



Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General
12 August 2008

Original: English

Committee on the Elimination of Discrimination against Women

Pre-session working group

Forty-third session

19 January-6 February 2009

List of issues and questions in the absence of initial and periodic reports

Guinea-Bissau

The pre-session working group decided, in accordance with the decision of the Committee at its thirty-seventh session (15 January-2 February 2007), and in the absence of the State party's initial report due in 1986, as well as its periodic reports, to proceed with the preparation of the present list of issues and questions.

General

1. Please explain why no initial and subsequent reports were submitted to the Committee, as required by article 18 of the Convention. Considering that the drafting of the report is not only an obligation, but also an opportunity for the State party to assess the situation of women in the country, please describe any efforts undertaken to date in order to prepare the reports. Has the State party considered requesting the assistance of the Office of the High Commissioner for Human Rights, the Division of Advancement of Women and other bodies of the United Nations system in order to achieve the preparation and submission of the CEDAW report as soon as possible?

2. Please submit general and factual information about the country, to the extent possible in accordance with the harmonized reporting guidelines under the international human rights treaties, including the Convention (HRI/GEN/2/Rev.5).

Data collection

3. Please provide information on the status of data collection and analysis in the country in general, and in particular, with regard to situation of women, disaggregated by age, sex, rural and urban areas. Please indicate how the Government intends to improve the collection and analysis of such data pertaining to the areas of the Convention and the general recommendations of the Committee

so as to support policy making and programme development and to measure progress towards implementation of the Convention.

Articles 1 and 2

Legal status of the Convention and incorporation of its provisions in domestic law and policies

4. Please provide information on whether the Convention is directly applicable and whether there are instances of cases where the Convention has been cited by the courts.

5. Please indicate whether there are any laws or policy statements that define discrimination against women. If so, please explain whether the definition is sufficiently broad so as to include prohibition of any act which causes, or results in, distinctions, exclusions or restrictions on enjoyment or exercise by women, on equal basis with men, of human rights in all areas and under each provision of the Convention.

6. Please explain whether there are any sanctions or penalties imposed for discrimination against women. Please provide information on their nature and actual application. Please also provide information on remedies available to women whose rights have been violated.

7. Please provide information on legislation, policies and programmes that address the modification of customs and practices that result in direct or indirect discrimination against women or perpetuate such discrimination.

Article 3

National machinery for the advancement of women

8. Please explain the status, functions and resources of the present machinery for the advancement of women. Please provide information on special institutions, such as commissions or ombudspersons established to promote and protect human rights, including the rights of women and/or to oversee the Convention's implementation.

Programmes and action plans

9. Please provide information on programmes and action plans adopted and implemented, or envisaged, to ensure the implementation of the Convention or its specific articles. Please also provide information on the implementation of the Beijing Platform for Action and gender equality elements of the Millennium Development Goals and United Nations Security Council resolution 1325 of 31 October 2000 (S/RES/1325).

Article 4

Temporary special measures

10. Kindly explain whether any temporary special measures, in accordance with article 4, paragraph 1 of the Convention and general recommendation No. 25, either in the form of affirmative action, or otherwise, have been adopted to accelerate the achievement of equality of women with men. Please include information on the

inequalities that these measures aim at redressing, on whether they are enforced and monitored, as well as on results achieved.

Article 5

Stereotypes and cultural practices

11. Please provide information on measures (for example, comprehensive strategies) that have been taken to change social and cultural patterns that lead to stereotyping, reproducing or reinforcing the traditional roles of women and men within the family and society in general, and to eliminate customs and cultural practices which discriminate against women.

Violence against women

12. Given the past armed conflict in certain areas of the country, please provide details on steps that are being taken to provide rehabilitation and support programmes addressed at women and girls, including psychological recovery and social integration.

13. Please provide information on whether legislation on domestic violence has been adopted and whether there are any public campaigns to raise awareness about violence against women as a problem.

Article 6

Trafficking

14. Please provide information on legislation to prevent trafficking in women and girls, and whether it is implemented effectively. Does the existing legislation protect women and girls from labour agencies which are essentially engaged in trafficking?

Articles 7 and 8

Participation in political and public life

15. The election of women to key posts in the Government and National Assembly is an encouraging development which shows the growing realization by the national authorities of the important role women play in the political process. Please provide information on the percentage of the members of political parties that are women and what percentage of public offices are held by women. Please explain which concrete measures have been taken, or are envisaged, to achieve women's full and equal participation and representation at all levels of Government, the legislative branch and the judiciary, as well as at the decision-making level in the public sectors and institutions and at the international level, taking into account the Committee's general recommendation No. 25, on article 4, paragraph 1, of the Convention, and general recommendation No. 23, on women in public life.

Article 9

Nationality

16. Please provide information on whether the legislation provides for equality of women and men with respect to acquiring, changing or retaining nationality based on their marital status and transmission of their nationality to their children.

Article 10

Education

17. Please provide recent statistical data, disaggregated by sex and by rural and urban areas, showing overall literacy, enrolment, graduation, and retention rates of girls at all levels of education.

18. Please explain what legislative or other measures have been taken to ensure equal access for women and men to education. Please provide information on strategies or laws that attempt to keep girls in school until school leaving age. Please explain the major causes of women discontinuing their education, and how they are addressed.

Article 11

Employment

19. Please provide a general overview of the situation of women in employment both as regards the formal labour market and the informal sector.

20. Are there any distinctions in recruitment and employment practices between women and men? What provisions exist to eliminate discrimination against women in employment, including those addressing sexual harassment and violence against women in the workplace? Please describe those measures and their effect.

Article 12

Health

21. Please indicate whether women have equal access to health-care services. If not, what measures have been taken to eliminate discrimination against women in the field of health care? What health facilities and personnel are available for women to respond to their specific health needs, including family planning?

22. Is medical care for women during pregnancy and in the post-natal period free of charge? Does the State party seek to ensure that women receive adequate nutrition during pregnancy and lactation? If so, in what ways? Traditional food taboos are said to be common in the country in regard to pregnancy. What measures have been introduced to eradicate such practices?

23. Female genital mutilation is practised widely within certain ethnic groups in Guinea-Bissau. Please provide data about the incidence of FGM in the country, including the circumstances under which it is practised, if it is considered illegal and what actions have been taken by the Government to eradicate this practice. Please indicate whether there are any public information campaigns in place to inform the population about the risks of FGM. If so, has there been a decrease of this practice since efforts to prevent it began?

24. Taking into account that FGM and early marriage among girls are considered to be among the main reasons of maternal mortality, please provide recent statistical data on all the main causes of female mortality and morbidity, including the maternal mortality rate, as well as the average number of live births per woman.

25. Please explain what measures have been introduced in the country to increase public awareness of the risk and effects of sexually transmitted diseases, particularly

HIV/AIDS. Please indicate whether any of these measures are aimed specifically at women and girls.

Article 14

Rural women

26. Please indicate the percentage of women living in rural areas. Please provide information on any rural development strategy, including whether it incorporates a gender perspective and includes targeted support for rural women to increase their access to health, education, justice, employment, economic development projects, credit and the ownership of land, and to promote their participation in decision-making. Kindly explain whether rural women are aware of their rights under the Convention and whether there are information strategies to that effect.

27. Considering the level of poverty in the country, please provide information on any poverty reduction strategy and how women's poverty is specifically addressed.

Article 15

Equality before the law

28. Please explain whether women are treated equally with men under the law with respect to their legal capacity to conclude contracts and administer property, as well as in court. Please indicate whether Guinea-Bissau has given effect to the obligations in article 15(3) of the Convention, which requires that all contracts and other instruments aimed at restricting women's legal capacity be deemed null and void.

Article 16

Family relations

29. Please explain which law (civil law, customary law, or a combination of these) governs family relations. Kindly explain what types of marriages, unions, partnerships or other kinds of cohabitation exist in Guinea-Bissau and whether they are recognized by the State. Please indicate whether women and men have the same rights and responsibilities during marriage and after its dissolution, both in law and in practice (including about the upbringing of children), and if not, how do they differ.

30. Please explain whether polygamy is permitted by law. If so, which law permits polygamy; what percentage of marriages are polygamous; and what are the rights and responsibilities of men and women in polygamous marriages?

31. The different minimum legal ages of marriage for girls (14) and boys (16) established in Guinea-Bissau are discriminatory. Please explain whether the minimum legal age of marriage for girls has been raised, in accordance with the Convention on the Rights of the Child and whether this minimum age is respected. Please provide information on the average age of marriage for men and women.

Refugee and internally displaced women

32. As of 2005, over 7,500 refugees were estimated to be in Guinea-Bissau. Please provide information about refugee and internally displaced women in the country,

their economic and social situation, measures in place to support them and the means used to protect these women from all forms of violence. Has the Government received any assistance for such women from the United Nations system or other donors?

Optional Protocol and amendment to article 20, paragraph 1

33. Please indicate any progress made with respect to ratification of/or accession to the Optional Protocol to the Convention. Please also describe progress towards acceptance of the amendment to article 20, paragraph 1, of the Convention.
