



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of
Discrimination against Women**

Fiftieth session

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**Concluding observations of the Committee on the
Elimination of Discrimination against Women**

Côte d'Ivoire

1. The Committee considered the combined initial to third periodic report of Côte d'Ivoire (CEDAW/C/CIV/1-3) at its 1013th and 1014th meetings, on 14 October 2011 (see CEDAW/C/SR.1013 and 1014). The Committee's list of issues and questions is contained in CEDAW/C/CIV/Q/1-3, and the replies of the Government of Côte d'Ivoire are contained in CEDAW/C/CIV/Q/1-3/Add.1.

A. Introduction

2. The Committee highlights the fact that, despite the fragile situation prevailing in a crisis and post-crisis context, the State party respected its treaty obligation to submit its report to the Committee and to send a delegation to participate in the constructive dialogue.

3. The Committee welcomes the State party's commitment and political will to implement the provisions of the Convention and to protect human rights without gender-based discrimination in the process of restoring the Rule of Law.

4. The Committee commends the State party for its combined initial to third periodic report, which was comprehensive and objective and followed, in general, the Committee's guidelines for the preparation of reports, although it lacked some sex-disaggregated data. The Committee notes with appreciation that non-governmental organizations participated in technical and validation workshops organized for the preparation of the report. The Committee expresses its appreciation to the State party for the oral statement presented by the head of delegation, the written replies to the list of issues and questions raised by its pre-session working group, and the further clarifications to the questions posed orally by the Committee.

5. The Committee commends the State party for its high-level delegation, headed by the Minister of Family, Woman and Child of Côte d'Ivoire, which included representatives from the same Ministry and from an important civil society organization for the rights of women. The Committee expresses great appreciation for the constructive dialogue that took place between the delegation and the members of the Committee, and welcomes the

political will and strong commitment demonstrated by the delegation in favour of the advancement of women.

B. Positive aspects

6. The Committee welcomes the establishment of the Commission on Dialogue, Truth and Reconciliation and notes the State party's commitment to implement Security Council resolution 1325.

7. The Committee notes with appreciation the State party's willingness to institutionalize gender policies.

8. The Committee welcomes the statement by the delegation that the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women has been recently ratified, as well as the State party's commitment to accept the amendment to article 20, paragraph 1, of the Convention.

9. The Committee notes with appreciation the various policies and strategies adopted by the State party to promote gender equality and protect women's rights, including the 2007 Solemn Declaration on Equality of Opportunity, Equity and Gender; the National Action Plan for Women (2003-2007); the National Policy Paper on Equal Opportunity, Equity and Gender; and the National Plan of Action for the Implementation of Security Council Resolution 1325 (2000) on Women, Peace and Security.

10. The Committee notes with satisfaction:

(a) The ratification of the First Optional Protocol to the International Covenant on Civil and Political Rights, in 1997;

(b) The recent ratification, as stated by the delegation, of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa.

11. The Committee also notes with appreciation the statement by the delegation that the State party will imminently ratify the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.

C. Principal areas of concern and recommendations

12. The Committee recalls the State party's obligation to systematically and continuously implement all the provisions of the Convention on the Elimination of All Forms of Discrimination against Women and views the concerns and recommendations identified in the present concluding observations as requiring the priority attention of the State party. Consequently, the Committee urges the State party to focus on those areas in its implementation activities and to report on action taken and results achieved in its next periodic report. The Committee calls on the State party to disseminate the present concluding observations to all relevant ministries, the Parliament and the judiciary, so as to ensure their full implementation. In particular, it recommends that the State party disseminate the Convention to the civil society.

Parliament

13. While reaffirming that the Government has the primary responsibility and is particularly accountable for the full implementation of the State party's obligations under the Convention, the Committee stresses that the Convention is binding on all

branches of the State apparatus, and invites the State party to encourage Parliament, in line with its procedures, where appropriate, to take the necessary steps with regard to the implementation of the present concluding observations and the State party's next reporting process under the Convention.

Implementation and visibility of the Convention

14. The Committee notes with concern that while the Convention forms an integral part of domestic law, it has not been given sufficient visibility as a legal basis for all measures and plans related to eliminating discrimination against women and is not clearly linked with the application of other plans like the National Action Plan for the Implementation of Security Council Resolution 1325.

15. The Committee highlights the importance of establishing a link between the restoration of the rule of law and the integration of the Convention in all reconstruction policies. It also recommends that the State party implement the Convention in all areas of life, particularly in humanitarian support, access to justice and assistance to victims of violence during the post-electoral crisis, and link the implementation of the Convention with the application of the National Action Plan for the Implementation of Security Council Resolution 1325.

Definition of discrimination against women

16. While noting that the principle of equality between women and men is enshrined in the Constitution of 1 August 2000, the Committee remains concerned about the absence of a specific prohibition of discrimination against women in all areas of life in its national legislation, in line with articles 1 and 2 of the Convention.

17. The Committee recommends that the State party consider adopting amendments to the Constitution or national legislation, which include a clear definition and prohibition of all forms of discrimination against women, both direct and indirect, in accordance with articles 1 and 2 of the Convention.

Discriminatory laws

18. While welcoming the on-going legislative reform, which includes the review of the Personal and Family Code, Criminal Code and Code of Criminal Procedure, the Committee is concerned about the absence of a comprehensive law on violence against women and the existence of discriminatory provisions with respect to marriage, divorce, inheritance, granting of all decision-making power to men within the family, nationality, income tax and employment. The Committee is further concerned about the very long delay in the finalization of the legislative reform of discriminatory laws.

19. The Committee calls on the State party to:

(a) Give priority attention to the elaboration of new laws as well as the review and repeal of discriminatory provisions in existing laws, in cooperation with relevant organizations, in order to achieve de jure equality and to enable de facto equality for women, in compliance with the State party's obligations under the Convention;

(b) Enact, without delay, a comprehensive law on violence against women;

(c) Carry out a complete review of discriminatory provisions regarding personal status laws, including marriage, divorce, inheritance and granting of all decision-making power to men within the family, and amend, without delay, its Personal and Family Code with respect to these matters;

(d) Repeal discriminatory provisions in the laws on nationality, income tax and employment, in conformity with relevant provisions of the Convention.

Access to justice

20. The Committee welcomes the statement by the delegation that the State party is undertaking a reform of the judicial system, which includes providing legal assistance; prosecuting and punishing perpetrators of acts of violence against women; and providing specific means to address complaints related to post-electoral violence. However, the Committee remains concerned about the lack of effective access to justice for women and the serious logistical and human resource challenges experienced by the criminal justice system as a result of the conflict.

21. The Committee recommends that the State party:

(a) Ensure effective access by women to courts and tribunals, in particular women victims of violence suffered during the post-election crisis;

(b) Develop a comprehensive policy aimed at strengthening the judicial system, including by enhancing logistical and human resources, and finalize, without delay and with the assistance of the international community, the reform of the judicial system;

(c) Facilitate women's access to justice, including by providing free legal aid to women without sufficient means;

(d) Provide systematic training to judges, lawyers and NGOs on the application of legislation prohibiting discrimination, in light of its obligations under the Convention and its Optional Protocol;

(e) Facilitate support by NGOs to women's access to justice.

National machinery for the advancement of women

22. The Committee welcomes the establishment of the Ministry of Family, Woman and Child and notes the willingness of the delegation to ensure an increase in the budget allocated to the said Ministry and to disseminate in three or four languages the provisions of the Convention to the population. However, the Committee is concerned that the Ministry's financial and human resources may be insufficient to enable it to effectively coordinate and monitor the State party's initiatives to promote gender equality and the full implementation of the Convention. The Committee is also concerned about the lack of sex-disaggregated data necessary to assess the impact and effectiveness of policies and programmes aimed at mainstreaming gender equality and enhancing women's enjoyment of their human rights.

23. In accordance with its general recommendation No. 6 and the guidance provided in the Beijing Platform for Action, the Committee calls on the State party to:

(a) Strengthen the national machinery for the empowerment of women at the national and local levels and provide it with the necessary human, financial and technical resources to function effectively in all areas of women empowerment, including, in particular, the capacity for enhanced cooperation with the civil society;

(b) Enhance inclusion and representation of women in the national machinery for the empowerment of women at the decision-making, policymaking and implementation levels, and support and coordinate effective use of this strategy in the development, implementation and assessment of all laws, policies and programmes;

(c) Promote gender mainstreaming throughout all governmental bodies;

(d) Strengthen, in collaboration with other ministries, its monitoring mechanisms for the implementation of laws and plans of actions aimed at achieving de facto equality between women and men;

(e) Develop a comprehensive gender indicator system to improve the collection of sex-disaggregated data necessary to assess the impact and effectiveness of policies and programmes aimed at mainstreaming gender equality and enhancing women's enjoyment of their human rights.

Temporary special measures

24. The Committee notes that the State party is conscious of the importance of using temporary special measures to accelerate the advancement of women. It welcomes the preparation of a draft ordinance establishing a 30 per cent quota for women in Parliament, and stresses the legitimacy and urgency of such measures in view of the upcoming legislative elections. The Committee also welcomes the preparation of a second ordinance aimed at enhancing women's representation within the public administration. However, the Committee remains concerned about the lack of temporary special measures in other areas covered by the Convention in which women are underrepresented or disadvantaged.

25. In light of article 4, paragraph 1, of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, the Committee recommends that the State party:

(a) Enact and implement without delay the draft ordinance providing for a 30 per cent quota for women in Parliament and ensure that in each group of three candidates, at least one candidate is a woman in the electoral lists of the political parties;

(b) Ensure that the draft ordinance aimed at enhancing women representation within the public administration includes temporary special measures to accelerate the full and equal participation of women in public and political life, in particular at high levels of decision-making; and enact said ordinance without delay;

(c) Implement temporary special measures in other areas covered by the Convention in which women are underrepresented or disadvantaged;

(d) Include information on the use of temporary special measures, in relation to the various provisions of the Convention, and the impact of such measures in its next periodic report.

Stereotypes and harmful practices

26. While noting the efforts made by the State party to eliminate discriminatory attitudes and traditional harmful practices affecting women and the existence of legal provisions prohibiting most of these practices, the Committee reiterates its concern at the persistence of adverse cultural norms, practices and traditions as well as patriarchal attitudes and deep-rooted stereotypes regarding the roles, responsibilities and identities of women and men in the family and society. It notes that stereotypes are aggravated in periods of conflict and that they contribute to the persistence of violence against women as well as harmful traditional practices, including female genital mutilation, forced and early marriages, levirate, sororate, polygamy and granting of all decision-making power to men within the family. The Committee expresses its concern that the State party has not taken sufficient sustained and systematic action to modify or eliminate stereotypes and negative cultural values and harmful traditional practices.

27. The Committee recommends that the State party, with the assistance of civil society organizations:

(a) Put in place, without delay, a comprehensive strategy to eliminate harmful traditional practices and stereotypes that discriminate against women, in conformity with articles 2(f) and 5(a) of the Convention. Such measures should include more concerted efforts, in collaboration with civil society, to educate and raise awareness about this subject, targeting women and men at all levels of society, and should involve the school system, the media as well as community and religious leaders;

(b) Address harmful traditional practices such as female genital mutilation, forced and early marriage, levirate, sororate, polygamy and the granting of all decision-making power to men within the family, by expanding public education programmes and effectively enforcing the laws prohibiting such practices, in particular in rural areas;

(c) Undertake an assessment of the impact of those measures in order to identify shortcomings, and improve them accordingly.

Violence against women in conflict and peace-building situations

28. The Committee notes the efforts undertaken in cooperation with the international community to provide a humanitarian and judicial framework for women victims of violence perpetrated during the post-electoral crisis. The Committee also notes the recommendations provided by the Commission of Inquiry of the Human Rights Council in the State party and the authorization given by the International Criminal Court to its prosecutor to probe alleged abuses committed during the recent post-election violence. With regard to the 2002-2007 conflict, the Committee is concerned about the lack of comprehensive measures to assist victims of sexual violence covered by the 2007 Ordinance providing amnesty for most crimes committed during the conflict, including systematic acts of sexual violence. With regard to the post-election period, the Committee is deeply concerned that civilians, particularly women and children, remained the primary victims of human rights violations and abuses, including acts of sexual violence perpetrated by the defence and security forces and their allies (militias and mercenaries), and later by the Forces Républicaines de Côte d'Ivoire (FRCI), as well as reports of sexual violence perpetrated by private actors and alleged sexual exploitation and abuse involving peacekeepers of the United Nations Operation in Côte d'Ivoire (ONUCI). The Committee is also concerned about the fragility of the security situation, which has encouraged vestiges of militia groups to continue to carry out targeted attacks against the population in areas in the west of the country. The Committee is deeply concerned that victims of human rights violations, including sexual violence, continue to face difficulties in accessing the criminal justice system, which is experiencing serious logistical and human resource challenges as a result of the conflict. Finally, the Committee is concerned about reports of attacks, including sexual violence, still perpetrated against internally displaced women living in sites for internally displaced persons, and the limited access by internally displaced persons to a livelihood, water and education.

29. The Committee urges the State party to:

(a) Ensure that those responsible for violations of the human rights of women during the post-electoral crisis are brought to justice and that all acts of sexual violence are punished;

(b) Initiate a thorough and complete investigation into the perpetration of sexual abuse by defence and security forces and their allies (militias and mercenaries), the Forces Républicaines de Côte d'Ivoire (FRCI) and private actors during the post-

electoral crisis, ensuring that inquiries are conducted exhaustively, impartially and transparently; and request the United Nations to ensure that UNOCI peacekeepers suspected of committing sexual exploitation and abuse are returned to the sending State(s) with a request to initiate domestic investigations and prosecutions;

(c) Take comprehensive measures to provide medical and psychological support to women victims of the sexual crimes committed during the 2002-2007 conflict and covered by the 2007 Ordinance providing amnesty for most crimes committed during the conflict, including systematic acts of sexual violence;

(d) Ensure access to justice and to legal aid for all women affected by violence related to the post-electoral crisis, including women victims of sexual violence;

(e) Strengthen the measures taken to establish counselling centres for women to address their traumatic experiences, specifically with regard to sexual violence, and provide adequate access to health-care services;

(f) Ensure the security of internally displaced women and allocate more resources to meet their needs, in particular their access to a livelihood, water and education for themselves and their children;

(g) Implement economic and social rights in post-conflict reconstruction;

(h) Ensure effective implementation of the National Plan of Action for the Implementation of Security Council Resolution 1325, in connection with the implementation of the Convention, and ensure that victims of sexual crimes receive appropriate reparations and rehabilitation, including by mobilizing international funding to this effect;

(i) Enhance inclusion and representation of women in institutions and mechanisms on peacebuilding at the decision-making, policymaking and implementation levels;

(j) Facilitate cooperation with the International Criminal Court and consider ratifying the Rome Statute of the International Criminal Court.

Violence against women

30. The Committee notes the efforts taken to provide psychological assistance to victims of sexual violence. However, the Committee remains concerned about the delay in the approving the national strategy against gender-based violence; the small number of cases reported with respect to sexual and gender-based violence; the difficulties faced by women to obtain redress through the justice system; the stigmatization faced by women victims of sexual violence; their difficulties to access medical and psychological support; the absence of a definition of rape in the Criminal Code; the absence of legal provisions criminalizing domestic violence and marital rape; and the persistence, despite its criminalization under the Act of 23 December 1998, of the practice of female genital mutilation, which is a grave violation of the human rights of girls and women as well as of the State party's obligations under the Convention.

31. The Committee urges the State party to:

(a) Expedite the approval and implementation of a comprehensive and updated national strategy against gender-based violence;

(b) Ensure effective access by women to courts and tribunals and strengthen victim assistance and rehabilitation through the setting up, with the assistance of the international community, of a comprehensive care system for victims of gender-based

violence, including measures to provide them with medical and psychological support and to combat stigmatization;

(c) Amend, without delay, the Criminal Code and Act No. 98-757 of 23 December 1998 to introduce a definition of rape covering any sexual assault, including in the absence of resistance by the victim, and to criminalize domestic violence and marital rape, in line with the Convention and the Committee's general recommendation No. 19 (1992) on violence against women;

(d) Ensure effective enforcement of the provisions of the Act of 23 December 1998 criminalizing female genital mutilation; prosecute such acts; impose on perpetrators appropriate penalties commensurate with the gravity of their crime; and significantly increase its awareness-raising and education efforts targeting both men and women, with the support of civil society organizations, in order to completely eliminate female genital mutilation and its underlying cultural justifications. Such efforts should include the design and implementation of effective education campaigns aimed at eliminating traditional and family pressures in favour of the practice, particularly among those who are illiterate, and especially the parents of the girl child;

(e) Consider adopting a comprehensive law addressing violence against women and provide protection measures for women victims of violence and strengthen support measures such as shelters, counselling and rehabilitation services throughout the territory of the State party;

(f) Collect disaggregated data on the number of complaints, prosecutions, convictions and sentences imposed on perpetrators of sexual and gender-based violence, including female genital mutilation and domestic violence, and include such data in its next report.

Trafficking and exploitation of prostitution

32. The Committee welcomes the strong personal commitment of the high-level representatives of the State party to combat trafficking in children and notes that the ratification of the Abuja Regional Agreement against trafficking in persons, particularly trafficking in women and children (2006), is under positive consideration. However, the Committee notes the lack of data on trafficking in women and girls in the State party and the absence of a comprehensive strategy and law aimed at combating trafficking in human beings. The Committee is particularly concerned about the prevalence of child trafficking involving both boys and girls; women and girls being forced into prostitution; and the increase in the number of women and girls entering prostitution as a result of the 2002-2007 conflict and the post-election crisis.

33. The Committee recommends that the State party:

(a) Carry out a study to investigate the scope, extent and causes of human trafficking and forced prostitution, particularly of women, including through the collection and analysis of data on trafficking and exploitation of women in prostitution, and provide information on the results of the study, along with sex-disaggregated data, in its next periodic report;

(b) Adopt a comprehensive law on trafficking which fully complies with article 6 of the Convention so as to strengthen mechanisms for the investigation, prosecution and punishment of trafficking offenders;

(c) Increase efforts aimed at international, regional and bilateral cooperation with countries of origin, transit and destination, in order to prevent

trafficking through information exchange and to harmonize legal procedures aiming at the prosecution and punishment of traffickers;

(d) Ratify the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children;

(e) Address the root causes of prostitution of women and girls, including poverty, in order to eliminate the vulnerability of women and girls to sexual exploitation and trafficking and undertake efforts for the recovery and social reintegration of victims;

(f) Adopt a comprehensive approach to addressing the issue of prostitution, including exit programmes for women and girls who wish to leave prostitution.

Participation in political and public life

34. While welcoming the preparation of a draft ordinance establishing a 30 per cent quota for women in Parliament and the preparation of a second ordinance aimed at enhancing women's representation within the public administration in the context of restoration of the rule of law, the Committee remains concerned about the low participation of women in political and public life, including within the public administration, and the absence of women in the gendarmerie.

35. The Committee recalls its general recommendations No. 23 (1997) on women in political and public life and No. 25 (2004) on temporary special measures, and recommends that the State party:

(a) Enact, without delay, the draft ordinance providing for a 30 per cent quota for women's representation in Parliament;

(b) Implement awareness-raising activities for society as a whole on the importance of women's participation in decision-making, and develop targeted training and mentoring programmes on leadership and negotiation skills for current and potential women candidates and women holding public office;

(c) Ensure the inclusion of women in all areas of public life, in particular the gendarmerie, police and judiciary, including at high levels of decision-making;

(d) Carefully monitor the effectiveness of measures taken and results achieved to ensure women's greater participation in political and public life.

Education

36. While recognizing the willingness and actions taken by the State party to increase the enrolment and retention of girls in schools, as well as the progress made in reducing the gender gap in primary and secondary school enrolment and the State party's commitment to provide free and compulsory education at primary and secondary levels, the Committee is concerned at the persistence of structural and other barriers to quality education, which constitute particular obstacles to the education of girls and young women. Such barriers include, but are not limited to, the persistence of sexual abuse and harassment of girls by some teachers and tutors, and the negative impact of harmful traditional practices, such as early and forced marriage, on girls' education. The Committee is also concerned about the lack of training of teachers with regard to, inter alia, the impact of gender on schooling and the education of girls; the lack of completion of the validation of the training and curriculum modules provided by Koranic schools; the persistence of stereotypes in school textbooks; and the low literacy rate of women, especially in rural areas.

37. The Committee invites the State party to:

(a) Identify and implement measures to reduce and prevent drop-outs among girls, including awareness-raising among parents, communities, teachers, traditional leaders and public officials about the importance of women's and girls' education;

(b) Enforce a zero tolerance policy with respect to sexual abuse and harassment by teachers and tutors and ensure that perpetrators are punished appropriately;

(c) Continue to allocate adequate resources to education and ensure that it improves the quality of teacher training and includes training on the impact of gender on schooling and the education of girls;

(d) Ensure the completion of the integration process of Koranic schools into the education system and the validation of their training and curriculum modules;

(e) Undertake a new revision of educational textbooks to eliminate remaining gender stereotypes;

(f) Strengthen its adult literacy programmes, especially for women in rural areas.

Employment

38. While noting the assets and economical perspectives of the State party, and welcoming its commitment to enhance the work of women, support cooperatives in rural areas and widows who are heads of household, and combat child labour in cocoa plantations, the Committee remains concerned about the persisting exploitation of girls and boys on the plantations and in domestic work; the difficulties faced by women to access land and credit in order to start small-scale businesses in rural areas; and the concentration of women in the informal economy with no access to social protection.

39. The Committee recommends that the State party:

(a) Protect girls and boys from exploitative child labour, in particular on cocoa plantations and in domestic service, through increased inspections and fines for employers, in accordance with International Labour Office (ILO) Worst Forms of Child Labour Convention, 1999 (No. 182), regulate and monitor the working conditions of domestic workers, in particular girls, and consider ratifying ILO Domestic Workers Convention, 2011 (No. 189);

(b) Establish mechanisms for the promotion of women in all sectors of professional life;

(c) Expand access by women to land as well as to micro-finance and micro-credit at low interest rates so as to enable women to engage in income-generating activities and to start their own businesses;

(d) Collect sex-disaggregated data on the situation of women in the private and informal sectors and take effective measures to monitor and improve the working conditions of women in those sectors;

(e) Provide a regulatory framework for the informal sector, with a view to providing women in this sector with access to social security and other benefits.

Health

40. The Committee welcomes the preparation of a draft law on persons living with HIV/AIDS, the development of a sexual and reproductive health programme, and the efforts made to decrease mother-to-child HIV transmission, carry out HIV/AIDS prevention programmes and provide treatment for women infected with HIV/AIDS. However, the Committee remains concerned about the limited budget allocated to health; high maternal mortality rates; the lack of access to basic health-care services; the prevalence of malnutrition and malaria; the lack of disaggregated data on unsafe abortions; the restrictive abortion law, which leads women to seek unsafe and illegal abortions; the lack of sufficient information provided to women on sexual and reproductive health and rights; the disproportionately high number of women infected with HIV/AIDS; and the lack of access by women to health services aimed at preventing mother-to-child transmission.

41. In line with its general recommendation No. 24 (1999) on women and health, the Committee calls on the State party to:

(a) Ensure, with the support of relevant United Nations agencies, that appropriate funding is provided to health;

(b) Strengthen efforts to reduce, with the support of the international community, the incidence of maternal mortality and increase access by women and girls to basic health-care services;

(c) Strengthen efforts to combat malnutrition and malaria;

(d) Collect disaggregated data on the prevalence of unsafe abortion; ensure the provision of skilled medical aid and health facilities to women and girls suffering from health complications due to unsafe abortions and decriminalize abortion under certain conditions, specifically when pregnancy is harmful to the mother's life and/or health, as well as in cases of incest and rape, and more particularly in cases of rape perpetrated in a conflict and post-conflict context;

(e) Widely promote education on sexual and reproductive health and rights, in particular by undertaking large-scale awareness-raising campaigns for the population in general and by integrating effective and age-appropriate education on sexual and reproductive health and rights at all school levels and incorporate it in the school curricula;

(f) Expedite the adoption of the draft law on persons living with HIV/AIDS and ensure the provision of free anti-retroviral treatment to all men and women living with HIV/AIDS, including pregnant women so as to prevent mother-to-child transmission; and continue to sensitize mothers and fathers living with HIV/AIDS on the importance of preventing mother-to-child transmission.

Marriage and family relations

42. While welcoming the enactment of Act No. 98-756 of 23 December 1998, which makes early and forced marriages punishable offences, and noting that a Personal and Family Code and a draft law to review the Criminal Code are under preparation, the Committee remains concerned about the prevalence of customary and/or religious polygamous marriages; the lack of enforcement of Act No. 98-756 of 23 December 1998, prohibiting early and forced marriages; the absence of legal provisions prohibiting levirate, sororate and discriminatory inheritance rights; the existence of discriminatory provisions on the age of marriage for women and men; the granting of all decision-making power to men within the family (Act No. 83-800 of 2 August 1983 on marriage), the waiting period for the remarriage of women (Act No. 64-376 of 7 October 1964 on divorce and separation)

and the difference in the admissibility of evidence in cases of adultery (article 391 of Act No. 81-640 of 31 July 1981, instituting a Criminal Code).

43. The Committee recalls article 16 of the Convention as well as its general recommendation No. 21 (1994) on equality in marriage and family relations, and calls on the State party to:

(a) Ensure the effective enforcement of legal provisions to eliminate the practice of polygamous marriages;

(b) Amend without delay the Penal Code to prohibit levirate and sororate, as well as discriminatory practices with respect to women's inheritance;

(c) Adopt without delay the draft Personal and Family Code and ensure that it is comprehensive and in conformity with the Convention;

(d) Review and amend without delay existing discriminatory provisions, including the difference in the age of marriage for women and men; the granting of all decision-making power to men; the waiting period for remarriage of women; and the difference in the admissibility of evidence in cases of adultery, to bring them fully in line with articles 2 and 16 of the Convention.

National Human Rights Institution

44. While welcoming the establishment in July 2005 of the National Human Rights Commission tasked with promoting and protecting human rights and addressing issues of violence against women, the Committee is concerned that the Commission is not accredited with the International Coordinating Committee which assesses the compliance of national human rights institutions with the Paris Principles.

45. The Committee recommends that the State party:

(a) Ensure that the National Human Rights Commission is in compliance with the Paris Principles, and is provided with sufficient resources, a broad human rights mandate and a specific mandate on gender equality;

(b) Ensure that the composition and activities of the National Human Rights Commission are gender-sensitive and fully address women's human rights.

Beijing Declaration and Platform for Action

46. The Committee urges the State party, in the implementation of its obligations under the Convention, to fully utilize the Beijing Declaration and Platform for Action, which reinforce the provisions of the Convention; it requests the State party to include information thereon in its next periodic report.

Millennium Development Goals

47. The Committee emphasizes that full and effective implementation of the Convention is indispensable for achieving the Millennium Development Goals. It calls for the integration of a gender perspective and explicit reflection of the provisions of the Convention in all efforts aimed at the achievement of the Millennium Development Goals and requests the State party to include information thereon in its next periodic report.

Dissemination

48. The Committee requests the wide dissemination in Côte d'Ivoire of the present concluding observations in order to make the people, Government officials,

politicians, parliamentarians, women's and human rights organizations aware of the steps that have been taken to ensure the de jure and de facto equality of women and the further steps that are required in that regard. The Committee recommends the use of innovative and creative means of communication adapted to the high levels of illiteracy in the country so as to ensure that the present concluding observations are widely disseminated at the local community level. The Committee requests the State party to continue to disseminate widely, in particular to women's and human rights organizations, the Committee's general recommendations, the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly on the theme "Women 2000: gender equality, development and peace for the twenty-first century".

Ratification of other treaties

49. The Committee notes that the adherence of the State party to the nine major international human rights instruments¹ would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the State party to consider ratifying the treaties to which it is not yet a party, namely the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Convention on the Rights of Persons with Disabilities.

Follow-up to concluding observations

50. The Committee requests the State party to provide, within two years, written information on the steps undertaken to implement the recommendations contained in paragraphs 29 and 35 above.

Technical assistance

51. The Committee recommends that the State party seek cooperation and technical assistance in the development and implementation of a comprehensive programme aimed at the implementation of the above recommendations and the Convention as a whole, in particular given the challenges faced by the State party in the post-crisis period. The Committee also calls on the State party to strengthen further its cooperation with specialized agencies and programmes of the United Nations system, including the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women), the Statistics Division, the United Nations Development Programme, the United Nations Children's Fund, the United Nations Population Fund, the World Health Organization, and the Office of the United Nations High Commissioner for Human Rights.

¹ The International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Rights of the Child; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Convention on the Rights of Persons with Disabilities.

Preparation of the next report

52. The Committee requests the State party to ensure the wide participation of all ministries and public bodies in the preparation of its next periodic report and to consult a variety of women's and human rights organizations.

53. The Committee requests the State party to respond to the concerns expressed in the present concluding observations in its next periodic report under article 18 of the Convention. The Committee invites the State party to submit its next periodic report in October 2015.

54. The Committee invites the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including the guidelines on a common core document and treaty-specific documents that were approved at the fifth inter-committee meeting of the human rights treaty bodies, in June 2006 (HRI/MC/2006/3 and Corr.1). The treaty-specific reporting guidelines adopted by the Committee at its fortieth session in January 2008 (A/63/38, part one, annex I) must be applied in conjunction with the harmonized reporting guidelines on a common core document. Together, they constitute the harmonized guidelines on reporting under the Convention on the Elimination of All Forms of Discrimination against Women. The treaty-specific document should be limited to 40 pages, while the updated common core document should not exceed 80 pages.
