

## BRAZIL

### CEDAW

#### **RESERVATIONS AND DECLARATIONS**

*(Unless otherwise indicated, the reservations and declarations were made upon ratification, accession or succession)*

Reservation made upon signature and confirmed upon ratification:

"... Brazil does not consider itself bound by article 29, paragraph 1, of the above-mentioned Convention."

#### Note

Upon signature and ratification, the Government of Brazil made, and confirmed, respectively, the following reservation:

"The Government of the Federative Republic of Brazil hereby expresses its reservations to article 15, paragraph 4 and to article 16, paragraphs 1 (a), (c), (g) and (h) of the Convention on the Elimination of All Forms of Discrimination Against Women.

"Furthermore, Brazil does not consider itself bound by article 29, paragraph 1, of the above-mentioned Convention."

On 20 December 1994, the Government of Brazil notified the Secretary-General that it had decided to withdraw the following reservation made upon signature and confirmed upon ratification:

"The Government of the Federative Republic of Brazil hereby expresses its reservations to article 15, paragraph 4 and to article 16, paragraphs 1 (a), (c), (g) and (h) of the Convention on the Elimination of All Forms of Discrimination Against Women.

The complete text of the reservation is published in United Nations, Treaty Series, vol. 1249, p. 121. *[Ed. note: the complete reservation is provided at the beginning of this footnote].*  
*(Note 8, Chapter IV.8, Multilateral Treaties Deposited with the Secretary-General)*

#### **OBJECTIONS MADE TO STATE PARTY'S RESERVATIONS AND DECLARATIONS**

*(Unless otherwise indicated, the objections were made upon ratification, accession or succession)*

#### **Germany**

The Federal Republic of Germany considers that the reservations made by Egypt regarding article 2, article 9, paragraph 2, and article 16, by Bangladesh regarding article 2, article 13 (a) and article

16, paragraph 1 (c), and (f), by Brazil regarding article 15, paragraph 4, and article 16, paragraph 1 (a), (c), (g) and (h), by Jamaica regarding article 9, paragraph 2, by the Republic of Korea regarding article 9 and article 16, paragraph 1 (c), (d), (f) and (g), and by Mauritius regarding article 11, paragraph 1 (b) and (d), and article 16, paragraph 1 (g), are incompatible with the object and purpose of the Convention (article 28, paragraph 2) and therefore objects to them. In relation to the Federal Republic of Germany, they may not be invoked in support of a legal practice which does not pay due regard to the legal status afforded to women and children in the Federal Republic of Germany in conformity with the above-mentioned articles of the Convention. This objection shall not preclude the entry into force of the Convention as between Egypt, Bangladesh, Brazil, Jamaica, the Republic of Korea, Mauritius and the Federal Republic of Germany.

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### **Netherlands**

"The Government of the Kingdom of the Netherlands considers that the reservations made by Bangladesh regarding article 2, article 13 (a) and article 16, paragraph 1 (c) and (f), by Egypt regarding article 2, article 9 and article 16, by Brazil regarding article 15, paragraph 4, and article 16, paragraph 1 (a), (c), (g), and (h), by Iraq regarding article 2, sub-paragraphs (f) and (g), article 9 and article 16, by Mauritius regarding article 11, paragraph 1 (b) and (d), and article 16, paragraph 1 (g), by Jamaica regarding article 9, paragraph 2, by the Republic of Korea regarding article 9 and article 16, paragraph 1 (c), (d), (f) and (g), by Thailand regarding article 9, paragraph 2, article 15, paragraph 3, and article 16, by Tunisia regarding article 9, paragraph 2, article 15, paragraph 4, and article 16, paragraph 1 (c), (d), (f), (g) and (h), by Turkey regarding article 15, paragraphs 2 and 4, and article 16, paragraph 1 (c), (d), (f) and (g), by the Libyan Arab Jamahiriya upon accession, and the first paragraph of the reservations made by Malawi upon accession, are incompatible with the object and purpose of the Convention (article 28, paragraph 2).

"These objections shall not preclude the entry into force of the Convention as between Bangladesh, Egypt, Brazil, Iraq, Mauritius, Jamaica, the Republic of Korea, Thailand, Tunisia, Turkey, Libyan Arab Jamahiriya, Malawi and the Kingdom of the Netherlands."

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### **Sweden, 17 March 1986**

"The Government of Sweden considers that [the following reservations] are incompatible with the object and purpose of the Convention (article 28, paragraph 2) and therefore objects to them:

...

- Brazil regarding article 15, paragraph 4 and article 16, paragraph 1 (a), (c), (g) and (h);

"Indeed the reservations in question, if put into practice, would inevitably result in discrimination against women on the basis of sex, which is contrary to everything the Convention stands for. It should also be borne in mind that the principles of the equal rights of men and women and of non-discrimination on the basis of sex are set forth in the Charter of the United Nations as one of

its purposes, in the Universal Declaration of Human Rights of 1948 and in various multilateral instruments, to which Thailand, Tunisia and Bangladesh are parties.”

...

"In this context the Government of Sweden wishes to take this opportunity to make the observation that the reason why reservations incompatible with the object and purpose of a treaty are not acceptable is precisely that otherwise they would render a basic international obligation of a contractual nature meaningless. Incompatible reservations, made in respect of the Convention on the elimination of all forms of discrimination against women, do not only cast doubts on the commitments of the reserving states to the objects and purpose of this Convention, but moreover, contribute to undermine the basis of international contractual law. It is in the common interest of states that treaties to which they have chosen to become parties also are respected, as to object and purpose, by other parties."

...