



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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MEETING OF STATES PARTIES TO THE CONVENTION
ON THE ELIMINATION OF ALL FORMS OF
DISCRIMINATION AGAINST WOMEN

Seventh meeting
New York, 7 February 1994

LETTER DATED 7 FEBRUARY 1994 FROM THE CHARGÉ D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS
ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit herewith the text of an aide-mémoire of the Government of the Federal Republic of Yugoslavia, dated 7 February 1994, concerning the participation of the Yugoslav delegation in the seventh meeting of States Parties to the Convention on the Elimination of All Forms of Discrimination Against Women.

I should be grateful if you would have the present letter and its annex circulated as an official document of the seventh meeting of the States Parties to the Convention on the Elimination of All Forms of Discrimination Against Women.

(Signed) Dragomir DJOKIĆ
Ambassador
Chargé d'affaires a.i.

94-10009 (E) 210394

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Annex

AIDE-MEMOIRE, DATED 7 FEBRUARY 1994, OF THE GOVERNMENT OF THE
FEDERAL REPUBLIC OF YUGOSLAVIA (SERBIA AND MONTENEGRO)

Since the adoption of resolution 47/1 by the General Assembly on 22 September 1992, some international organizations and specialized agencies have adopted arbitrary decisions in connection with the participation of the Federal Republic of Yugoslavia in their work.

Those decisions are totally unfounded and contrary to the letter and spirit of the above-mentioned resolution of the General Assembly, which pertains solely to the non-participation of the Federal Republic of Yugoslavia

in the work of the General Assembly. That was clearly confirmed by the opinion of the United Nations Legal Counsel (A/47/485) that "the resolution neither terminates nor suspends Yugoslavia's membership in the Organization ..." and "... does not take away the right of Yugoslavia to participate in the work of organs other than Assembly bodies".

According to another opinion of the United Nations Legal Counsel, dated 16 November 1993, the status of Yugoslavia as a party to treaties was not affected by the adoption by the General Assembly of resolution 47/1.

For its part, the Federal Republic of Yugoslavia clearly stated that it will continue the State, international, legal and political personality of the former Socialist Federal Republic of Yugoslavia and that it will strictly abide by all international commitments undertaken by the Socialist Federal Republic of Yugoslavia.

The delegation of the Federal Republic of Yugoslavia regularly participates in the meetings of States Parties to various international conventions.

At the current seventh meeting of the States Parties to the Convention on the Elimination of All Forms of Discrimination against Women, certain States Parties seek to challenge Yugoslavia's right to participate in this meeting.

The Government of the Federal Republic of Yugoslavia strongly considers that such action is totally unfounded and therefore unacceptable for the following reasons:

(a) It is inconsistent with the provisions of the Convention on the Elimination of All Forms of Discrimination against Women and the rules of procedure for the meeting of the States Parties;

(b) The status of the Federal Republic of Yugoslavia as a party to that Convention is not in any way affected by General Assembly resolution 47/1;

/...

(c) The Federal Republic of Yugoslavia has clearly expressed its readiness to abide fully by the commitments arising from that Convention and cooperate with the Committee on the Elimination of Discrimination against Women;

(d) The delegation of the Federal Republic of Yugoslavia has been officially invited to take part in the meeting of States Parties, for which it has duly submitted full powers.

The Government of the Federal Republic of Yugoslavia wishes to draw the attention of the States Parties to the Convention on the Elimination of All Forms of Discrimination against Women to the point that such legally unfounded and politically motivated action by certain States Parties may set a dangerous precedent with respect to the status of the States Parties to the Convention and create serious obstacles in its implementation.

It should be understood that the denial of the legitimate right of the Federal Republic of Yugoslavia to participate in the meeting of the States Parties would at the same time imply the suspension of its obligations arising from the Convention. Therefore, it would mean that Yugoslavia will no longer be obliged to implement the provisions of the Convention.

The Government of the Federal Republic of Yugoslavia wishes to state that it is fully prepared to honour all its obligations as a State Party to this Convention and to participate in that capacity in the meetings of the States Parties.

Any decision to the contrary shall be the sole responsibility of those States Parties that initiated and supported such action.

The Convention on the Elimination of All Forms of Discrimination against Women is a specific category of treaties of valid erga omnes, with the primary goal of protecting women against all forms of discrimination. Therefore, such a decision would be in total contradiction with this noble goal as it would discriminate against a State party that has demonstrated readiness and resolve to honour and implement the Convention.
