. Birth registration. Comprehensive services for early childhood begin at birth. The Committee notes that provision for registration of all children at birth is still a major challenge for many countries and regions. This can impact negatively on a child's sense of personal identity and children may be denied entitlements to basic health, education and social welfare. As a first step in ensuring the rights to survival, development and access to quality services for all children (art. 6), the Committee recommends that States parties take all necessary measures to ensure that all children are registered at birth. This can be achieved through a universal, well managed registration system that is accessible to all and free of charge. An effective system must be flexible and responsive to the circumstances of families, for example by providing mobile registration units where appropriate. The Committee notes that children who are sick or disabled are less likely to be registered in some regions and emphasizes that all children should be registered at birth, without discrimination of any kind (art. 2). The Committee also reminds States parties of the importance of facilitating late registration of birth, and ensuring that children who have not been registered have equal access to health care, protection, education and other social services.

General Comment No. 9: The rights of children with disabilities

35. Children with disabilities are disproportionately vulnerable to non-registration at birth. Without birth registration they are not recognized by law and become invisible in government statistics. Non-registration has profound consequences for the enjoyment of their human rights, including the lack of citizenship and access to social and health services and to education. Children with disabilities who are not registered at birth are at greater risk of neglect, institutionalization, and even death.

36. In the light of article 7 of the Convention, the Committee recommends that States parties adopt all appropriate measures to ensure the registration of children with disabilities at birth. Such measures should include developing and implementing an effective system of birth registration, waiving registration fees, introducing mobile registration offices and, for children who are not yet registered, providing registration units in schools. In this context, States parties should ensure that the provisions of article 7 are fully enforced in conformity with the principles of non-discrimination (art. 2) and of the best interests of the child (art. 3).

General Comment No. 11: Indigenous children and their rights under the Convention

42. Therefore, States parties should take special measures in order to ensure that indigenous children, including those living in remote areas, are duly registered. Such special measures, to be agreed following consultation with the communities concerned, may include mobile units, periodic birth registration campaigns or the designation of birth registration offices within indigenous communities to ensure accessibility.

43. States parties should ensure that indigenous communities are informed about the importance of birth registration and of the negative implications of its absence on the enjoyment of other rights for non-registered children. States parties should ensure that

information to this effect is available to indigenous communities in their own languages and that public awareness campaigns are undertaken in consultation with the communities concerned.

General Comment No. 20: Implementation of the rights of the child during adolescence

45. Birth registration: Lack of birth registration results in additional complications during adolescence. Without official identification documents, adolescents may be compelled to enter into marriage or the non-formal labour market, or be conscripted into the armed forces, before the age permitted in law. They may also be denied access to health, education, social assistance, nationality or access to a passport. In addition, without documentation, they can be at heightened risk of human trafficking, sexual and economic exploitation, or statelessness. Vulnerability to these violations is increased during conflict or humanitarian emergencies, when adolescents without birth certificates may be denied family reunification, or basic relief services. Unregistered adolescents may be prosecuted as adults due to their inability to prove their age.

46. The Committee reminds States of their obligation to ensure that all children are registered at birth, and the need for a system of national, compulsory, accessible and free birth registration of all children, as part of a comprehensive, rights-based civil registration and vital statistics system. Adolescents who have not been registered at birth or immediately after should be provided with free late birth registration and documentation, and civil registration and vital statistics systems should ensure the preservation of documents and records in case of emergencies.

CEDAW Committee General Recommendations

General Recommendation No. 21: Equality in marriage and family relations

6. Nationality is critical to full participation in society. In general, States confer nationality on those who are born in that country. Nationality can also be acquired by reason of settlement or granted for humanitarian reasons such as statelessness. Without status as nationals or citizens, women are deprived of the right to vote or to stand for public office and may be denied access to public benefits and a choice of residence. Nationality should be capable of change by an adult woman and should not be arbitrarily removed because of marriage or dissolution of marriage or because her husband or father changes his nationality.

Joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child on harmful practices

55. The Committees recommend that the States parties to the Conventions adopt or amend legislation with a view to effectively addressing and eliminating harmful practices. In doing so, they should ensure:

55.h That a national system of compulsory, accessible and free birth registration is established in order to effectively prevent harmful practices, including child marriage.

General Recommendation No. 32 on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women

52. Article 9 (2) of the Convention provides that women are to have the same rights as men to acquire, retain or change their nationality, regardless of marriage and divorce and of what their husbands do with their own nationality. Women are also, according to the Convention, to transmit their nationality to their children under the same conditions as their husbands, whether they are in their own country or abroad.

53. Without status as nationals or citizens, stateless women and girls are often marginalized, deprived of the right to vote or stand for public office and may be denied access to public benefits, a choice of residence and free movement, in addition to access to various rights and benefits flowing from status as a national, including rights to education, health care, property or employment.

56. Birth registration is also closely linked to the enjoyment by women and their children of the right to a nationality. Birth registration provides proof of a person's identity and acquisition of nationality based either on descent (*jus sanguinis*) or place of birth (*jus soli*). In practice, indirect discrimination, cultural practices and poverty often make it impossible for mothers, especially unmarried mothers, to register their children on an equal basis as fathers. Failure to register a child's birth may impair or nullify the child's effective enjoyment of a range of rights, including the right to nationality, to a name and identity, to equality before the law and to recognition of legal capacity.

57. Discriminatory laws or practices may lead to women and their children being unable to gain access to documentation that proves their identity and nationality. In the absence of proof of identity and nationality, a woman and her children may be faced with restrictions on freedom of movement, problems gaining access to diplomatic protection, prolonged detention pending determination of proof of identity and nationality and, ultimately, to a situation in which no State considers them to be nationals and they are rendered stateless.

Human Rights Committee (CCPR) General Comments

General Comment No. 17: Rights of the child

7. Under article 24, paragraph 2, every child has the right to be registered immediately after birth and to have a name. In the Committee's opinion, this provision should be interpreted as being closely linked to the provision concerning the right to special measures of protection and it is designed to promote recognition of the child's legal personality. Providing for the right to have a name is of special importance in the case of children born out of wedlock. The main purpose of the obligation to register children after birth is to reduce the danger of abduction, sale of or traffic in children, or of other types of treatment that are incompatible with the enjoyment of the rights provided for in the Covenant. Reports by States parties should indicate in detail the measures that ensure the immediate registration of children born in their territory.

8. Special attention should also be paid, in the context of the protection to be granted to children, to the right of every child to acquire a nationality, as provided for in article 24, paragraph 3. While the purpose of this provision is to prevent a child from being afforded less protection by society and the State because he is stateless, it does not necessarily make it an obligation for States to give their nationality to every child born in their territory. However, States are required to adopt every appropriate measure, both internally and in cooperation with other States, to ensure that every child has a nationality when he is born. In this connection, no discrimination with regard to the acquisition of nationality should be admissible under internal law as between legitimate children

and children born out of wedlock or of stateless parents or based on the nationality status of one or both of the parents. The measures adopted to ensure that children have a nationality should always be referred to in reports by States parties.

Committee on Migrant Workers General Comments

General Comment No. 1: on migrant domestic workers

58. Children of migrant domestic workers shall be registered soon after birth, independently of the migration status of their parents, and be provided with birth certificates and other identity documents States should take all appropriate measures to ensure that children are not deprived of a nationality. (article 29)

General Comment No. 2: on the rights of migrant workers in an irregular situation and members of their families

79. Legal identity is often a prerequisite for access to a number of fundamental rights. Children of migrants in an irregular situation, particularly those born in a host State that does not recognize their existence, are vulnerable throughout their lives. States parties are obliged to ensure that children of migrant workers are registered soon after birth, irrespective of the migration status of their parents, and provided with birth certificates and other identity documents (art. 29). States parties shall not require migrant workers to present a residence permit in order to register a child, as this would effectively deprive migrant children in an irregular situation of their right to birth registration, which can also deny them access to education, health services, employment and other rights. Non-compliance by migrant workers with the obligation to register their children following birth should never justify their exclusion from education.

Committee on the Rights of Persons with Disabilities General Comments

General Comment No. 1: Equal recognition before the law

14. Legal capacity is an inherent right accorded to all people, including persons with disabilities. As noted above, it consists of two strands. The first is legal standing to hold rights and to be recognized as a legal person before the law. This may include, for example, having a birth certificate, seeking medical assistance, registering to be on the electoral role or applying for a passport. The second is legal agency to act on those rights and to have those actions recognized by the law. It is this component that is frequently denied or diminished for persons with disabilities. For example, laws may allow persons with disabilities to own property, but may not always respect the actions taken by them in terms of buying and selling property. Legal capacity means that all people, including persons with disabilities, have legal standing and legal agency simply by virtue of being human. Therefore, both strands of legal capacity must be recognized for the right to legal capacity to be fulfilled; they cannot be separated. The concept of mental capacity is highly controversial in and of itself. Mental capacity is not, as is commonly presented, an objective, scientific and naturally occurring phenomenon. Mental capacity is contingent on social and political contexts, as are the disciplines, professions and practices which play a dominant role in assessing mental capacity.

43. Persons with disabilities have the right to a name and registration of their birth as part of the right to recognition everywhere as a person before the law (art. 18, para. 2). States parties must take the necessary measures to ensure that children with disabilities are registered at birth. This right is provided for in the Convention on the Rights of the Child (art. 7); however, children with disabilities are disproportionately likely not to be registered as compared with other children. This not only denies them citizenship,

		but often also denies them access to health care and education, and can even lead to their death. Since there is no official record of their existence, their death may occur with relative impunity.
16.10	Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements	<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Rights of the Child (CRC)</p> <p>13.1 The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.</p> <p>14.1 States Parties shall respect the right of the child to freedom of thought, conscience and religion.</p> <p>15.1 States Parties recognize the rights of the child to freedom of association and to freedom of peaceful assembly.</p> <p>16.1 No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, or correspondence, nor to unlawful attacks on his or her honour and reputation.</p> <p>16.2 The child has the right to the protection of the law against such interference or attacks.</p> <p>17.d Encourage the mass media to have particular regard to the linguistic needs of the child who belongs to a minority group or who is indigenous;</p> <p>17.e Encourage the development of appropriate guidelines for the protection of the child from information and material injurious to his or her well-being, bearing in mind the provisions of articles 13 and 18.</p> <p>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</p> <p>10.h Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.</p> <p>14.b To have access to adequate health care facilities, including information, counselling and services in family planning;</p> <p>16.1.e The same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights;</p> <p>Convention on the Rights of Persons with Disabilities (CRPD)</p> <p>10 States Parties reaffirm that every human being has the inherent right to life and shall take all necessary measures to ensure its effective enjoyment by persons with disabilities on an equal basis with others.</p> <p>14.1.a Enjoy the right to liberty and security of person;</p> <p>14.1.b Are not deprived of their liberty unlawfully or arbitrarily, and that any deprivation of liberty is in conformity with the law, and that the existence of a disability shall in no case justify a deprivation of liberty</p>

		<p>15.1 No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his or her free consent to medical or scientific experimentation.</p> <p>Convention Against Torture (CAT)</p> <p>Comment: The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment is relevant in its entirety.</p> <p>International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)</p> <p>5.b The right to security of person and protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual group or institution;</p> <p>5.d.viii The right to freedom of opinion and expression;</p> <p>5.d.ix The right to freedom of peaceful assembly and association;</p> <p>International Covenant on Civil and Political Rights (ICCPR)</p> <p>6.1 Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.</p> <p>7 No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation.</p> <p>9.1 Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.</p> <p>19.1 Everyone shall have the right to hold opinions without interference.</p> <p>19.2 Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.</p> <p>Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CRMW)</p> <p>9 The right to life of migrant workers and members of their families shall be protected by law.</p> <p>10 No migrant worker or member of his or her family shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.</p> <p>13.1 Migrant workers and members of their families shall have the right to hold opinions without interference.</p>
--	--	---

13.2 Migrant workers and members of their families shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art or through any other media of their choice.

16.4 Migrant workers and members of their families shall not be subjected individually or collectively to arbitrary arrest or detention; they shall not be deprived of their liberty except on such grounds and in accordance with such procedures as are established by law.

Universal Declaration of Human Rights (UDHR)

3 Everyone has the right to life, liberty and security of person.

5 No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

12 No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

19 Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

African Charter on Human and Peoples' Rights

9.1 Every individual shall have the right to receive information.

9.2 Every individual shall have the right to express and disseminate his opinions within the law.

Protocol to the American Convention on Human Rights 1988

3 The State Parties to this Protocol undertake to guarantee the exercise of the rights set forth herein without discrimination of any kind for reasons related to race, colour, sex, language, religion, political or other opinions, national or social origin, economic status, birth or any other social condition.

➤ **SUPPORTING REFERENCES (NOT LEGALLY BINDING)**

Beijing Platform of Action (1995)

I.3 Achieve legal literacy.

International Conference on Population and Development (ICPD) (1994)

11.16 Information, education and communication efforts should raise awareness through public education campaigns on such priority issues as: safe motherhood, reproductive health and rights, maternal and child health and family planning, discrimination against and valorisation of the girl child and persons with disabilities; child abuse; violence against women; male responsibility; gender equality; sexually transmitted diseases, including HIV/AIDS; responsible sexual behaviour; teenage pregnancy; racism and xenophobia; ageing populations; and unsustainable consumption and production patterns. More education is needed in all societies on the implications of population-environment relationships, in order to influence behavioural change and consumer lifestyles and to

promote sustainable management of natural resources. The media should be a major instrument for expanding knowledge and motivation.

11.24. Age-appropriate education, especially for adolescents, about the issues considered in the present Programme of Action should begin in the home and community and continue through all levels and channels of formal and non-formal education, taking into account the rights and responsibilities of parents and the needs of adolescents. Where such education already exists, curricula and educational materials should be reviewed, updated and broadened with a view to ensuring adequate coverage of important population-related issues and to counteract myths and misconceptions about them. Where no such education exists, appropriate curricula and materials should be developed. To ensure acceptance, effectiveness and usefulness by the community, education projects should be based on the findings of socio-cultural studies and should involve the active participation of parents and families, women, youth, the elderly and community leaders.

CRC Committee General Comments

General Comment No. 3: Adolescent health and development in the context of the Convention on the Rights of the Child

22. Adolescents have the right to access adequate information essential for their health and development and for their ability to participate meaningfully in society. It is the obligation of States parties to ensure that all adolescent girls and boys, both in and out of school, are provided with, and not denied, accurate and appropriate information on how to protect their health and development and practise healthy behaviours. This should include information on the use and abuse, of tobacco, alcohol and other substances, safe and respectful social and sexual behaviours, diet and physical activity.

General Comment No. 12: The right of the child to be heard

82. Fulfilment of the child's right to information, consistent with article 17 is, to a large degree, a prerequisite for the effective realization of the right to express views. Children need access to information in formats appropriate to their age and capacities on all issues of concern to them. This applies to information, for example, relating to their rights, any proceedings affecting them, national legislation, regulations and policies, local services, and appeals and complaints procedures. Consistent with articles 17 and 42, States parties should include children's rights in the school curricula.

General Comment No. 17: The right of the child to rest, leisure, play, recreational activities, cultural life and the arts

22. Article 17: Children are entitled to information and materials which are of social and cultural benefit and which derive from a diversity of community, national and international sources. Access to such information and materials is essential for their realization of the right to participate fully in cultural and artistic activity. States parties are encouraged to ensure that children are provided with the widest possible access, through different media, to information and materials related to their own culture and to other cultures, in a language that they understand, including sign language and Braille, and by permitting exceptions to copyright laws in order to ensure the availability of printed materials in alternative formats. In so doing, care must be taken to protect and preserve cultural diversity and to avoid cultural stereotypes.

General Comment No. 15: The right of the child to the highest attainable standard of health

		<p>58. The obligations under this provision include providing health-related information and support in the use of this information. Health-related information should be physically accessible, understandable and appropriate to children’s age and educational level.</p> <p>60. Sexual and reproductive health education should include self-awareness and knowledge about the body, including anatomical, physiological and emotional aspects, and should be accessible to all children, girls and boys. It should include content related to sexual health and well-being, such as information about body changes and maturation processes, and designed in a manner through which children are able to gain knowledge regarding reproductive health and the prevention of gender-based violence, and adopt responsible sexual behaviour.</p> <p>93. The Committee encourages States to adopt and implement a comprehensive strategy to educate children, their caregivers, policymakers, politicians and professionals working with children about children’s right to health, and the contributions they can make to its realization.</p> <p>Human Rights Committee (CCPR) General Comments</p> <p><i>General Comment No. 25: Participation in public affairs and the right to vote</i></p> <p>25. In order to ensure the full enjoyment of rights protected by article 25, the free communication of information and ideas about public and political issues between citizens, candidates and elected representatives is essential. This implies a free press and other media able to comment on public issues without censorship or restraint and to inform public opinion. It requires the full enjoyment and respect for the rights guaranteed in articles 19, 21 and 22 of the Covenant, including freedom to engage in political activity individually or through political parties and other organizations, freedom to debate public affairs, to hold peaceful demonstrations and meetings, to criticize and oppose, to publish political material, to campaign for election and to advertise political ideas.</p> <p>Committee on the Rights of Persons with Disabilities General Comments</p> <p><i>General Comment No. 1: Equal recognition before the law</i></p> <p>37. The rights provided for in article 12 are closely tied to State obligations relating to accessibility (art. 9) because the right to equal recognition before the law is necessary to enable persons with disabilities to live independently and participate fully in all aspects of life. Article 9 requires the identification and elimination of barriers to facilities or services open or provided to the public. Lack of accessibility to information and communication and inaccessible services may constitute barriers to the realization of legal capacity for some persons with disabilities, in practice. Therefore, States parties must make all procedures for the exercise of legal capacity, and all information and communication pertaining to it, fully accessible. States parties must review their laws and practices to ensure that the right to legal capacity and accessibility are being realized.</p>
16.a	Strengthen relevant national institutions, including through international cooperation, for building capacity at all levels, in	<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Rights of the Child (CRC)</p> <p>33 States Parties shall take all appropriate measures, including legislative, administrative, social and educational measures, to protect children from the illicit use of narcotic drugs and psychotropic substances as defined in the relevant international treaties, and to prevent the use of children in the illicit production and trafficking of such substances.</p>

<p>particular in developing countries, to prevent violence and combat terrorism and crime</p>	<p>34 States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent:</p> <p>34.a The inducement or coercion of a child to engage in any unlawful sexual activity;</p> <p>34.b The exploitative use of children in prostitution or other unlawful sexual practices;</p> <p>34.c The exploitative use of children in pornographic performances and materials.</p> <p>35 States Parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form.</p> <p>37.a No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below eighteen years of age;</p> <p>39 States Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts. Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.</p> <p>37.c Every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age. In particular, every child deprived of liberty shall be separated from adults unless it is considered in the child's best interest not to do so and shall have the right to maintain contact with his or her family through correspondence and visits, save in exceptional circumstances;</p> <p>Optional Protocol to the CRC on Children in Armed Conflict (CRC OPAC)</p> <p>The Optional Protocol to the CRC on Children in Armed Conflict (CRC OPAC) raises the minimum age of recruitment into any State or non-State armed forces from age 15 (under the CRC) to age 18.</p> <p>International Covenant on Economic, Social, and Cultural Rights (ICESCR)</p> <p>11.1 The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent.</p> <p>International Covenant on Civil and Political Rights (ICCPR)</p>
---	---

2.2 Where not already provided for by existing legislative or other measures, each State Party to the present Covenant undertakes to take the necessary steps, in accordance with its constitutional processes and with the provisions of the present Covenant, to adopt such laws or other measures as may be necessary to give effect to the rights recognized in the present Covenant.

Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention)

62.1 Parties shall cooperate with each other, in accordance with the provisions of this Convention, and through the application of relevant international and regional instruments on cooperation in civil and criminal matters, arrangements agreed on the basis of uniform or reciprocal legislation and internal laws, to the widest extent possible, for the purpose of:

62.a preventing, combating and prosecuting all forms of violence covered by the scope of this Convention;

62.b protecting and providing assistance to victims;

62.c investigations or proceedings concerning the offences established in accordance with this Convention;

62.d enforcing relevant civil and criminal judgments issued by the judicial authorities of Parties, including protection orders.

➤ **SUPPORTING REFERENCES (NOT LEGALLY BINDING)**

CRC Committee General Comments

General Comment No. 13: The right of the child to freedom from all forms of violence

68. Beyond national plans of action. The Committee recognizes that many national plans of action adopted by States parties to implement the rights of the child include measures to prohibit, prevent and eliminate all forms of violence against children. Such plans of action, while contributing to more enjoyment by children of their rights, have nevertheless faced many challenges in their implementation, monitoring, evaluation and follow-up. For example, they have often lacked links with the overall development policy, programmes, budget and coordinating mechanisms. In order to establish a more feasible and flexible instrument, the Committee is proposing a “coordinating framework on violence against children” for all child rights-based measures to protect children from violence in all its forms and to support a protective environment. Such a coordinating framework can be used in place of national plans of action where these do not yet exist or where they are proving unwieldy. Where national plans of action are being effectively implemented already, the coordinating framework can nonetheless complement those efforts, stimulate discussion and generate new ideas and resources to improve their functioning.

69. National coordinating framework on violence against children. This coordinating framework can provide a common frame of reference and a mechanism for communication among Government ministries and also for State and civil society actors at all levels with regard to needed measures, across the range of measures and at each stage of intervention identified in article 19. It can promote flexibility and creativity and allow for the development and implementation of initiatives led simultaneously by both Government and community, but which are nonetheless contained within an overall cohesive and coordinated framework. In previous recommendations and general comments, including its general comment No. 5 on general measures of implementation, the Committee has already urged States parties to develop plans and strategies for specific aspects of the Convention (for example

juvenile justice or early childhood). It is in this context that the Committee recommends the development of a national coordinating framework on protection against all forms of violence, including comprehensive prevention measures.

72. Elements to be mainstreamed into national coordinating frameworks. The following elements need to be mainstreamed across the measures (legislative, administrative, social and educational) and stages of intervention (from prevention through to recovery and reintegration):

72.b The gender dimensions of violence against children. States parties should ensure that policies and measures take into account the different risks facing girls and boys in respect of various forms of violence in various settings. States should address all forms of gender discrimination as part of a comprehensive violence-prevention strategy. This includes addressing gender-based stereotypes, power imbalances, inequalities and discrimination which support and perpetuate the use of violence and coercion in the home, in school and educational settings, in communities, in the workplace, in institutions and in society more broadly. Men and boys must be actively encouraged as strategic partners and allies, and along with women and girls, must be provided with opportunities to increase their respect for one another and their understanding of how to stop gender discrimination and its violent manifestations;

72.h Resource allocation. Human, financial and technical resources needed across different sectors must be allocated to the maximum extent of available resources. Robust monitoring mechanisms must be developed and implemented to ensure accountability regarding allocation of budgets and their efficient utilization;

74. Sources of support. Within the context of different starting points highlighted in paragraph 70, and on the understanding that budgets at national and decentralized levels should be the primary source of funds for child caregiving and protection strategies, the Committee draws the attention of States parties to the avenues of international cooperation and assistance outlined in articles 4 and 45 of the Convention. The Committee calls upon the following partners to support, both financially and technically, child protection programmes, including training, which take full account of the requirements stipulated in article 19 and the Convention more broadly: States parties providing development cooperation; donor institutions (including the World Bank, private sources and foundations); United Nations agencies and organizations; and other international and regional bodies and organizations. This financial and technical support should be provided systematically through strong and equitable partnerships, at the national and international levels. Child rights-based protection programmes should be one of the main components in assisting sustainable development in countries receiving international assistance. The Committee also encourages such bodies to continue to work with the Committee, the Special Representative of the Secretary-General on Violence against Children and other international and regional human rights mechanisms to advance this goal.

Human Rights Committee (CCPR) General Comments

General Comment No. 18: Non-discrimination

10. The Committee also wishes to point out that the principle of equality sometimes requires States parties to take affirmative action in order to diminish or eliminate conditions which cause or help to perpetuate discrimination prohibited by the Covenant. For example, in a State where the general conditions of a certain part of the population prevent or impair their enjoyment of human rights, the State should take specific action to correct those conditions. Such action may involve granting for a time to the part of the

		<p>population concerned certain preferential treatment in specific matters as compared with the rest of the population. However, as long as such action is needed to correct discrimination in fact, it is a case of legitimate differentiation under the Covenant.</p>
<p>16.b</p>	<p>Promote and enforce non-discriminatory laws and policies for sustainable development</p>	<p>➤ CORRESPONDING HUMAN RIGHTS OBLIGATIONS (LEGALLY BINDING)</p> <p>Convention on the Rights of the Child (CRC)</p> <p>2.1 States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.</p> <p>2.2 States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.</p> <p>4 States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation.</p> <p>19.1 States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.</p> <p>19.2 Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.</p> <p>26.1 States Parties shall recognize for every child the right to benefit from social security, including social insurance, and shall take the necessary measures to achieve the full realization of this right in accordance with their national law.</p> <p>26.2 The benefits should, where appropriate, be granted, taking into account the resources and the circumstances of the child and persons having responsibility for the maintenance of the child, as well as any other consideration relevant to an application for benefits made by or on behalf of the child.</p> <p>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</p> <p>1 For the purposes of the present Convention, the term "discrimination against women" shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.</p>

		<p>2.d To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation;</p> <p>2.e To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise;</p> <p>2.f To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;</p> <p>2.g To repeal all national penal provisions which constitute discrimination against women.</p> <p>2.a To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle;</p> <p>2.b To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;</p> <p>2.c To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;</p> <p>3 States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.</p> <p>7.b To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;</p> <p>7.c To participate in non-governmental organizations and associations concerned with the public and political life of the country.</p> <p>7.a To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;</p> <p>11.2.c To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities;</p> <p>13 States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights, in particular:</p> <p>14.2.a To participate in the elaboration and implementation of development planning at all levels;</p> <p>15.1 States Parties shall accord to women equality with men before the law.</p> <p>15.2 States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. In particular, they shall give women equal rights to conclude contracts and to administer property and shall treat them equally in all stages of procedure in courts and tribunals.</p>
--	--	---

15.3 States Parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed at restricting the legal capacity of women shall be deemed null and void.

15.4 States Parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile.

Convention on the Rights of Persons with Disabilities (CRPD)

4.1.a To adopt all appropriate legislative, administrative and other measures for the implementation of the rights recognized in the present Convention;

4.1.b To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices that constitute discrimination against persons with disabilities;

4.1.c To take into account the protection and promotion of the human rights of persons with disabilities in all policies and programmes;

4.2 With regard to economic, social and cultural rights, each State Party undertakes to take measures to the maximum of its available resources and, where needed, within the framework of international cooperation, with a view to achieving progressively the full realization of these rights, without prejudice to those obligations contained in the present Convention that are immediately applicable according to international law.

13.1 States Parties shall ensure effective access to justice for persons with disabilities on an equal basis with others, including through the provision of procedural and age-appropriate accommodations, in order to facilitate their effective role as direct and indirect participants, including as witnesses, in all legal proceedings, including at investigative and other preliminary stages.

13.2 In order to help to ensure effective access to justice for persons with disabilities, States Parties shall promote appropriate training for those working in the field of administration of justice, including police and prison staff.

28.2.b To ensure access by persons with disabilities, in particular women and girls with disabilities and older persons with disabilities, to social protection programmes and poverty reduction programmes;

28.2.c To ensure access by persons with disabilities and their families living in situations of poverty to assistance from the State with disability-related expenses, including adequate training, counselling, financial assistance and respite care;

International Covenant on Economic, Social, and Cultural Rights (ICESCR)

2.1 Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and co-operation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures.

		<p>2.2 The States Parties to the present Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.</p> <p>9 The States Parties to the present Covenant recognize the right of everyone to social security, including social insurance.</p> <p>11.1 The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent.</p> <p>11.2 The States Parties to the present Covenant, recognizing the fundamental right of everyone to be free from hunger, shall take, individually and through international co-operation, the measures, including specific programmes, which are needed:</p> <p>International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)</p> <p>1.1 In this Convention, the term “racial discrimination” shall mean any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.</p> <p>1.4 Special measures taken for the sole purpose of securing adequate advancement of certain racial or ethnic groups or individuals requiring such protection as may be necessary in order to ensure such groups or individuals equal enjoyment or exercise of human rights and fundamental freedoms shall not be deemed racial discrimination, provided, however, that such measures do not, as a consequence, lead to the maintenance of separate rights for different racial groups and that they shall not be continued after the objectives for which they were taken have been achieved.</p> <p>2.2 States Parties shall, when the circumstances so warrant, take, in the social, economic, cultural and other fields, special and concrete measures to ensure the adequate development and protection of certain racial groups or individuals belonging to them, for the purpose of guaranteeing them the full and equal enjoyment of human rights and fundamental freedoms. These measures shall in no case entail as a consequence the maintenance of unequal or separate rights for different racial groups after the objectives for which they were taken have been achieved.</p> <p>5.e.i The rights to work, to free choice of employment, to just and favourable conditions of work, to protection against unemployment, to equal pay for equal work, to just and favourable remuneration;</p> <p>5.a The right to equal treatment before the tribunals and all other organs administering justice;</p> <p>5.c Political rights, in particular the right to participate in elections-to vote and to stand for election-on the basis of universal and equal suffrage, to take part in the Government as well as in the conduct of public affairs at any level and to have equal access to public service;</p> <p>6 States Parties shall assure to everyone within their jurisdiction effective protection and remedies, through the competent national tribunals and other State institutions, against any acts of racial discrimination which violate his human rights and fundamental</p>
--	--	--

freedoms contrary to this Convention, as well as the right to seek from such tribunals just and adequate reparation or satisfaction for any damage suffered as a result of such discrimination.

International Covenant on Civil and Political Rights (ICCPR)

2.1 Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

2.2 Where not already provided for by existing legislative or other measures, each State Party to the present Covenant undertakes to take the necessary steps, in accordance with its constitutional processes and with the provisions of the present Covenant, to adopt such laws or other measures as may be necessary to give effect to the rights recognized in the present Covenant.

25.a To take part in the conduct of public affairs, directly or through freely chosen representatives;

25.b To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors;

25.c To have access, on general terms of equality, to public service in his country.

Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CRMW)

7 States Parties undertake, in accordance with the international instruments concerning human rights, to respect and to ensure to all migrant workers and members of their families within their territory or subject to their jurisdiction the rights provided for in the present Convention without distinction of any kind such as to sex, race, colour, language, religion or conviction, political or other opinion, national, ethnic or social origin, nationality, age, economic position, property, marital status, birth or other status.

27.1 With respect to social security, migrant workers and members of their families shall enjoy in the State of employment the same treatment granted to nationals in so far as they fulfil the requirements provided for by the applicable legislation of that State and the applicable bilateral and multilateral treaties. The competent authorities of the State of origin and the State of employment can at any time establish the necessary arrangements to determine the modalities of application of this norm.

43.1.e Access to social and health services, provided that the requirements for participation in the respective schemes are met;

45.1.c Access to social and health services, provided that requirements for participation in the respective schemes are met;

84 Each State Party undertakes to adopt the legislative and other measures that are necessary to implement the provisions of the present Convention.

Universal Declaration of Human Rights (UDHR)

2 Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

21.1 Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

21.2 Everyone has the right to equal access to public service in his country.

22 Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

25.1 Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

African Charter on Human and Peoples' Rights

2 Every individual shall be entitled to the enjoyment of the rights and freedoms recognized and guaranteed in the present Charter without distinction of any kind such as race, ethnic group, colour, sex, language, religion, political or any other opinion, national and social origin, fortune, birth or any status.

African Charter on the Rights and Welfare of the Child

3 Every child shall be entitled to the enjoyment of the rights and freedoms recognized and guaranteed in this Charter irrespective of the child's or his/her parents' or legal guardians' race, ethnic group, colour, sex, language, religion, political or other opinion, national and social origin, fortune, birth or other status.

13.1 Every child who is mentally or physically disabled shall have the right to special measures of protection in keeping with his physical and moral needs and under conditions which ensure his dignity, promote his self-reliance and active participation in the community.

American Convention on Human Rights

24 All persons are equal before the law. Consequently, they are entitled, without discrimination, to equal protection of the law.

Protocol to the American Convention on Human Rights 1988

3 The State Parties to this Protocol undertake to guarantee the exercise of the rights set forth herein without discrimination of any kind for reasons related to race, colour, sex, language, religion, political or other opinions, national or social origin, economic status, birth or any other social condition.

Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women

7 The States Parties condemn all forms of violence against women and agree to pursue, by all appropriate means and without delay, policies to prevent, punish and eradicate such violence and undertake to:

7.a refrain from engaging in any act or practice of violence against women and to ensure that their authorities, officials, personnel, agents, and institutions act in conformity with this obligation;

		<p>7.b apply due diligence to prevent, investigate and impose penalties for violence against women;</p> <p>7.c include in their domestic legislation penal, civil, administrative and any other type of provisions that may be needed to prevent, punish and eradicate violence against women and to adopt appropriate administrative measures where necessary;</p> <p>7.d adopt legal measures to require the perpetrator to refrain from harassing, intimidating or threatening the woman or using any method that harms or endangers her life or integrity, or damages her property;</p> <p>7.e take all appropriate measures, including legislative measures, to amend or repeal existing laws and regulations or to modify legal or customary practices which sustain the persistence and tolerance of violence against women;</p> <p>7.f establish fair and effective legal procedures for women who have been subjected to violence which include, among others, protective measures, a timely hearing and effective access to such procedures;</p> <p>7.g establish the necessary legal and administrative mechanisms to ensure that women subjected to violence have effective access to restitution, reparations or other just and effective remedies; and</p> <p>7.h adopt such legislative or other measures as may be necessary to give effect to this Convention.</p> <p>8 The States Parties agree to undertake progressively specific measures, including programs:</p> <p>8.a to promote awareness and observance of the right of women to be free from violence, and the right of women to have their human rights respected and protected;</p> <p>8.b to modify social and cultural patterns of conduct of men and women, including the development of formal and informal educational programs appropriate to every level of the educational process, to counteract prejudices, customs and all other practices which are based on the idea of the inferiority or superiority of either of the sexes or on the stereotyped roles for men and women which legitimize or exacerbate violence against women;</p> <p>8.c to promote the education and training of all those involved in the administration of justice, police and other law enforcement officers as well as other personnel responsible for implementing policies for the prevention, punishment and eradication of violence against women;</p> <p>8.d to provide appropriate specialized services for women who have been subjected to violence, through public and private sector agencies, including shelters, counselling services for all family members where appropriate, and care and custody of the affected children;</p> <p>8.e to promote and support governmental and private sector education designed to raise the awareness of the public with respect to the problems of and remedies for violence against women;</p> <p>8.f to provide women who are subjected to violence access to effective readjustment and training programs to enable them to fully participate in public, private and social life;</p>
--	--	---

8.g to encourage the communications media to develop appropriate media guidelines in order to contribute to the eradication of violence against women in all its forms, and to enhance respect for the dignity of women;

8.h to ensure research and the gathering of statistics and other relevant information relating to the causes, consequences and frequency of violence against women, in order to assess the effectiveness of measures to prevent, punish and eradicate violence against women and to formulate and implement the necessary changes; and

8.i to foster international cooperation for the exchange of ideas and experiences and the execution of programs aimed at protecting women who are subjected to violence.

European Convention on Human Rights

14 The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

Protocol to the European Convention on Human Rights No. 12

1.1 The enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

1.2 No one shall be discriminated against by any public authority on any ground such as those mentioned in paragraph 1.

European Social Charter (1996, revised)

1.19 Migrant workers who are nationals of a Party and their families have the right to protection and assistance in the territory of any other Party.

1.20 All workers have the right to equal opportunities and equal treatment in matters of employment and occupation without discrimination on the grounds of sex.

EU Framework Convention for the Protection of National Minorities

4.1. The Parties undertake to guarantee to persons belonging to national minorities the right of equality before the law and of equal protection of the law. In this respect, any discrimination based on belonging to a national minority shall be prohibited.

4.2 The Parties undertake to adopt, where necessary, adequate measures in order to promote, in all areas of economic, social, political and cultural life, full and effective equality between persons belonging to a national minority and those belonging to the majority. In this respect, they shall take due account of the specific conditions of the persons belonging to national minorities.

➤ **SUPPORTING REFERENCES (NOT LEGALLY BINDING)**

Beijing Platform of Action (1995)

		<p>H.2 Integrate gender perspectives in legislation, public policies, programmes and projects.</p> <p>H.3 Generate and disseminate gender-disaggregated data and information for planning and evaluation.</p> <p>I.1 Promote and protect the human rights of women, through the full implementation of all human rights instruments, especially the Convention on the Elimination of All Forms of Discrimination against Women.</p> <p>I.2 Ensure equality and non-discrimination under the law and in practice.</p> <p>International Conference on Population and Development (ICPD) (1994)</p> <p>10.11 Governments of receiving countries are urged to consider extending to documented migrants who meet appropriate length-of-stay requirements, and to members of their families whose stay in the receiving country is regular, treatment equal to that accorded their own nationals with regard to the enjoyment of basic human rights, including equality of opportunity and treatment in respect of religious practices, working conditions, social security, participation in trade unions, access to health, education, cultural and other social services, as well as equal access to the judicial system and equal treatment before the law. Governments of receiving countries are further urged to take appropriate steps to avoid all forms of discrimination against migrants, including eliminating discriminatory practices concerning their nationality and the nationality of their children, and to protect their rights and safety. Women and children who migrate as family members should be protected from abuse or denial of their human rights by their sponsors, and Governments are asked to consider extending their stay should the family relationship dissolve, within the limits of national legislation.</p> <p>10.13 Governments of countries of destination should respect the basic human rights of documented migrants as those Governments assert their right to regulate access to their territory and adopt policies that respond to and shape immigration flows. With regard to the admission of migrants, Governments should avoid discriminating on the basis of race, religion, sex and disability, while taking into account health and other considerations relevant under national immigration regulations, particularly considering the special needs of the elderly and children. Governments are urged to promote, through family reunion, the normalization of the family life of legal migrants who have the right to long-term residence.</p> <p>Vienna Declaration and Programme of Action</p> <p>20 The World Conference on Human Rights urges all Governments to take immediate measures and to develop strong policies to prevent and combat all forms and manifestations of racism, xenophobia or related intolerance, where necessary by enactment of appropriate legislation, including penal measures, and by the establishment of national institutions to combat such phenomena.</p> <p>63. The World Conference on Human Rights reaffirms that all human rights and fundamental freedoms are universal and thus unreservedly include persons with disabilities. Every person is born equal and has the same rights to life and welfare, education and work, living independently and active participation in all aspects of society. Any direct discrimination or other negative discriminatory treatment of a disabled person is therefore a violation of his or her rights. The World Conference on Human Rights calls on Governments, where necessary, to adopt or adjust legislation to assure access to these and other rights for disabled persons.</p> <p>CRC Committee General Comments</p>
--	--	--

General Comment No. 10: Children's rights in juvenile justice

32. States parties have to take all necessary measures to ensure that all children in conflict with the law are treated equally. Particular attention must be paid to de facto discrimination and disparities, which may be the result of a lack of a consistent policy and involve vulnerable groups of children, such as street children, children belonging to racial, ethnic, religious or linguistic minorities, indigenous children, girl children, children with disabilities and children who are repeatedly in conflict with the law (recidivists). In this regard, training of all professionals involved in the administration of juvenile justice is important (see paragraph 97 below), as well as the establishment of rules, regulations or protocols which enhance equal treatment of child offenders and provide redress, remedies and compensation.

General Comment No. 11: Indigenous children and their rights under the Convention

23. Article 2 sets out the obligation of States parties to ensure the rights of each child within its jurisdiction without discrimination of any kind. Non-discrimination has been identified by the Committee as a general principle of fundamental importance for the implementation of all the rights enshrined in the Convention. Indigenous children have the inalienable right to be free from discrimination. In order to effectively protect children from discrimination, it is a State party obligation to ensure that the principle of non-discrimination is reflected in all domestic legislation and can be directly applied and appropriately monitored and enforced through judicial and administrative bodies. Effective remedies should be timely and accessible. The Committee highlights that the obligations of the State party extend not only to the public but also to the private sector.

General Comment No. 19: Public Budgets to Realize the Rights of the Child

61. States shall not discriminate against any child or category of children through resource mobilization or the allocation or execution of public funds. Spending equitably does not always mean spending the same amount on each child, but rather making spending decisions that lead to substantive equality amongst children. Resources should be fairly targeted to promote equality. States are obliged to remove all discriminatory barriers that children may face in accessing their rights.

CEDAW Committee General Recommendations

General Recommendation No. 6: Effective machinery and publicity

1. Establish and/or strengthen effective national machinery, institutions and procedures, at a high level of Government, and with adequate resources, commitment and authority to:

1.a Advise on the impact on women of all government policies;

1.b Monitor the situation of women comprehensively;

1.c Help formulate new policies and effectively carry out strategies and measures to eliminate discrimination;

General Recommendation No. 25: Temporary special measures

12. Certain groups of women, in addition to suffering from discrimination directed against them as women, may also suffer from multiple forms of discrimination based on additional grounds such as race, ethnic or religious identity, disability, age, class, caste or other factors. Such discrimination may affect these groups of women primarily, or to a different degree or in different ways than

men. States parties may need to take specific temporary special measures to eliminate such multiple forms of discrimination against women and its compounded negative impact on them.

General Recommendation No. 26: Women migrant workers

6 All women migrant workers are entitled to the protection of their human rights, which include the right to life, the right to personal liberty and security, the right not to be tortured, the right to be free of degrading and inhumane treatment, the right to be free from discrimination on the basis of sex, race, ethnicity, cultural particularities, nationality, language, religion or other status, the right to be free from poverty, the right to an adequate standard of living, the right to equality before the law and the right to benefit from the due processes of the law. These rights are provided for in the Universal Declaration of Human Rights and the many human rights treaties ratified or acceded to by States Members of the United Nations.

Human Rights Committee (CCPR) General Comments

General Comment No. 28: The equality of rights between men and women

4. States parties are responsible for ensuring the equal enjoyment of rights without any discrimination. Articles 2 and 3 mandate States parties to take all steps necessary, including the prohibition of discrimination on the ground of sex, to put an end to discriminatory actions, both in the public and the private sector, which impair the equal enjoyment of rights.

31. The right to equality before the law and freedom from discrimination, protected by article 26, requires States to act against discrimination by public and private agencies in all fields. Discrimination against women in areas such as social security laws (communications Nos. 172/84, Broeks v. Netherlands, Views of 9 April 1987; 182/84, Zwaan de Vries v. the Netherlands, Views of 9 April 1987; 218/1986, Vos v. the Netherlands, Views of 29 March 1989) as well as in the area of citizenship or rights of non-citizens in a country (communication No. 035/1978, Aumeeruddy Cziffra et al. v. Mauritius, Views adopted 9 April 1981) violates article 26. The commission of so called "honour crimes" which remain unpunished constitutes a serious violation of the Covenant and in particular of articles 6, 14 and 26. Laws which impose more severe penalties on women than on men for adultery or other offences also violate the requirement of equal treatment. The Committee has also often observed in reviewing States parties' reports that a large proportion of women are employed in areas which are not protected by labour laws and that prevailing customs and traditions discriminate against women, particularly with regard to access to better paid employment and to equal pay for work of equal value. States parties should review their legislation and practices and take the lead in implementing all measures necessary to eliminate discrimination against women in all fields, for example by prohibiting discrimination by private actors in areas such as employment, education, political activities and the provision of accommodation, goods and services. States parties should report on all these measures and provide information on the remedies available to victims of such discrimination.

Committee on Economic, Social and Cultural Rights General Comments

General Comment No. 5: Persons with disabilities

9. The obligation of States parties to the Covenant to promote progressive realization of the relevant rights to the maximum of their available resources clearly requires Governments to do much more than merely abstain from taking measures which might have a negative impact on persons with disabilities. The obligation in the case of such a vulnerable and disadvantaged group is to take positive action to reduce structural disadvantages and to give appropriate preferential treatment to people with disabilities in order to achieve the objectives of full participation and equality within society for all persons with disabilities. This almost invariably means

that additional resources will need to be made available for this purpose and that a wide range of specially tailored measures will be required.

15. Both de jure and de facto discrimination against persons with disabilities have a long history and take various forms. They range from invidious discrimination, such as the denial of educational opportunities, to more “subtle” forms of discrimination such as segregation and isolation achieved through the imposition of physical and social barriers. For the purposes of the Covenant, “disability based discrimination” may be defined as including any distinction, exclusion, restriction or preference, or denial of reasonable accommodation based on disability which has the effect of nullifying or impairing the recognition, enjoyment or exercise of economic, social or cultural rights. Through neglect, ignorance, prejudice and false assumptions, as well as through exclusion, distinction or separation, persons with disabilities have very often been prevented from exercising their economic, social or cultural rights on an equal basis with persons without disabilities. The effects of disability based discrimination have been particularly severe in the fields of education, employment, housing, transport, cultural life, and access to public places and services.

General Comment No. 20: Non-discrimination

8. In order for States parties to “guarantee” that the Covenant rights will be exercised without discrimination of any kind, discrimination must be eliminated both formally and substantively:

(a) Formal discrimination: Eliminating formal discrimination requires ensuring that a State’s constitution, laws and policy documents do not discriminate on prohibited grounds; for example, laws should not deny equal social security benefits to women on the basis of their marital status;

(b) Substantive discrimination: Merely addressing formal discrimination will not ensure substantive equality as envisaged and defined by article 2, paragraph 2. The effective enjoyment of Covenant rights is often influenced by whether a person is a member of a group characterized by the prohibited grounds of discrimination. Eliminating discrimination in practice requires paying sufficient attention to groups of individuals which suffer historical or persistent prejudice instead of merely comparing the formal treatment of individuals in similar situations. States parties must therefore immediately adopt the necessary measures to prevent, diminish and eliminate the conditions and attitudes which cause or perpetuate substantive or de facto discrimination. For example, ensuring that all individuals have equal access to adequate housing, water and sanitation will help to overcome discrimination against women and girl children and persons living in informal settlements and rural areas.

General Comment No. 20: Non-discrimination

37. Adoption of legislation to address discrimination is indispensable in complying with article 2, paragraph 2. States parties are therefore encouraged to adopt specific legislation that prohibits discrimination in the field of economic, social and cultural rights. Such laws should aim at eliminating formal and substantive discrimination, attribute obligations to public and private actors and cover the prohibited grounds discussed above. Other laws should be regularly reviewed and, where necessary, amended in order to ensure that they do not discriminate or lead to discrimination, whether formally or substantively, in relation to the exercise and enjoyment of Covenant rights.

Committee on the Elimination of Racial Discrimination General Recommendations

General Recommendation No. 23: The rights of indigenous people

4. The Committee calls in particular upon States parties to:

		<p>4.b Ensure that members of indigenous peoples are free and equal in dignity and rights and free from any discrimination, in particular that based on indigenous origin or identity;</p> <p><i>General Recommendation No. 29: on article 1, paragraph 1, of the Convention (Descent)</i></p> <p>a. Steps to identify those descent-based communities under their jurisdiction who suffer from discrimination, especially on the basis of caste and analogous systems of inherited status, and whose existence may be recognized on the basis of various factors including some or all of the following: inability or restricted ability to alter inherited status; socially enforced restrictions on marriage outside the community; private and public segregation, including in housing and education, access to public spaces, places of worship and public sources of food and water; limitation of freedom to renounce inherited occupations or degrading or hazardous work; subjection to debt bondage; subjection to dehumanizing discourses referring to pollution or untouchability; and generalized lack of respect for their human dignity and equality;</p> <p>c. Review and enact or amend legislation in order to outlaw all forms of discrimination based on descent in accordance with the Convention;</p> <p>hh. Take substantial and effective measures to eradicate poverty among descent-based communities and combat their social exclusion or marginalization;</p> <p><i>General Recommendation No. 34: Racial discrimination against people of African descent</i></p> <p>10. Review and enact or amend legislation, as appropriate, in order to eliminate, in line with the Convention, all forms of racial discrimination against people of African descent.</p> <p>11. Review, adopt and implement national strategies and programmes with a view to improving the situation of people of African descent and protecting them against discrimination by State agencies and public officials, as well as by any persons, group or organization.</p> <p>12. Fully implement legislation and other measures already in place to ensure that people of African descent are not discriminated against.</p> <p>25. Recognizing the particular vulnerability of children of African descent, which may lead to the transmission of poverty from generation to generation, and the inequality affecting people of African descent, adopt special measures to ensure equality in the exercise of their rights, in particular corresponding to the areas that most affect the lives of children.</p> <p>26. Undertake initiatives specifically aimed at protecting the special rights of the girl child and the rights of boys in vulnerable situations.</p> <p>Committee on the Rights of Persons with Disabilities General Comments</p> <p><i>General Comment No. 1: Equal Recognition before the law</i></p> <p>32. To achieve equal recognition before the law, legal capacity must not be denied discriminatorily. Article 5 of the Convention guarantees equality for all persons under and before the law and the right to equal protection of the law. It expressly prohibits all discrimination on the basis of disability. Discrimination on the basis of disability is defined in article 2 of the Convention as “any</p>
--	--	---

		<p>distinction, exclusion or restriction on the basis of disability which has the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise, on an equal basis with others, of all human rights and fundamental freedoms”. Denial of legal capacity having the purpose or effect of interfering with the right of persons with disabilities to equal recognition before the law is a violation of articles 5 and 12 of the Convention. States have the ability to restrict the legal capacity of a person based on certain circumstances, such as bankruptcy or criminal conviction. However, the right to equal recognition before the law and freedom from discrimination requires that when the State denies legal capacity, it must be on the same basis for all persons. Denial of legal capacity must not be based on a personal trait such as gender, race, or disability, or have the purpose or effect of treating the person differently.</p>
--	--	---

ANNEX 1: List of documents reviewed in this reference manual

LEGALLY BINDING

International Human Rights Treaties

- [Convention on the Rights of the Child \(CRC\)](#)
 - o [Optional Protocol to the CRC on Children in Armed Conflict \(CRC OPAC\)](#)
 - o [Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography \(CRC OPSC\)](#)
 - o [Optional Protocol to the CRC on a Communications Procedure \(CRC OPIC, aka OP3 CRC\)](#)
- [Convention on the Elimination of All Forms of Discrimination Against Women \(CEDAW\)](#)
- [Convention on the Rights of Persons with Disabilities \(CRPD\)](#)
- [Convention Against Torture \(CAT\)](#)
- [International Covenant on Economic, Social, and Cultural Rights \(ICESCR\)](#)
- [International Convention on the Elimination of All Forms of Racial Discrimination \(ICERD\)](#)
- [International Covenant on Civil and Political Rights \(ICCPR\)](#)
- [Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families \(CRMW\)](#)
- [Universal Declaration of Human Rights \(UDHR\)](#)

ILO Conventions and Recommendations

- [Forced Labour Convention \(No. 29\)](#)
 - o [2014 Protocol to the Forced Labour Convention](#)
- [Abolition of Forced Labour Convention \(No. 105\)](#)
- [Forced Labour \(Supplementary Measures\) Recommendation \(No. 203\)](#)
- [Minimum Age Convention \(No. 138\)](#)

JUMP TO BEGINNING

- [Minimum Age Recommendation \(No. 146\)](#)
- [Worst Forms of Child Labour Convention \(No. 182\)](#)
- [Worst Forms of Child Labour Recommendation \(No. 190\)](#)

Regional Conventions¹

- Africa

- o [African Charter on Human and Peoples' Rights](#)
- o [African Charter on the Rights and Welfare of the Child](#)

- The Americas

- o [American Convention on Human Rights](#)
- o [Protocol to the American Convention on Human Rights \(1988\)](#)
- o [Protocol to the American Convention on Human Rights \(1990\)](#)
- o [Inter-American Convention to Prevent and Punish Torture](#)
- o [Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women](#)

- Europe

- o [European Convention on Human Rights](#)
- o [Protocol to the European Convention on Human Rights No. 13](#)
- o [Protocol to the European Convention on Human Rights No. 12](#)
- o [European Social Charter \(1996, revised\)](#)
- o [EU Framework Convention for the Protection of National Minorities](#)
- o [Council of Europe Convention on preventing and combating violence against women and domestic violence \(Istanbul Convention\)](#)

¹ NOTE: there are no Asian regional human rights treaties

UN Security Council Resolution 1325: “Women, Peace and Security”

NOT LEGALLY BINDING

International Conferences and Declarations

- [Beijing Platform of Action \(1995\)](#)
- [International Conference on Population and Development \(ICPD\) \(1994\)](#)
- [Vienna Declaration and Programme of Action \(1993\)](#)

Treaty Body Publications

- [CRC Committee General Comments](#)
- [CEDAW Committee General Recommendations](#)
- [Human Rights Committee \(CCPR\) General Comments](#)
- [Committee on Economic, Social and Cultural Rights General Comments \(CESCR\)](#)
- [Committee on the Elimination of Racial Discrimination General Recommendations \(CERD\)](#)
- [Committee on Migrant Workers General Comments](#)
- [Committee on the Rights of Persons with Disabilities General Comments](#)

JUMP TO BEGINNING

ANNEX 2: Treaty ratification status of countries where Plan International works

	Convention on the Rights of the Child (CRC)	Optional Protocol to the CRC on Children in Armed Conflict (CRC OPAC)	Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography (CRC OPSC)	Optional Protocol to the CRC on a Communications Procedure (CRC OPIC, aka OP3 CRC)	Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)	Convention on the Rights of Persons with Disabilities (CRPD)	Convention Against Torture (CAT)	International Covenant on Economic, Social, and Cultural Rights (ICESCR)	International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)	International Covenant on Civil and Political Rights (ICCPR)	Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CRMW)
Australia	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✗
Bangladesh	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓
Belgium	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗
Benin	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✗
Bolivia	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Brazil	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✗
Burkina Faso	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓
Cambodia	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✗
Cameroon	✓	✓	✓	✗	✓	✗	✓	✓	✓	✓	✗
Canada	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✗
Central African Republic	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✗
China	✓	✓	✓	✗	✓	✓	✓	✓	✓	✗	✗
Colombia	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓
Denmark	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗
Dominican Republic	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✗
Ecuador	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓
Egypt	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓
El Salvador	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Ethiopia	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✗

[JUMP TO BEGINNING](#)

Finland	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	X
France	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	X
Germany	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	X
Ghana	✓	✓	X	X	✓	✓	✓	✓	✓	✓	✓	✓
Guatemala	✓	✓	✓	X	✓	✓	✓	✓	✓	✓	✓	✓
Guinea	✓	X	✓	X	✓	✓	✓	✓	✓	✓	✓	✓
Guinea-Bissau	✓	✓	✓	X	✓	✓	✓	✓	✓	✓	✓	X
Haiti	✓	X	✓	X	✓	✓	X	✓	✓	✓	✓	X
Honduras	✓	✓	✓	X	✓	✓	✓	✓	✓	✓	✓	✓
Hong Kong	✓	✓	✓	X	✓	✓	✓	✓	✓	✓	✓	X
India	✓	✓	✓	X	✓	✓	X	✓	✓	✓	✓	X
Indonesia	✓	✓	✓	X	✓	✓	✓	✓	✓	✓	✓	✓
Ireland	✓	✓	X	✓	✓	X	✓	✓	✓	✓	✓	X
Italy	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	X
Japan	✓	✓	✓	X	✓	✓	✓	✓	✓	✓	✓	X
Kenya	✓	✓	X	X	✓	✓	✓	✓	✓	✓	✓	X
Korea	✓	✓	✓	X	✓	✓	✓	✓	✓	✓	✓	X
Laos	✓	✓	✓	X	✓	✓	✓	✓	✓	✓	✓	X
Liberia	✓	X	X	X	✓	✓	✓	✓	✓	✓	✓	X
Malawi	✓	✓	✓	X	✓	✓	✓	✓	✓	✓	✓	X
Mali	✓	✓	✓	X	✓	✓	✓	✓	✓	✓	✓	✓
Mozambique	✓	✓	✓	X	✓	✓	✓	X	✓	✓	✓	✓
Myanmar	✓	X	✓	X	✓	✓	X	X	X	X	X	X
Nepal	✓	✓	✓	X	✓	✓	✓	✓	✓	✓	✓	X
Netherlands	✓	✓	✓	X	✓	X	✓	✓	✓	✓	✓	X
Nicaragua	✓	✓	✓	X	✓	✓	✓	✓	✓	✓	✓	✓
Niger	✓	✓	✓	X	✓	✓	✓	✓	✓	✓	✓	✓

[JUMP TO BEGINNING](#)

Nigeria	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✗
Norway	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✗
Pakistan	✓	✗	✓	✗	✓	✓	✓	✓	✓	✓	✗
Paraguay	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓
Peru	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Philippines	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓
Rwanda	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓
Senegal	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓
Sierra Leone	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✗
South Sudan	✓	✗	✓	✗	✓	✗	✓	✗	✗	✗	✗
Spain	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗
Sri Lanka	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓
Sudan	✓	✓	✓	✗	✗	✓	✗	✓	✓	✓	✗
Sweden	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✗
Switzerland	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✗
Tanzania	✓	✓	✓	✗	✓	✓	✗	✓	✓	✓	✗
Thailand	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗
Timor-Leste	✓	✓	✓	✗	✓	✗	✓	✓	✓	✓	✓
Togo	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✗
Uganda	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓
UK	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✗
USA	✗	✓	✓	✗	✗	✗	✓	✗	✓	✓	✗
Vietnam	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✗
Zambia	✓	✗	✗	✗	✓	✓	✓	✓	✓	✓	✗
Zimbabwe	✓	✓	✓	✗	✓	✓	✗	✓	✓	✓	✗

* Although the Universal Declaration of Human Rights is not in itself a binding treaty like the others, it is considered to be the foundation of human rights, and is even widely regarded as forming part of customary international law.