

**TEMPORARY SPECIAL MEASURES**

**ACCELERATING *DE FACTO* EQUALITY OF  
WOMEN UNDER ARTICLE 4(1)  
UN CONVENTION ON THE ELIMINATION OF ALL  
FORMS OF DISCRIMINATION AGAINST WOMEN**

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Temporary Special Measures – Accelerating *de facto* Equality of Women  
under Article 4(1) UN Convention on the Elimination of All Forms of  
Discrimination Against Women

Ineke Boerefijn, Fons Coomans, Jenny Goldschmidt, Rikki Holtmaat,  
Ria Wolleswinkel (eds.)

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## PREFACE

The supervisory organs (the so-called treaty bodies) of the six major United Nations conventions on human rights (the Convention on the Elimination of All Forms of Discrimination Against Women (1979) being one of them), have played and are playing a crucial role in the further, progressive development of international human rights law, *inter alia*, through the adoption of general comments or general recommendations. Such general comments or recommendations are based on the experiences of the treaty bodies in their examination of state reports as reflected in the concluding observations on such reports, and on individual complaints in situations where a treaty body is mandated to deal with such complaints. The general comments and recommendations so far adopted by the treaty bodies have contributed greatly to the further clarification of the substance of the rights of individuals and the corresponding obligations of states.

From this perspective the Maastricht Centre for Human Rights (Maastricht University) and the Netherlands Institute of Human Rights (SIM, Utrecht University) were highly pleased that they were allowed to play a role in the process which will eventually lead to the adoption of a General Recommendation by the Committee on the Elimination of All Forms of Discrimination Against Women (CEDAW) on Article 4(1) of the Women's Convention. This article relates to the issue of temporary special measures which is, of course, not only relevant in the context of the Women's Convention itself, but also, as a cross-cutting issue, in the context of the five other international human rights treaties mentioned above. It was a great pleasure for the organisers of the expert meeting that the meeting was attended by gender and human rights experts from different parts of the world, including the expert-rapporteur of CEDAW on the issue of temporary special measures. Having been elected to CEDAW in 2002 it was for me personally a privilege to participate in the expert-meeting as a member-elect of CEDAW; this was also the case for Pramila Patten from Mauritius. The Maastricht Centre for Human Rights and the Netherlands Institute of Human Rights which are both partners in the Netherlands School of Human Rights Research, are very grateful to the organising committee and to the participants in the seminar for their important input. It was the sincere feeling at the end of the seminar that everyone had a firm grasp of the main elements of the problem of temporary special measures in the field of human rights.

Preface

I sincerely hope that the proceedings of the seminar and the papers presented during the seminar will prove to be important building blocks for a clear, meaningful and policy-relevant General Recommendation of CEDAW on Article 4(1) of the Women's Convention.

Professor Cees Flinterman  
Director Netherlands School of Human Rights Research

## ACKNOWLEDGEMENTS

This book is the result of fruitful collaboration between the Universities of Leiden, Utrecht and Maastricht (the Netherlands). It is the outcome of an expert meeting on Article 4(1) of the UN Convention on the Elimination of All Forms of Discrimination Against Women, which was held in October 2002 in Valkenburg/Maastricht, the Netherlands. The editors would like to thank the contributors to this volume for submitting and presenting their papers at the expert meeting and preparing their contributions for publication.

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Finally the editors would like to thank Cees Flinterman for chairing the expert meeting, Chantal Kuypers for taking care of the practical, organisational and logistical aspects of the meeting, Sophie Janssen for secretarial assistance in preparing the manuscript for publication and Niels Dekker for checking the footnotes.

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