

TT on 26 August 2008

Name	Com No	Date	Article of CEDAW	Facts	Results
B.-J. v Germany	1/2003	14 July 2004	articles 1, 2 (a-f), 3, 5 (a and b), 15 (2) and 16 (1.c, d, g and h)	<ul style="list-style-type: none"> - German woman was forbidden by husband to work and pursue education - He divorced her and she was not granted minimum maintenance payments - She argued that she was discriminated against in the divorce proceedings without the human capital of a relationship being taken into account. 	<p>Inadmissible – failure to exhaust domestic remedies.</p> <p>- disputed facts occurred before entry into force of the Optional Protocol and did not continue beyond that date.</p>
A.T. v Hungary	2/2003	26 January 2005	articles 2 (a), (b) and (e), 5 (a) and 16	<ul style="list-style-type: none"> - domestic violence by husband - failure of state to protect her from her husband, despite hospitalisation - failure of police to bring charges against husband - lack of legal aid to bring a civil proceeding 	<p>Violation:</p> <p>“the State party has failed to fulfil its obligations and has thereby violated the rights of the author under article 2 (a), (b) and (e) and article 5 (a) in conjunction with article 16”</p> <p>- ordered numerous remedies</p>
Dung Thi Thuy Nguyen v The Netherlands	3/2004	14 August 2006	article 11, paragraph 2 (b)	<ul style="list-style-type: none"> - complainant was working two jobs and was only allowed to get maternity benefits from one job, not both. - The author claims that women whose income stems from both salaried and other forms of employment only receive partial compensation for their loss of income during their maternity leave. 	<p>No violation – the complainant had access to maternity leave, and being unable to take advantage of two forms of maternity leave was not a breach.</p>
A.S. v Hungary	4/2004	14 August 2006	articles 10 (h), 12 and 16 (1) (e)	<ul style="list-style-type: none"> - forced sterilisation - woman was sterilised without her informed consent when having a caesarean section to remove a dead foetus 	<p>Violation of articles 10(h), 12 and 16(1)(e) on the basis that “sterilization surgery was performed on the author without her full and informed consent and</p>

Şahide Goekce (deceased) v Austria	5/2005	6 August 2007	articles 1, 2, 3 and 5	-communication brought by parents of deceased victim of domestic violence which resulted in her death - police failed to act on information of danger	must be considered to have permanently deprived her of her natural reproductive capacity”. Violation - “violation of the rights of the deceased ... to life and physical and mental integrity under article 2 (a) and (c) through (f), and article 3 of the Convention read in conjunction with article 1 of the Convention and general recommendation 19 of the Committee”
Fatma Yildirim (deceased) v Austria	6/2005	6 August 2007	articles 1, 2, 3 and 5	-communication brought by family members of deceased. - domestic violence and threats of death followed by stabbing of victim by husband - failure of judicial officers in district to react and detain husband	Violation “violation of the rights of the deceased ... to life and physical and mental integrity article 2 (a) and (c) through (f) and article 3 of the Convention read in conjunction with article 1 of the Convention and general recommendation 19 of the Committee”
Cristina Muñoz-Vargas y Sainz de Vicuña v Spain	7/2005	9 August 2007	articles 2 (c) and 2 (f)	- a woman who, under the then existing legislation that has since been amended, was unable to succeed to a title of nobility involving a hereditary title, whereas her younger brother was.	Inadmissible - incompatible with terms of Convention
Rahime Kayhan v Turkey	8/2005	27 January 2006	article 11	- woman wore headscarf as part of religion since she was 16. - she received warnings from work and a deduction was taken from her salary for wearing a headscarf. She was then asked to appear in court on	Inadmissible for failure to exhaust domestic remedies.

N.S.F. v United Kingdom of Great Britain and Northern Ireland	10/2005	30 May 2007	No specific article of CEDAW raised in claim.	<p>charges that she disturbed the harmony of the school in which she worked by wearing a headscarf and was then dismissed from her job.</p> <ul style="list-style-type: none"> - she argued that her right to a personal identity includes her right to choose Islamic attire without discrimination. - Pakistani woman who arrived in UK seeking asylum on basis of domestic violence by husband - deportation possible - IMR issued 	Inadmissible - failure to exhaust domestic remedies
Constance Ragan Salgado v United Kingdom of Great Britain and Northern Ireland	11/2006	22 January 2007	articles 1, 2 (f) and 9(2)	<ul style="list-style-type: none"> - British citizen who had her children in Colombia - One son unable to get British citizenship on the basis that nationality passed from a father who was a British citizen not a mother - This law was changed and her next son could get British citizenship. 	Inadmissible - the disputed facts occurred prior to the entry into force of the Optional Protocol for the State party and did not continue after - non-exhaust domestic remedies