



ΠΑΡΑΡΤΗΜΑ ΠΡΩΤΟ
ΤΗΣ ΕΠΙΣΗΜΗΣ ΕΦΗΜΕΡΙΔΑΣ ΤΗΣ ΔΗΜΟΚΡΑΤΙΑΣ
Αρ. 3580 της 1ης ΜΑΡΤΙΟΥ 2002
ΝΟΜΟΘΕΣΙΑ

ΜΕΡΟΣ ΙΙΙ

Ο περί του Προαιρετικού Πρωτοκόλλου στη Σύμβαση των Ηνωμένων Εθνών για την Εξάλειψη κάθε Μορφής Διάκρισης σε βάρος της Γυναίκας (Κυρωτικός) Νόμος του 2002, εκδίδεται με δημοσίευση στην Επίσημη Εφημερίδα της Κυπριακής Δημοκρατίας σύμφωνα με το Άρθρο 52 του Συντάγματος.

Αριθμός 1(III) του 2002

ΝΟΜΟΣ ΚΥΡΩΤΙΚΟΣ ΤΟΥ ΠΡΟΑΙΡΕΤΙΚΟΥ ΠΡΩΤΟΚΟΛΛΟΥ ΣΤΗ ΣΥΜΒΑΣΗ ΤΩΝ ΗΝΩΜΕΝΩΝ ΕΘΝΩΝ ΓΙΑ ΤΗΝ ΕΞΑΛΕΙΨΗ ΚΑΘΕ ΜΟΡΦΗΣ ΔΙΑΚΡΙΣΗΣ ΣΕ ΒΑΡΟΣ ΤΗΣ ΓΥΝΑΙΚΑΣ

ΕΠΕΙΔΗ η Κυπριακή Δημοκρατία δυνάμει του περί της Σύμβασης των Ηνωμένων Εθνών για την Εξάλειψη κάθε Μορφής Διάκρισης σε βάρος της Γυναίκας (Κυρωτικού) Νόμου του 1985 έχει κυρώσει τη Σύμβαση των Ηνωμένων Εθνών για την Εξάλειψη κάθε Μορφής Διάκρισης σε βάρος της Γυναίκας,

Προοίμιο.
78 του 1985.

ΚΑΙ ΕΠΕΙΔΗ στις 15 Οκτωβρίου 1999 υιοθετήθηκε από τη Γενική Συνέλευση των Ηνωμένων Εθνών το Προαιρετικό Πρωτόκολλο στη Σύμβαση των Ηνωμένων Εθνών για την Εξάλειψη κάθε Μορφής Διάκρισης σε βάρος της Γυναίκας.

ΚΑΙ ΕΠΕΙΔΗ το Υπουργικό Συμβούλιο με την Απόφασή του με Αρ. 52.962 και ημερομηνία 4 Ιανουαρίου 2001 έχει αποφασίσει όπως η Κυπριακή Δημοκρατία προσχωρήσει στο πιο πάνω αναφερόμενο Πρωτόκολλο.

ΠΙ' ΑΥΤΟ η Βουλή των Αντιπροσώπων ψηφίζει τα ακόλουθα:

1. Ο παρών Νόμος θα αναφέρεται ως ο περί του Προαιρετικού Πρωτοκόλλου στη Σύμβαση των Ηνωμένων Εθνών για την Εξάλειψη κάθε Μορφής Διάκρισης σε βάρος της Γυναίκας (Κυρωτικός) Νόμος του 2002.

Συνοπτικός
τίτλος.

Ερμηνεία.

2. Στον παρόντα Νόμο—

«Πρωτόκολλο» σημαίνει το Προαιρετικό Πρωτόκολλο στη Σύμβαση των Ηνωμένων Εθνών για την Εξάλειψη κάθε Μορφής Διάκρισης σε βάρος της Γυναίκας, το οποίο υιοθετήθηκε από τη Γενική Συνέλευση των Ηνωμένων Εθνών στις 15 Οκτωβρίου 1999.

Κύρωση του
Πρωτοκόλλου.
Πίνακας.
Πρώτο Μέρος,
Δεύτερο
Μέρος.

3. Με τον παρόντα Νόμο κυρώνεται το Πρωτόκολλο του οποίου το αυθεντικό κείμενο στην Αγγλική εκτίθεται στο Πρώτο Μέρος του Πίνακα και σε Ελληνική μετάφραση στο Δεύτερο Μέρος αυτού:

Νοείται ότι σε περίπτωση αντίφασης μεταξύ του κειμένου του Πρώτου Μέρους του Πίνακα και εκείνου του Δεύτερου Μέρους του Πίνακα θα υπερισχύει το κείμενο που εκτίθεται στο Πρώτο Μέρος αυτού.

**ΠΙΝΑΚΑΣ
(άρθρο 3)**

ΠΡΩΤΟ ΜΕΡΟΣ

**Optional Protocol to the Convention on the Elimination
of All Forms of Discrimination against Women**

The General Assembly,

Reaffirming the Vienna Declaration and Programme of Action and the Beijing Declaration and Platform for Action,

Recalling that the Beijing Platform for Action, pursuant to the Vienna Declaration and Programme of Action, supported the process initiated by the Commission on the Status of Women with a view to elaborating a draft optional protocol to the Convention on the Elimination of All Forms of Discrimination against Women that could enter into force as soon as possible on a right-to-petition procedure,

Noting that the Beijing Platform for Action also called on all States that have not yet ratified or acceded to the Convention to do so as soon as possible so that universal ratification of the Convention can be achieved by the year 2000,

1. Adopts and opens for signature, ratification and accession the Optional Protocol to the Convention, the text of which is annexed to the present resolution;
2. Calls upon all States that have signed, ratified or acceded to the Convention to sign and ratify or to accede to the Protocol as soon as possible;
3. Stresses that States parties to the Protocol should undertake to respect the rights and procedures provided by the Protocol and cooperate with the Committee on the Elimination of Discrimination against Women at all stages of its proceedings under the Protocol;
4. Stresses also that in the fulfillment of its mandate as well as its functions under the Protocol, the Committee should continue to be guided by the principles of non-selectivity, impartiality and objectivity;
5. Requests the Committee to hold meetings to exercise its functions under the Protocol after its entry into force, in addition to its meetings held under article 20 of the Convention; the duration of such meetings shall be determined and, if necessary, reviewed by a meeting of the States parties to the Protocol, subject to the approval of the General Assembly;

6. Requests the Secretary-General to provide the staff and facilities necessary for the effective performance of the functions of the Committee under the Protocol after its entry into force;

7. Also requests the Secretary-General to include information on the status of the Protocol in her or his regular reports submitted to the General Assembly on the status of the Convention.

ANNEX

Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women

The States Parties to the present Protocol,

Noting that the Charter of the United Nations reaffirms faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women,

Also noting that the Universal Declaration of Human Rights proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, including distinction based on sex,

Recalling that the International Covenants on Human Rights and other international human rights instruments prohibit discrimination on the basis of sex,

Also recalling the Convention on the Elimination of All Forms of Discrimination against Women ("the Convention"), in which the States Parties thereto condemn discrimination against women in all its forms and agree to pursue by all appropriate means and without delay a policy of eliminating discriminations against women,

Reaffirming their determination to ensure the full and equal enjoyment by women of all human rights and fundamental freedoms and to take effective action to prevent violations of these rights and freedoms;

Have agreed as follows:

Article 1

A State Party to the present Protocol ("State Party") recognizes the competence of the Committee on the Elimination of Discrimination against Women ("the Committee") to receive and consider communications submitted in accordance with article 2.

Article 2

Communications may be submitted by or on behalf of individuals or groups of individuals, under the jurisdiction of the State Party, claiming to be victims of a violation of any of the rights set forth in the Convention by that State Party. Where a communication is submitted on behalf of individuals or groups of individuals, this shall be with their consent unless the author can justify acting on their behalf without such consent.

Article 3

Communications shall be in writing and shall not be anonymous. No communications shall be received by the Committee if it concerns a State Party to the Convention that is not a party to the present Protocol.

Article 4

1. The Committee shall not consider a communication unless it has ascertained that all available domestic remedies have been exhausted unless the application of such remedies in unreasonably prolonged or unlikely to bring effective relief.

2. The Committee shall declare a communication inadmissible where:

(a) the same matter has already been examined by the Committee or has been or is being examined under another procedure of international investigation or settlement;

(b) It is incompatible with the provisions of the Convention;

(c) It is manifestly ill-founded or not sufficiently substantiated;

(d) It is an abuse of the right to submit a communication;

(e) The facts that are the subject of the communication occurred prior to the entry into force of the present Protocol for the State Party concerned unless those facts continued after that date.

Article 5

1. At any time after the receipt of a communication and before a determination on the merits has been reached, the Committee may transmit to the State Party concerned for its urgent consideration a request that the State Party take such interim measures as may be necessary to avoid possible irreparable damage to the victim or victims of the alleged violation.