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## Letter of transmittal

20 April 1999

Sir,

I have the honour to refer to article 21 of the Convention on the Elimination of All Forms of Discrimination against Women, according to which the Committee on the Elimination of Discrimination against Women, established pursuant to the Convention, “shall, through the Economic and Social Council, report annually to the General Assembly of the United Nations on its activities”.

The Committee on the Elimination of Discrimination against Women held its twentieth session from 19 January to 5 February 1999 at United Nations Headquarters. It adopted its report on the session at its 424th meeting, on 5 February 1999. The report of the Committee is herewith submitted to you for transmission to the General Assembly at its fifty-fourth session.

Accept, Sir, the assurances of my highest consideration.

*(Signed)* Aida **Gonzalez**

Chairperson  
Committee on the Elimination of Discrimination against Women

His Excellency Mr. Kofi Annan  
Secretary-General of the United Nations  
New York

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## **Chapter I**

### **Matters brought to the attention of States parties**

#### **A. General recommendation 24 (twentieth session)**

##### **Article 12 of the Convention on the Elimination of All Forms of Discrimination against Women — women and health**

1. The Committee on the Elimination of Discrimination against Women, affirming that access to health care, including reproductive health, is a basic right under the Convention on the Elimination of All Forms of Discrimination against Women, decided at its twentieth session, pursuant to article 21, to elaborate a general recommendation on article 12 of the Convention.

##### **Background**

2. States parties' compliance with article 12 of the Convention is central to the health and well-being of women. It requires States to eliminate discrimination against women in their access to health-care services throughout the life cycle, particularly in the areas of family planning, pregnancy and confinement and during the post-natal period. The examination of reports submitted by States parties pursuant to article 18 of the Convention demonstrates that women's health is an issue that is recognized as a central concern in promoting the health and well-being of women. For the benefit of States parties and those who have a particular interest in and concern with the issues surrounding women's health, the present general recommendation seeks to elaborate the Committee's understanding of article 12 and to address measures to eliminate discrimination in order to realize the right of women to the highest attainable standard of health.

3. Recent United Nations world conferences have also



on the ground that women do not have the authorization of husbands, partners, parents or health authorities, because they are unmarried<sup>1</sup> or because they are women. Other barriers to women's access to appropriate health care include laws that criminalize medical procedures only needed by women and that punish women who undergo those procedures.

from preventable conditions, such as tuberculosis and HIV/AIDS. The Committee is concerned about the growing evidence that States are relinquishing these obligations as they transfer State health functions to private agencies. States parties cannot absolve themselves of responsibility in these areas by delegating or transferring these powers to private

services and what measures they have taken to ensure women timely and affordable access to such services. Barriers include requirements or conditions that prejudice women's access, such as high fees for health-care services, the requirement for preliminary authorization by spouse, parent or hospital authorities, distance from health facilities and the absence of convenient and affordable public transport.

22. States parties should also report on measures taken to ensure access to quality health-care services, for example, by making them acceptable to women. Acceptable services are those that are delivered in a way that ensures that a woman gives her fully informed consent, respects her dignity, guarantees her confidentiality and is sensitive to her needs and perspectives. States parties should not permit forms of coercion, such as non-consensual sterilization, mandatory testing for sexually transmitted diseases or mandatory pregnancy testing as a condition of employment that violate women's rights to informed consent and dignity.

23. In their reports, States parties should state what measures they have taken to ensure timely access to the range of services that are related to family planning, in particular, and to sexual and reproductive health in general. Particular attention should be paid to the health education of adolescents, including information and counselling on all methods of family planning.<sup>2</sup>

24. The Committee is concerned about the conditions of health-care services for older women, not only because women often live longer than men and are more likely than men to suffer from disabling and degenerative chronic diseases, such as osteoporosis and dementia, but because they



to ensure that women have the same rights as men to decide

(f) Ensure that the training curricula of health

## **Chapter II**

### **Organizational and other matters**

#### **A. States parties to the Convention on the Elimination of All Forms of Discrimination against Women**

1. On 5 February 1999, the closing date of the twentieth session of the Committee on the Elimination of Discrimination against Women, there were 163 States parties to the Convention on the Elimination of All Forms of Discrimination against Women, which was adopted by the General Assembly in its resolution 34/180 of 18 December 1979 and opened for signature, ratification and accession in New York in March 1980. In accordance with article 27, the Convention entered into force on 3 September 1981.

2. A list of States parties to the Convention will be contained in annex I to Part Two of the 1999 report of the Committee (A/54/38 (Part II)). A list of States parties which have accepted the amendment to article 20 (1) of the Convention will be contained in annex II to the same report.

#### **B. Opening of the session**

reservations they had lodged to the Convention and invited States parties to give due consideration to the statement regarding reservations to the Convention adopted by the Committee to mark the fiftieth anniversary of the Universal Declaration of Human Rights. The Assembly commended the Committee on its efforts to contribute to the effective implementation of the Convention and for reducing the backlog of reports, including through improved internal methods of work. It encouraged strengthened coordination between the Committee and other human rights treaty bodies and invited the Committee to draw up joint general comments with other treaty bodies, within their respective mandates, on the universality, indivisibility, interdependence and interrelatedness of human rights.

12. The Special Adviser informed the Committee that in December 1998 Djibouti had become the one hundred sixty-third State party to the Convention. She noted that although the number of States parties to the Convention was gratifying, imaginative strategies and concerted efforts were required to reach the target of universal ratification by 2000 established by the Beijing Platform for Action of the Fourth World Conference on Women. In that regard, she indicated that at their tenth meeting, the persons chairing the human rights treaty bodies had recommended the development of a comprehensive action programme to promote universal ratification of the six core human rights treaties.

Mavivi Myakayaka-Manzini (South Africa), Zelmira Regazzoli (Argentina), Carmel Shalev (Israel) and Chikako Taya (Japan), made the solemn declaration as provided for under rule 10 of the rules of procedure of the Committee.

### **C. Attendance**

### **G. Report of the pre-session working group**

18. The Committee had decided, at its ninth session,<sup>3</sup> to convene a pre-session working group for five days before each session to prepare lists of issues and questions relating to periodic reports that would be considered by the Committee at the session.

Platform for Action and to identify challenges and gaps in that regard.

29. Ms. Khan indicated that she had participated in a commemoration of the fiftieth anniversary of the Universal Declaration of Human Rights in Paris from 14 to 16 September 1998. Her statement at that event highlighted the fact that the Declaration had established the equal rights of women and men, a principle elaborated in the Convention on the Elimination of All Forms of Discrimination against Women.

30. Reporting on her attendance at the Third Committee of the General Assembly at its fifty-third session, Ms. Khan

indicated that she had also requested a number of non-governmental organizations to encourage ratification. As a

34. In concluding her remarks, Ms. Khan outlined progress in the Committee's work during the two years of her chairpersonship. She noted that there had been a steady increase in ratification and accession and that the Committee was now meeting twice yearly. It had reviewed the reports of 35 States parties over the period, and positive steps towards

38. The chairpersons had stressed the importance of publicity for the work of the human rights treaty bodies, and emphasized that concluding comments and observations and general recommendations, as well as other outputs of the treaty bodies, should be made widely known at the national, regional and subregional levels by the United Nations information offices. In addition, they stressed that regional human rights commissions should also be made aware of the work of treaty bodies.

## **Chapter IV**

### **Consideration of reports submitted by States parties under article 18 of the Convention**

#### **A. Introduction**

39. At its twentieth session, the Committee considered the reports of seven States parties submitted under article 18 of the Convention: three initial reports; two combined second and third periodic reports; one third and fourth periodic reports; and one fourth periodic report.

40. As decided at its thirteenth session, in 1994, the Committee prepared concluding comments on each report considered. The Committee's concluding comments on the reports of States parties, as prepared by the members of the Committee, and a summary of the introductory presentation by the representatives of the States parties are provided below.

#### **B. Consideration of reports of States parties**

##### **1. Initial reports**

###### **Algeria**

41. The Committee considered the initial report of Algeria (CEDAW/C/DZA/1 and Corr.1 and Add.1) at its 406th, 407th and 412th meetings, on 21 and 26 January 1999 (see CEDAW/C/SR.406, 407 and 412).

###### **Introduction by the State party**

42. In introducing the report, the representative of Algeria underlined that his country had submitted its initial report only two years after its accession to the Convention, despite the current difficult situation it was facing. That was an indication of the sincere commitment of the Government to human rights and to the advancement of women.

43. The representative noted that Algeria's second Constitution of 1976, proclaimed 13 years after independence, guaranteed for the first time equality before the law. The Constitution of 1989, revised in 1996, reinforced principles of universal human rights, such as freedom of speech and free elections. Article 123 also confirmed the primacy of all international treaties ratified by Algeria over national law, a decision confirmed by the Constitutional Council on 20 August 1998. All civil, penal, administrative and commercial codes conformed to the Constitution and the principles of equality between men and women. However, despite the rapid progress with regard to *de jure* equality, *de facto* equality had not been achieved because of stereotypical attitudes that existed in society.

44. A number of measures had been taken by public authorities as part of the overall policy on women, in particular after the Fourth World Conference on Women (Beijing, 1995). A permanent committee had been established under the auspices of the Ministry of National Solidarity and Family; and to strengthen the national mechanisms for the advancement of women, a secretariat of State upgraded to a Ministry and headed by a woman Minister acted as a focal point for the advancement of women. The Council for the Preservation and Promotion of the Family and the National Women's Council were created in 1996 and 1997 respectively, to ensure the coherence of all policies for the advancement of women. As part of the implementation of the Beijing Platform for Action, Algeria had adopted a national action plan and recently presented a report on the many actions undertaken since the Fourth World Conference on Women.

45. The representative recalled that Algerian women had already played an active role in the struggle for independence, but stereotypical attitudes, exacerbated by illiteracy, were obstacles to achievement of equality with men. A great number of political parties and non-governmental organizations had emerged since the introduction of a pluralist democracy in 1984, but fundamentalist movements and terrorism threatened advances made, particularly where women were concerned.

46. The representative pointed out that education, which was free, had been decisive in women's emancipation, providing access to employment, medical and social services and breaking down stereotypical attitudes and social obstacles. Certain sectors of employment were now dominated by women, including the magistrature, education and health.

47. The representative noted that domestic violence against women was considered a severe crime by the Constitution and

penal code. Many non-governmental organizations also existed to assist battered women. Several initiatives had been taken to care for victims of rape and abduction, including centres to treat women and children traumatized by terrorist violence.

48. The representative informed the Committee that progress had been achieved with regard to equality in political and public life at the national level, although only a few women had reached decision-making positions. Many women were active, including in leadership positions, in political parties, unions and non-governmental organizations. The reform of voting procedures in 1995, which limited voting by proxy to exceptional situations, returned the right to vote to many women whose guardian or husband had customarily voted on their behalf.

49. The economic crisis affecting Algeria since 1986 had resulted in a decline in jobs and had had a negative impact on the employment of women. Women's participation in the labour force was low and informal work at home was increasing. However, the representative noted that under the current social security system women received specific

### **Concluding comments of the Committee**

notes that the Government is also considering legal measures, including the amendment of the Family Code.

59. The Committee welcomes the efforts of the Algerian women's non-governmental organizations in raising public awareness and fostering the interest of the Government and legislators in women's issues. The invaluable contribution of women's non-governmental organizations to the elaboration of the Family Code is also commended.

60. The Committee notes with satisfaction that Algerian labour legislation contains specific provisions relating to maternity leave and breastfeeding breaks that protect women from discrimination because of their parental responsibilities.

61. The Committee recognizes the steps taken by the State

67. The Committee also notes that the reservations of the State party to articles 2, 9, paragraph 2, 15, paragraph 4, and

68. The Committee notes that, although the Constitution guarantees the equality of men and women and provides that the Convention prevails over national legislation, the numerous discriminatory provisions of the Family Code and the persistence of prejudice and patriarchal practices conflict



78. The Committee calls upon the Government to protect women in accordance with the provision of the Constitution that states that the State is responsible for the safety of persons and property. The Committee recommends that better care be taken of all women and girls who are victims of terrorist violence.

79. The Committee is concerned by the absence of legal texts that specifically protect women who are victims of domestic and sexual violence.

80. The Committee recommends to the Government that it take specific legislative and structural steps to shelter women from such attacks and provide women who are victims of

non-governmental organizations are consulted in the rewriting of textbooks.

The Committee recommends the creation of child-care centres and kindergartens in sufficient numbers to allow women to reconcile their family and profession

that are needed in this regard. It also requests the Government of Algeria to continue to disseminate widely, especially to women's and human rights organizations, the text of the Convention, the Committee's general recommendations and the Beijing Declaration and Platform for Action.

The Council would monitor the national implementation of international human rights treaties and agreements, including the Convention on the Elimination of All Forms of Discrimination against Women.

### **Kyrgyzstan**

95. The Committee considered the initial report of Kyrgyzstan (CEDAW/C/KGZ/1) at its 408th, 409th and 413th meetings, on 22 and 27 January 1999 (see CEDAW/C/SR.408, 409 and 413).

### **Introduction by the State party**

96. In her introduction, the representative of Kyrgyzstan informed the Committee that the initial report had been prepared by a special commission established for that purpose that included governmental and legal officials. The report was also prepared through a process of consultation and participation with non-governmental organizations.

97. The representative described the political, economic and social conditions of the country since its declaration of independence on 31 August 1991. She noted that the current situation was characterized by the transition to a market

106. The Committee expresses its appreciation to the Government of Kyrgyzstan for submitting, in a timely manner, a well-structured and comprehensive initial report. It commends the Government on its comprehensive oral presentation and for the replies to the questions posed by the Committee.

107. The Committee appreciates the high-level delegation, headed by the chairperson of the State Commission for the Family, Women and Youth, which presented the report. It notes that the report described measures taken by the Government to implement the Beijing Platform for Action.

108. The Committee commends Kyrgyzstan for ratifying a large number of international human rights treaties, including the Convention on the Elimination of All Forms of Discrimination against Women, which was ratified, without reservations, during a difficult time of transition to a market economy and of rapid social and political change.

#### **Positive aspects**

109. The Committee commends the fact that the texts of the treaties ratified by Kyrgyzstan have been translated into the Kyrgyz language and other languages used in Kyrgyzstan, including Russian and Uzbek. In this context, the Committee expresses its appreciation of the Government's will to implement the Convention. The Committee also commends Kyrgyzstan for integrating the provisions of the ratified treaties into its basic domestic laws, including the criminal code, the civil code, the labour code and the law on protecting consumers' rights. It is also pleased to learn that there are plans to review other laws from a gender perspective.

110. The Committee appreciates the fact that human rights are part of the curriculum of many universities and schools.

#### **Factors and difficulties affecting the implementation of the Convention**

111. The Committee views the prevailing conditions of poverty and unemployment as well as the negative effects of rapid social and political change on women to be major impediments to the implementation of the Convention.

112. The persistence of a strong patriarchal culture, which emphasizes traditional roles of women and men, is also seen as a hindrance to the implementation of the Convention.

#### **Principal areas of concern and recommendations**

113. The Committee is concerned at the lack of understanding of discrimination against women as a multi-faceted phenomenon that entails indirect and unintentional as well as direct and intentional discrimination. This

understanding is a sine qua non of comprehensive analyses and for policy analysis for the effective elimination of discrimination against women in both *de jure* and *de facto* terms.

114. The Committee recommends that the principle of the equality guaranteed by law should also refer to non-discrimination on the grounds of sex. It also recommends the introduction of a procedure for enforcing rights through effective judicial and other means. Policies, including educational, mass media and awareness-raising campaigns should also be introduced and efforts should be directed at countering both intentional and unintentional discrimination.

115. The Committee expresses concern with regard to the extent and nature of the power of the national machinery, as well as the ambiguity surrounding the relationship between the State Commission and the Ministry. It also notes the inadequacy of the existing budget and personnel for the advancement of women.

116. The Committee recommends enhancing the national machinery by clarifying its functions and the relations between its various organs and the organs of Government, as well as through the allocation of greater budgetary and human resources so as to ensure its effective functioning at the national and regional levels.

117. The Committee also recommends that all national

and mass media campaigns, to eliminate traditional 131. The Committee is concerned at the economic situation

141. The Comm

152. The Committee expresses its appreciation to the Government of Liechtenstein for its high-level delegation, headed by the Minister for Foreign Affairs, who is also the Minister for Family Affairs and Equality between Men and Women. This enabled the Committee to obtain a realistic picture of the progress made and of challenges that lay ahead

provide the basis for the design of appropriate policies and programmes to accelerate the achievement of equality.

be revealed. The Committee urges the Government to institute      noted that the legislative framework in Greece was considered





191. The Committee is concerned that the revision of the laws on rape has not led to the recognition of rape as a serious infringement of a woman's human right to personal security.

192. The Committee recommends that the law on rape, including marital rape, be reformed, and that forensic investigation be introduced in the light of general recommendation 19, the Declaration on the Elimination of Violence against Women and recent developments in the laws of other European countries that face similar problems of violence against women.

193. The Committee notes with concern that, following a number of recent court cases, the legality of affirmative action and temporary special measures in accordance with article 4.1 of the Convention is unclear.

194. The Committee recommends that the Government clarify the compatibility of its legislative provisions with article 4.1 of the Convention to ensure its implementation.

195. The Committee notes with concern that, notwithstanding the availability of legal remedies to seek redress for discrimination and the fact that some court cases have been filed to challenge discrimination, very few women avail themselves of this right and are often reluctant to do so.

196. The Committee recommends that the Government develop programmes to raise awareness of the constitutional remedy among women and women's groups so that individual acts of discrimination will be consistently challenged and so that the Constitution will have an impact on government action and policy and on the private sector.

197. While noting positively the fact that prostitution is decriminalized and instead is dealt with in a regulatory manner, the Committee is concerned that inadequate structures exist to ensure compliance with the regulatory framework. The Committee is also concerned about the increase in trafficking in women. In this regard it notes that insufficient attention is given to possible links between lack of enforcement and trafficking in and migration of women.

198. The Committee recommends that compliance with the regulations governing prostitution be monitored effectively and adequate measures to address trafficking in women be introduced.

199. Noting the already low level of participation of women in political and public life, the Committee voices its concern at the apparent decrease in the percentage of women in elected office. It points to the consequences of this situation for the adoption of gender-sensitive legislative and policy measures.

200. The Committee urges the Government to adopt innovative measures to raise the percentage of women in all public bodies, including in the legislature, the executive and the judiciary. Efforts should also be made to encourage other entities, such as political parties and the private sector, to increase the number of women at senior and decision-making levels.

201. The Committee is concerned that there is a relatively high level of functional illiteracy in Greece, in particular among elderly and rural women.

202. The Government is urged to intensify its efforts to prevent and to remedy functional illiteracy among women. The Government should also conduct a comprehensive review of all educational curricula at the primary, secondary and tertiary levels with a view to eliminating remaining discriminatory aspects, remedying the stereotypical portrayal of women and girls and creating an educational environment that is conducive to girls' and women's education and learning. The Government should include the achievement of equality between women and men and between girls and boys as a societal goal in its educational policy. The Committee urges the Government to establish degree-granting women's studies programmes to provide academic support to political and practical changes aimed at creating a non-patriarchal society.

203. Noting that there are positive trends in the employment situation of women, the Committee remains concerned about the situation of women in the formal and informal labour market, including the high percentage of unemployed women and the continuing pay gap between women and men. It is also concerned that many of the new jobs occupied by women might provide only low pay and limited career prospects. The Committee is further concerned that the employment prospects for women in rural areas, for women who are migrating from the agricultural sector into other employment areas and for immigrant women remain precarious, especially for those with low skills or who are functionally illiterate.

204. The Committee urges the Government to assess, in a comprehensive manner, the changing realities of women's work and to develop policies that aim at structural and long-term improvements in the employment situation of women. Particular attention should be paid to supporting women who work without pay in family enterprises and on family farms. It also urges the Government to address the issue of women migrant workers.

205. The Committee is concerned that insufficient attention is given to gender-specific causes and consequences of illness and disease and that, consequently, the country's health policy

is insufficiently responding to gender factors associated with health.

206. The Committee recommends that all health-related data and statistics be disaggregated by sex and age so that health policies, service delivery and allocation of resources can be assessed in terms of their outcomes for women and men. It also recommends that governmental health policies, research and resources be adjusted so as to respond adequately to the rights of women and men to a high standard of health care and to the gender factors associated with health.

207. The Committee expresses its concern about the high rate of abortion in Greece, and especially of abortions by teenagers. The numbers are indicative of insufficient use of contraceptives, a lack of sex education and information about contraceptives, as well as insufficient or unfocused family-planning efforts. The Committee is also concerned in this respect about the extent of funding for contraception, given the comprehensive coverage of health insurance and funding for health services in Greece.

208. The Committee recommends that the Government introduce sex education as part of the school curriculum. It also recommends the improvement of family-planning policies and measures so that all women and men have access to information about and measures of contraception. It also urges the Government to target men in its family-planning efforts and to stress the shared responsibilities of women and men in this regard.

211. The Committee recommends that the Government, when preparing its next report, engage in consultations with groups

212. The Committee requests the wide dissemination in Greece of the present concluding comments in order to make the people of Greece, and in particular its government administrators and politicians, aware of the steps that have been taken to ensure *de jure* and *de facto* equality and the further steps required in this regard. The Committee also requests the Government to continue to disseminate widely,

five-year development plan, and among its goals was the information and written responses to the numerous questions

### **Principal areas of concern and recommendations**

230. The Committee expresses its concern at the lack of effective law enforcement mechanisms and the lack of cases filed by women in the courts on the basis of constitutional guarantees. The Committee urges NCWA to study constitutional developments in other countries and practical ways of strengthening the capacity of women to use the Constitution to ensure gender equality.

231. The Committee remains concerned that the Convention is not directly applicable in the courts in Thailand and that there is no separate law exclusively dealing with discrimination against women. The absence of a definition of discrimination congruent with the Convention in the Constitution is also of serious concern.

232. The Committee recommends the introduction of specific anti-discrimination legislation in compliance with article 1 of the Convention.

233. Noting the prevailing traditional attitudes affecting the advancement of Thai women, the Committee recommends that sensitization programmes for policy makers, administrators, legal personnel and other professionals involved in the health and education sector be provided. The Committee recommends that school textbooks be revised to eliminate stereotyped images of women and girls and to include women's human rights issues.

234. The Committee is concerned about the underrepresentation of women in politics and decision-making structures, including the judicial system. It emphasizes the importance of fostering a political and social environment conducive to women's promotion in all sectors of public and private life. The Committee recommends the introduction of affirmative action policies or temporary special measures in accordance with article 4, paragraph 1, of the Convention, with goals and timetables to address the situation.

235. Recognizing that the Government has successfully raised the legal employment age from 12 to 15 years by extending compulsory education from 6 to 9 years, the Committee continues to be concerned about the early drop-out of girls from school and their early entry into the labour force. The Committee takes note of the proposal to introduce a children's rights law and recommends that the Government ensure that its provisions conform with the Convention on the Elimination of All Forms of Discrimination against Women and the relevant provisions of the Convention on the Rights of the Child.

236. The Committee expresses its concern about the status of women migrant workers. In particular, the Committee is concerned about cross-border trafficking in women and girls, forced prostitution and the commercial sex industry.

237. The Committee strongly recommends that the Government consider the issue of migration and commercial sex work as a critical human rights issue.

238. The Committee recommends that the Government explore the possibility of cooperation with other countries and

247. The Committee is concerned that the current Name Law of the national economy and the strengthening of the legal



and cultural rights and that they are an inalienable, integral and indivisible part of universal human rights.

272. The Committee commends the Government for further strengthening the legislative framework to ensure equality between women and men. It notes in particular the 1992 Law on the Protection of the Rights and Interests of Women (the Women's Law), the 1995 Mother and Child Health Law, the 1996 and 1997 amendments to the criminal law with regard

**Factors and difficulties affecting the implementation of the Convention**

276. The Committee notes that the great size and diversity of China pose special challenges to the realization of equality between women and men.

whether the Convention can be, or ever has been, invoked in a court of law, and what the outcome of such cases might have been.

284. The Committee recommends that the Government adopt legislation that expressly prohibits gender discrimination, including unintentional and indirect discrimination, in accordance with the definition in article 1 of the Convention. It also recommends that the Government improve the availability of means of redress, including legal remedies, under the Women's Law. The Government should provide legal aid to women who suffer discrimination in its various forms, to assist them in the realization of their rights. It should also widely publicize all these measures so that adequate enforcement of the law can be ensured. The Committee recommends further that the Government adopt measures and allocate resources at both the central and provincial levels to monitor implementation of the various laws on gender equality.

285. The Committee is concerned about the diverse forms of violence against women in China, including custodial violence, sexual abuse, domestic violence, sexual violence and sexual harassment in the workplace. The Committee is also concerned that economic conditions may contribute to an increase in violence against women.

286. The Committee recommends that the Government examine and revise its laws and policies on violence against women in the light of the Committee's general recommendation 19. This should include adoption of a special law on domestic violence and provision of services for survivors, such as shelters and hotlines. The handling of domestic violence cases should be systematically included in the training of law enforcement officials and health-care personnel. The Committee urges the Government to regulate sexual harassment and to provide legal remedies for women victims of sexual harassment in the workplace. The Committee requests the Government to provide information in its next report on procedures for ensuring the rights of women in custody to protection from sexual abuse and for sanctioning prison officers responsible for such abuse.

287. The Committee recommends that the Government consider the possibility of extending an invitation to the Special Rapporteur on Violence against Women, including its causes and consequences, to visit China and all its provinces.

288. The Committee is concerned that prostitution, which is often a result of poverty and economic deprivation, is illegal in China.

289. The Committee recommends decriminalization of prostitution. Given the HIV/AIDS pandemic, the Committee also recommends that due attention be paid to health services for women in prostitution. The Government is also urged to take measures for the rehabilitation and reintegration of prostitutes into society.

290. Notwithstanding the serious efforts of the Government to combat trafficking in women, the Committee expresses its concern about reports in some localities of corrupt officials who are involved or colluding in the trade in women, including through payments from prostitutes.

291. The Committee urges the Government to investigate reports of local officials' involvement in trafficking and the exploitation of prostitution, and to prosecute all persons engaged in such practices.

292. The Committee is concerned that the proportional representation of women in all spheres of public life, and especially at the higher decision-making levels, has increased only minimally since the consideration of China's second report.

293. The Committee urges the Government to adopt temporary special measures within the meaning of article 4, paragraph 1 of the Convention to increase the number of women at the higher echelons of Government. The women's talent bank of the All China Women's Federation should be used extensively to increase the percentage of women in all public bodies. The Government should also encourage gender-balance in the composition of village committees.

294. Notwithstanding the Government's positive efforts and achievements in reducing illiteracy, the Committee is concerned about the disproportionate persistence of illiteracy among women, especially women in rural and remote areas, and among ethnic and religious minority women. The Committee also notes a lack of information concerning the situation of women in science and technology.

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the achievement of gender equality as a societal goal in its education policy.

296. The Comm

forced sterilizations and abortions, arbitrary detention and house demolitions, particularly in rural areas and among

303. The Committee recommends that all government policy and planning for rural areas, including micro-credit, small Government on its oral presentation of the report and for the detailed oral and written replies, including statistical

316. The Committee recommends the adoption of a constitutional definition of discrimination, both direct and indirect, to complement the prohibition of discrimination in civil law under the Sex Discrimination Ordinance.

317. Notwithstanding the important mandate and valuable work of the Equal Opportunities Commission, the Committee is concerned about the absence of a kôm-18

domestic workers, with a view to their empowerment and rehabilitation, including through psychological counselling, legal aid, temporary shelter and appropriate health services. The Committee also urges the amendment of existing

Committee is also concerned that the contraction of the manufacturing sector affects particularly low-skilled women.

332. The Committee recommends that the principle of equal pay for work of equal value be included in relevant legislation and that criteria be established to determine the measure of equal value in a largely gender-segregated labour market.

333. The Committee encourages the Government to review regularly the reservations entered to the Convention. It urges the Government to amend all laws that are incompatible with the Convention, including those relating to immigration and to pension schemes, with a view to removing the relevant reservations. In particular, it encourages the Government to eliminate discrimination against indigenous women following

needs. She also described the effects of armed conflict on women.

344. The representative informed the Committee that women's representation in public life in Colombia was still low, but that the President had recently appointed two women ministers. While there had been some increase in the enrolment of girls at the primary level, their educational level was still lower than boys. Initiatives to improve girls' access to education included a project to address stereotyped textbooks and promote coeducation.

345. The representative noted that an increasing number of women were entering the labour market, in particular in urban areas. However, despite their level of education, they received lower wages than men and occupied fewer decision-making positions. In addition, women were affected by unemployment.

346. The representative indicated that life expectancy was 64.3 years for men and 73.24 years for women. The Government had adopted a series of measures with regard to sexual and reproductive health in the General System of Social Security in Health and had launched several information campaigns, including on HIV/AIDS prevention.

347. The representative emphasized that important advances had been made to integrate the gender perspective in the rural sector.

#### **Concluding comments of the Committee**

348. The Committee expresses its appreciation to the Government of Colombia for its fourth report, which contains a comprehensive, candid and critical account of the progress that has been achieved since the submission of the previous report. The report describes the difficulties and obstacles that still impede the implementation of the Convention and the programmes that have been implemented to promote the advancement of women and the exercise of their rights.

349. The presence of the delegation headed by the Director

an in-depth review of the implementation of each article of the Convention.

351. The Committee appreciates the fact that the Government of Colombia supports the adoption of an optional protocol to the Convention.

**Factors and difficulties affecting the  
implementation of the Convention**

364. The Committee recommends the introduction of training

372. The Committee urges the Government of Colombia to establish an effective national mechanism, including complaints procedures, that will ensure that those guilty of criminal conduct, both State officials and private individuals, stand trial. The Committee recommends that the Government step up security measures for all those who promote and defend human rights, especially in view of kidnappings and other acts that constitute an assault on physical integrity, with particular attention to the situation of women.

373. The Committee is concerned that, despite the efforts that have been made, the Government's ability to ensure compliance with the rules providing for punishment for domestic violence is restricted. Moreover, the family commissions do not have the necessary human or financial resources to carry out their mandate and there is no systematic supervision of their work by the relevant government body. As a result, efforts to help victims are inadequate. The Committee stresses that, since a human rights issue is involved, it is the Government's responsibility to act to reduce violence against women, investigate cases and give treatment and support to the victims of violence.

374. The Committee recommends that effective measures be taken to ensure compliance with the law and that due attention be paid to the family commissions to enable them to carry out their functions.

375. The Committee is concerned that there is currently before Congress a bill to decriminalize domestic violence at both the civil and criminal level, passing responsibility for dealing with these human rights violations to an administrative court.

376. The Committee recommends that the bill be reassessed, since it represents a step backwards from the progress achieved by the country in legislative terms in tackling and confronting the problem of domestic violence and sexual abuse.

377. The Committee is concerned that, although national legislation condemns inhuman and degrading treatment, many women are forced to become prostitutes in order to survive and there is traffic in women. Preventive mechanisms are lacking and the State has little capacity to confront the national and international criminal organizations engaged in procurement, which operate with a high degree of impunity.

378. The Committee recommends that the Interinstitutional Committee that has taken various measures to prevent and punish traffic in women should organize a more energetic and effective work strategy in order to deal with this serious phenomenon.

379. The Committee is extremely concerned at the situation of street children, in particular girls, with respect to their human rights and physical integrity.

380. The Committee recommends that the needs of street children, especially girls, be integrated systematically into all poverty-eradication, social-development and anti-violence plans and programmes.

381. The Committee notes that no systematic effort is being made to counter discriminatory cultural traditions and change sexist stereotypes and that the media continue to project stereotyped images of women.

382. The Committee recommends that a systematic effort be made to educate the population on gender issues by all possible methods and in all sectors and that programmes be developed with the aim of raising the awareness of media personnel with respect to equality of men and women, with a view to eradicating sexist stereotypes in all media.

383. The Comm

introduction of training programmes to promote the integration of women into the labour force and to diversify their participation, through the implementation of legislative measures and through greater efforts to achieve equal pay for work of equal value.

389. The Committee is concerned that, although maternity protection is ensured by law and provision is made for maternity leave in the relevant legislation, the law is sometimes broken and women must meet certain requirements in order to have access to jobs, such as undergoing pregnancy tests.

390. The Committee recommends that steps be taken to ensure compliance with the law and that those who engage

in the use of family planning methods and had ready access to contraceptives.

women in the most vulnerable population segments, have access to affordable contraceptives, and that action be taken to promote the use of contraception by men, particularly vasectomy.

services infrastructure, low health and education coverage, and lower quality of life for most of the population. These



## Chapter V

### Ways and means of expediting the work of the Committee

402. The Committee considered ways and means of expediting the work of the Committee (agenda item 8) at its 405th meeting, on 19 January 1999.

403. The item was introduced by the Chief of the Women's Rights Unit of the Division for the Advancement of Women, who introduced the report of the Secretariat (CEDAW/C/1999/I/4) and a working paper containing draft rules of procedure (CEDAW/C/1997/WG.I/WP.1).

#### Action taken by the Committee on the report of Working Group I

404. At its 424th meeting, on 5 February 1999, the Committee considered the item on the basis of the report of Working Group I (CEDAW/C/1999/I/WG.I/WP.1) and took the following decisions.

##### 1. States parties presentation of initial reports

405. The Committee decided that, in introducing their initial reports, States parties should provide an oral presentation updating their written reports that should be no longer than the time allotted for presentation (i.e., 45 minutes) indicated in the Committee's programme of work and in the *Journal of the United Nations*.

406. The Committee reiterated its decision 16/III, in which it decided, on an exceptional basis and as a temporary measure, to invite States parties to combine a maximum of two reports. When a State party's initial report is long overdue, the Committee decided to consider a revised reporting schedule with regard to that State party's periodic reports at the session at which it presents its initial report, and to inform the State party accordingly.

##### 2. States parties presentation of periodic reports

407. The Committee decided that, in introducing their

months prior to the pre-session working group that would be considering those reports.

413. The Committee decided that the list of issues and questions with respect to periodic reports should normally be

the implementation of the Convention and the Platform for Action.



**12. Members of the pre-session working group for**

in the relevant States. The Division for the Advancement of Women should make its best effort to inform regional commissions and regional intergovernmental organizations, of the reports to be considered at the sessions of the Committee and to provide those bodies with relevant concluding comments of the Committee.

#### **4. Twentieth anniversary of the adoption of the Convention**

436. The Committee decided that the twentieth anniversary of the adoption of the Convention on the Elimination of All Forms of Discrimination against Women should be marked by a number of events, including a seminar or conference, with the participation of representatives of Governments and non-governmental organizations as well as members of the Committee. It also decided to hold a special meeting with the participation of the Secretary-General and the Special Adviser on Gender Issues and Advancement of Women and a round table with former chairpersons and members of the Committee and members of other treaty bodies. Events could also include a panel discussion on universal ratification and a panel discussion with the Secretaries-General of the four conferences on women highlighting the importance and impact of the Convention at the national level. In addition, the Chairperson of the Committee could facilitate a discussion on reservations with delegates attending the Third Committee of the General Assembly in 1999. The Committee decided that the Bureau and the Chairperson of Working Group II should work closely with the Secretariat to organize an event during the twenty-first session of the Committee within existing resources and with any extrabudgetary resources that might be provided in this connection.

4. Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women.

## **Chapter VII**

### **Provisional agenda for the twenty-first session**

437. The Committee considered the provisional agenda for its twenty-first session (agenda item 9) at its 424th meeting, on 5 February 1999. The Committee decided to approve the following provisional agenda:

1. Opening of the session.
2. Adoption of the agenda and organization of work.
3. Report of the Chairperson on activities undertaken between the twentieth and twenty-first session of the Committee.