



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

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## Committee on the Elimination of Discrimination against Women

Pre-session working group

Thirty-eighth session

14 May-1 June 2007

### List of issues and questions with regard to the consideration of an initial second and third periodic reports\*

#### Vanuatu

1. The pre-session working group examined the combined initial second and third periodic reports of Vanuatu (CEDAW/C/VUT/1-3).

#### General

2. Please indicate if the report was adopted by the Government and presented to the Parliament.

#### Articles 1 and 2

3. According to the report, a study commissioned by Vanuatu Women in Politics in 2000, which reviewed all legislation to ensure gender equality, found that of the 208 Acts reviewed 12 contained discriminatory provisions. The report also recognizes that “there are pieces of legislation and customs which contravene the laws of the country and which are in effect discriminatory against women”. Please indicate what measures have been taken to amend or repeal such laws and regulations and abolish or modify such customs and practices, in line with article 2(f) of the Convention.

4. It appears that the terms “gender equality” and “gender equity” are used in the report. Kindly clarify the State party’s understanding and use of these concepts.

#### Article 3

5. The report recommends that “a review of the annual budgetary allocation to the Department of Women’s Affairs” ... as well as supporting and strengthening the capacity within the Department for analysis of issues pertinent to women in the overall development of the nation would be key initiatives towards supporting

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\* The page numbering in this list of issues and questions refers to the English version of the report.

Government's overall efforts to mainstreaming gender equity and gender equality policies (para. 3.5). Please provide information on the budgetary allocation to the Department of Women's Affairs and explain what steps have been taken and/or are planned to support and strengthen the capacity of the Department and the time frames for doing so.

#### **Article 5**

6. Throughout the report reference is made to deep-rooted traditional and customary social patterns, norms, attitudes and stereotyped roles that contribute to continued gender discrimination in all areas of society and that severely disadvantage women (paras. 0.54, 0.65, 2.18, 2.24, 2.26, 7.9, 7.12, 15.4, 16.19). Please indicate the concrete measures in place, or planned, to modify or change the social and cultural patterns of conduct of men and women in line with article 5(a) of the Convention, as well as any progress achieved in their implementation.

7. The report recognizes that "one of the barriers blocking the advancement of women is the practice of bride price" (para. 5.4), and that the "placement of a material value on human beings is a violation of human rights and a breach of Article 5(a) of CEDAW". This practice also contributes to women's inability to leave abusive relationships (see 12.54). Please indicate what measures are being taken or planned to address this issue?

8. Please provide an impact assessment of the Department's Plan of Action 2003-2006 on discriminatory practices and attitudes and stereotyping of gender roles.

#### **Violence against women**

9. According to the report, the Family Protection Bill initiated under the Comprehensive Reform Programme was expected to be presented in Parliament by 2004 (para. 4.14). Please indicate whether the Bill has been adopted and provide information on its scope, including whether a provision for criminal and civil remedies on domestic violence has been included.

10. According to the report, the Department of Women's Affairs established an inter-agency working committee to coordinate the implementation of its five strategies on reducing and eventually eliminating violence against women (paras. 0.60/0.61). Please provide information on the activities of this committee and their impact, and indicate how these activities address the needs of rural women.

11. Please detail the procedure applicants must go through to obtain a protective order under the Domestic Protection Rule no. 67 of 2001 and please comment on the effectiveness of the mechanism.

#### **Article 6**

12. The report recognizes that "economic reasons such as low income, inability to pay school fees, unemployed husband, debts and changing life styles in towns push many women and girls to prostitution" (para. 6.7). What efforts have been taken to address the economic difficulties faced by women in order to provide them with alternatives to prostitution?

#### **Articles 7 and 8**

13. The report recognizes the very low representation of women in the political arena, noting that in 2004 women's representation in Parliament stood at only 4 per

cent (para. 0.23) and that there are only a small number of women holding senior positions in government (para. 4.8). Please indicate whether temporary special measures, such as quotas or incentives, have been adopted to improve the participation of women in decision-making positions, in the light of article 4, paragraph 1, of the Convention and the Committee's general recommendation 25 on temporary special measures and general recommendation 23 on women in public life.

14. According to the report, the Department of Women's Affairs Statement of Intent for the period 2001-2006 documented its priority areas and strategies on women's participation in political and public life (para. 7.6, 7.7). Please provide detailed information on these strategies, including their implementation and effectiveness.

#### **Article 9**

15. According to the report, no amendments have been made to the Citizenship Act (Cap 112), which, following an Ombudsman's review in 1999, was found to be discriminatory on the basis of sex (para. 9.6). Please indicate measures being taken to amend this Act and indicate the time frame anticipated for such reform.

#### **Article 10**

16. In reference to the Education for All National Plan of Action, please indicate the specific strategies, and quantifiable indicators that are in place to monitor progress and timelines for completion, as well as specific divisions of responsibility for carrying out the plan (para. 10.50) in regard to priority 6 (on gender disparities).

#### **Article 11**

17. Please indicate what steps have been taken to encourage and enable women to enter non-traditional occupations, including the provision of training.

18. The report states that discriminatory practices on the grounds of pregnancy include refusal to hire (para. 11.18) and that "whilst the Employment Act contains generous maternity provisions, many employers in the private sector continue to disregard these provisions and discriminate against women on the ground of maternity" (para. 2.11). Please describe measures taken by the Government to enforce the Employment Act so as to prevent discrimination against women on the grounds of maternity.

#### **Article 12**

19. The report states that "problems of accessibility to health facilities is a factor that continues to restrict access to communities which are located in the remotest parts of the country and where women find it difficult to obtain advice as well as contraceptives" (para. 12.10). Please provide data disaggregated by sex on access to health services, including those related to family planning and mental health, especially for rural women.

20. The report states that contraceptive usage remains low, is largely determined by men and that the use of condoms is problematic among young women, who have reported considerable male resistance to their use (para. 12.16). Please describe what actions are being taken by the Government to promote access to family planning services and raise awareness about sexually transmitted diseases, including HIV/AIDS, with particular attention to the needs of young people.

21. The report refers to an increase in teenage pregnancy. What concrete steps does the Government plan to take to address this trend? The response should include information about sex education available through the regular curriculum.

#### **Article 13**

22. Please indicate whether a gender-impact review has been carried out of the Vanuatu National Provident Fund (VNPF) and whether any discrimination based on sex exists in the scheme. Also indicate whether workers in the informal sector, many of whom are women, are eligible to participate in the scheme.

#### **Article 14**

23. The report states that “in the rural economy, access to land and land usages is determined primarily by men” and that rural women are “still largely in a position of economic dependency” (para. 14.6). Please indicate what measures are being taken and/or planned to increase women’s access to and control over land and land usages, along with other efforts to increase rural women’s access to opportunities to enhance their economic independence.

24. The report states that the Vanuatu Women’s Development Scheme (VANWODS), the microfinance scheme initiated by the Government in 1996, was owing to be expanded into rural areas from 2005 (para. 14.18). Please describe how this expansion has proceeded and provide statistical data on its operation. Also indicate what efforts are being made to raise awareness among women, particularly rural women, about access to loans and credit opportunities.

#### **Articles 15 and 16**

25. The report indicates that a recent review revealed that “serious conflicts exist between women’s human rights and customary law” (para. 15.2). Please describe what steps are being taken to address this issue, including law reform efforts, implementation of legal literacy programmes and awareness-raising. Also indicate whether the court rulings noted in paragraphs 15.3 and 15.4 have been widely disseminated.

26. The report indicates that Vanuatu sets different minimum legal ages for marriage, which are 18 years for boys and 16 years for girls (para. 16.8). Please provide statistical data, disaggregated by sex and age, of persons who marry before 18 years of age and indicate whether the Government intends to raise the minimum age of marriage for girls to 18 years in order to bring it in line with article 1 of the Convention on the Rights of the Child, and article 16, paragraph 2, of the Convention on the Elimination of All Forms of Discrimination against Women, as clarified in the Committee’s general recommendation 21, paragraph 36.

#### **Optional Protocol**

27. Please indicate any progress made with respect to the ratification of, or accession to, the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.