



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

Distr.: General  
14 February 2006

Original: English

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**Committee on the Elimination of Discrimination  
against Women**  
**Thirty-fourth session**

**Summary record of the 718th meeting**

Held at Headquarters, New York, on Tuesday, 31 January 2006, at 3 p.m.

*Chairperson:* Ms. Belmihoub-Zerdani (Vice-Chairperson)

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*Combined second, third, fourth and fifth period report of Mali (continued)*

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*In the absence of Ms. Manalo, Ms. Belmihoub-Zerdani, Vice-Chairperson, took the Chair.*

*The meeting was called to order at 3.05 p.m.*

**Consideration of reports submitted by States parties under article 18 of the Convention (continued)**

*Combined second, third, fourth and fifth periodic report of Mali (continued) (CEDAW/C/MLI/2-5 and CEDAW/C/MLI/Q/2-5 and Add.1)*

*Articles 10 to 14 (continued)*

1. **Ms. Dairiam** said the report indicated that there were many programmes aimed at addressing women's health issues and had been frank in describing the many problems in that area. More detail on the practical implementation of those programmes was, however, necessary. She wondered whether the State party recognized the need to promote a cooperative and coordinated approach on the part of government ministries. For example, the Government had made a real effort to develop programmes to promote contraception and post-natal and prenatal care, yet only 8 per cent of women took advantage of family planning services and very few took advantage of post-natal services. In spite of the availability of family planning services, abortion rates remained high. It would be of interest to know whether any attempt had been made to develop a profile of the average woman who had had recourse to abortion and whether she was aware of alternatives. The Decennial Social and Health Programme (PRODESS) had not succeeded as well as hoped in reducing maternal mortality by, for example, increasing referrals to qualified medical personnel in the case of an obstetric emergency. Likewise, despite real efforts by the Government, including the issuance of a Ministry of Health circular for health personnel stressing that female excision was prohibited, the rate of female excision had remained more or less the same. Those programmes must all be evaluated in order to identify the reasons why they were not achieving their desired objectives.

2. **Ms. Patten** said that, despite the efforts of the Government to end discrimination against women in the labour market, including constitutional and legislative guarantees and adherence to international instruments, the employment situation of women remained bleak. She regretted that the lack of data

made it difficult to assess the success of the Government's efforts; she wondered for example whether it was still possible to incorporate the Committee's suggestions in the Government's plan of action. Furthermore, there seemed to be no obvious policy aimed at mainstreaming gender issues in all employment policies and programmes.

3. Efforts had been made to support women in the informal sector, including self-employed women, and to facilitate women's access to credit and land ownership. She wondered whether there was any monitoring mechanism to ensure that women did not have to pay interest or provide collateral. She also asked whether there were any guarantees of market access for women entrepreneurs and government policies to assist women entrepreneurs and their transition from the informal to the formal economy.

4. More information would be welcome on the rationale for Order 92-024/CTSP of 1992, which reduced the taxation level for female employees according to the number of children they had and paid women with three living children a 10 per cent bonus when they resigned. Information would also be welcome on measures aimed at promoting equal employment opportunity for women. She stressed the State's obligation in that regard and its duty to combat prejudices which relegated women to low-level positions and to ensure equal pay for equal work, in accordance with international standards.

5. The wage structure of female-dominated occupations must be reviewed and occupational segregation should be ended by promoting women to skilled work and management positions and ensuring that they had access to non-traditional occupations and to opportunities for on-the-job development and upward mobility in the civil service. Data should also be provided on the incidence of sexual harassment in the workplace and on any laws dealing with that issue, including enforcement mechanisms. Finally, she said that special educational and employment opportunities should be provided to children and women with disabilities.

6. **Ms. Diallo Sene** (Mali) said that great efforts had been made to increase the school attendance rate for girls, which had increased from 19 to 60 per cent over the previous 10 years. Girl dropouts or girls who had never attended school also had an opportunity to

receive education through the Centres for Education in Support of Development (CEDs).

7. **Ms. Soumano** (Mali) said that her Government fully recognized the importance of promoting education in general, and education for girls in particular. The first phase of the Decennial Education Programme (PRODEC), begun in 2001 would come to an end in 2006, and the second phase was being planned. That programme was financed partly by her Government, which contributed 30 per cent, and partly by international partners, which contributed 70 per cent. The programme's objectives had been revisited in the light of the United Nations Educational, Scientific and Cultural Organization (UNESCO) Education for All initiative and the Millennium Development Goals with a view to achieving universal education and equality of men and women in the area of education by 2015.

8. An action plan had been established to increase girls' attendance rates to 80 per cent at the primary level and 50 per cent at the secondary level. In the initial phase the focus would be on primary education, with special attention given to improving education for girls. Efforts would also be made to increase girls' attendance rates at the secondary level and in higher education. Her Government intended to ensure that all children received nine years of primary and basic education. The number of schools was increasing every year, and there were currently some 15,000 schools offering basic education. Schools, in particular rural schools, were receiving assistance to improve their programmes, with special emphasis on girls. In addition, 210 schools would receive 1.5 million CFA francs each from funds allocated by the African Development Bank for projects managed by the school councils, some of which could be aimed at reducing girls' dropout rates or offering girls remedial and extra study courses. Projects were also under way to promote school attendance and literacy, in particular for girls and women, in disadvantaged regions such as the north of the country.

9. Girls' success rates were affected not only by their household duties but also by teachers' low expectations; teachers were therefore being educated about the need to hold girls to the same standards as boys. Both boys and girls were eligible for bursaries to enable them to pursue secondary and higher education both at home and abroad. The bursaries were awarded on the basis of a points system and girls automatically

received one point of the five points needed to obtain a bursary. Girl bursars in high school had a high graduation rate. Girls' dropout rates were likewise affected by factors such as the status of women, early marriage, long distances to travel to school, parents' hesitation to allow girls to travel to school alone etc.

10. In order to address the problem of gender stereotypes, elementary textbooks would be reviewed to remove stereotypical depictions of women's roles, and a new curriculum was being developed to highlight the contribution women could make. New teaching materials would be made available at the primary and secondary levels to help teachers educate children about gender issues.

11. **Ms. Diallo Sene** (Mali), responding to the question concerning evaluation of health initiatives, said that in the case of the HIV/AIDS programme, no evaluation had taken place as yet because the programme had only been in existence for a year.

12. **Dr. Samake** (Mali) said that the health statistics presented in the report were from the Demographic and Health Survey conducted in 2002 and did not accurately reflect the current situation. Significant progress had been made in relation to several key indicators, and most of the targets set under the Strategic Framework for Combating Poverty had been met or exceeded. The antenatal care coverage rate, for example, had increased to 71 per cent, well above the target of 57 per cent. A new Demographic and Health Survey was currently under way, and updated figures on women's health should be available during the second half of 2006.

13. Turning to the questions regarding low rates of health service utilization and the slow rate of progress in improving the health situation of women, he pointed out that, while the Government continued to strive to increase health service coverage, beyond a certain point further investment in health services ceased to produce any meaningful gains. That was because many health problems were not medical problems per se; rather, they were linked to behaviours and practices within the family and the community. Mali's second national social and health development programme, PRODESS 2, was therefore emphasizing health promotion interventions targeted at families and communities.

14. Mali was indeed taking a multisectoral approach to address women's health problems, precisely because

the Government recognized that health was influenced by factors outside the health sector. The Strategic Framework for Combating Poverty called for coordinated work among all sectors to improve living conditions, especially for the most vulnerable population groups, which would undoubtedly yield improvements in health conditions. The Government was also promoting multisectoral action to combat HIV/AIDS, in keeping with the “Three Ones” principle for the coordination of national AIDS responses. All ministerial departments in Mali now had sectoral plans for combating the disease.

15. It was true that rates of HIV infection were higher among women than among men in Mali. He did not know whether Mali differed significantly from other countries in that respect, but he was aware that studies had shown a global trend towards the feminization of HIV infection. The introduction of free voluntary HIV screening, free antiretroviral drugs and free care for HIV-positive pregnant women to prevent mother-to-child transmission was expected to help improve the HIV/AIDS situation among women.

16. With respect to family planning, the true contraceptive prevalence rate was doubtless higher than indicated in the report because the figures in the report did not reflect family planning services delivered in the private sector or purchases of contraceptives in private pharmacies. Nevertheless, the Ministry of Health had recently launched a campaign aimed at boosting the use of family planning services because it recognized that better family planning would help reduce maternal mortality. The availability of free Caesarean sections would also make an enormous contribution towards reducing maternal deaths because it would eliminate one of the major obstacles that deterred pregnant women from seeking care in emergencies, namely, the inability to pay for medical services.

17. **Ms. Kante Toure** (Mali) said that monitoring and control had followed as an automatic consequence of the issuance of the circular letter formally prohibiting the performance of excision by medical personnel in health facilities.

18. With regard to family planning, another possible reason for the low demand was the limited array of products available on the market. Cost was not normally a constraint, since most products were sold at subsidized prices through social marketing

programmes, but Malian women had little choice of contraceptive methods.

19. **Ms. Diallo Sene** (Mali), in reply to the questions relating to employment and access to credit for women, said that there was no employment discrimination against women from a legal standpoint. Under Malian law, women and men with the same level of training had equal access to the same jobs. However, in practice, women did experience discrimination, often having to do with their gender roles. For example, women returning to work after maternity leave might find themselves at a disadvantage relative to men in competing for posts or promotions.

20. As for the decentralized financial system, one example was a fund administered by the Ministry for the Advancement of Women, Children and Families, which had been decentralized to the regional level. The fund provided credit to women for small-scale income-generating activities.

21. **Ms. Diarra Samoura** (Mali) said that a major effort had been made to decentralize credit and make it accessible to Malian women at the village level under terms that were much more favourable than those offered by the traditional banking system. In addition to the fund mentioned by the previous speaker, there were village savings and loan societies located in all regions of the country. Women could also obtain credit through various rural development initiatives under way in Mali, all of which had a component targeting women. For example, credit and equipment were being provided under a project negotiated by the Ministry for the Advancement of Women, Children and Families and financed by the African Development Bank, which sought to lighten the workload of rural women.

22. Loans were not available interest-free, but the rates charged under the decentralized financial system were substantially lower than those of traditional commercial banks. Women were generally not required to put up any collateral or financial guarantee; credit was granted on the basis of a joint surety bond. As to monitoring of loan performance, a procedures manual laid out the procedures for granting and monitoring credit. Staff in the decentralized offices of the Ministry for the Advancement of Women, Children and Families undertook assessments to determine the impact of credits on women's lives.

23. With regard to access to land for rural women, as was indicated in the report, women and men had equal

access to lands managed by the Government, and a draft agricultural law currently under consideration would further facilitate their access to such land. The problem that women faced with regard to land was not access but retention. In order to retain their land, women were required to pay fees, and they often lacked sufficient funds. Hence, the real problem was how to ensure that women had a secure source of income so that they would not lose their land.

24. Concerning support for microprojects, the Government had offered both technical and management training for women microentrepreneurs. In addition, women producers were increasingly forming self-help networks at the local level to support one another. The National Federation of Rural Women was another source of support.

25. With respect to market access, in a context of growing subregional trade integration, Malian products faced stiff competition in both domestic and foreign markets. The Government was therefore focusing on how to help women improve the quality of their products in order to make them more competitive. That was the aim of several projects currently under way.

26. **Ms. Coker-Appiah** commended the Government for its commitment to reducing poverty. However, it was clear from the report that poverty rates were still depressingly high, particularly among women. She wondered what measures the Government had taken to ensure that women had access to the funds set aside for vulnerable and excluded populations under the Strategic Framework for Combating Poverty. She would also like information on the impact of the poverty reduction policies and programmes currently in place.

27. Noting that the report listed a number of actions that were needed to ensure that the support provided to women was effective and achieved long-lasting results, she enquired what steps were being taken to promote small and medium-sized enterprises and to help women entrepreneurs build their businesses. She also wanted to know whether the Government was providing training in financial management in order to ensure that credits given to women were utilized effectively.

28. She pointed out that studies conducted in other parts of Africa had shown that when women received credit for income-generating activities, their husbands sometimes abandoned their responsibility to provide for the family. The women were then forced to use

their loan funds to cover family expenses, as a result of which their businesses collapsed and they were unable to repay the loan. Had the Government taken any steps to prevent that problem?

29. Cumbersome procedures sometimes hindered women from registering their businesses so that they could escape from the informal sector into the formal sector. She would like to know whether the Government had any plans to simplify business registration procedures in order to enable more women to take advantage of the benefits that accrued from formal registration of a business, particularly access to social security coverage. She also asked what plans the Government had to extend social security benefits to women in the informal sector.

30. **Ms. Tan** said she understood that it was difficult to keep rural women informed owing to their low rate of literacy, which the report had attributed to factors such as inappropriateness of the course curriculum to women's needs, sociocultural constraints, including the unwillingness of husbands to allow wives to attend classes and the social division of labour, a lack of teaching materials and women's inability to afford them, or the fact that women were not free to take classes because they had a large number of closely-spaced pregnancies. She sought details on what the Government had done to address those specific factors.

31. She understood that the various joint initiatives between the Government and other bodies had resulted in a significant increase in school enrolment for girls in rural areas, while dropout rates had fallen. Noting that development was very commendable, she asked whether updated statistics could be provided to illustrate the current trends. She was also interested in Mali's timetable for fulfilling the targets under the national policy on the education of girls developed by the National Girls' Education Unit.

32. Noting that the incidence of poverty was 75.9 per cent in rural areas, and that job opportunities available to women in the villages were very limited, she sought information on progress made, and in particular an impact assessment of both the Strategic Framework for Combating Poverty and the Rural Development Master Plan. She also asked for details of the programmes that aimed to lighten the burden of household chores for rural women and girls, as mentioned in the report.

33. She understood that Malian law provided women with the right to own land, on a non-discriminatory

basis, but noted from the report that customary law still impeded the exercise of that right. Long-term legal education and the involvement of women in working out national or community-level plans were necessary in order to overcome that hurdle to women's development. She asked what specific initiatives, if any, the Government had undertaken, including those in collaboration with NGOs and involving both women and men participants, to dispel discriminatory customary practices with respect to women's access to land ownership.

34. **Ms. Gaspard** saw a contradiction between the report's description of a very difficult problem in the area of women's access to land as a result of customary law, on the one hand, and the response document which said that the problem was being resolved, on the other. Or had the situation changed between the time when the report was written and the present? She was unclear as to whether the law on property rights had actually been reformed, with the intent of ensuring equality between women and men, or whether it would be reformed at a future date.

35. **Ms. Diallo Sene** (Mali), in response to the question on ensuring that women really had access to credit, expressed the view that that goal could be achieved through evaluations of the policies and programmes drawn up, the forms of support given to women and the measures to promote small and medium-sized enterprises. She felt that the report gave enough detail in that area.

36. **Ms. Soumare Diallo** (Mali), addressing the questions about social security for rural women, explained that there were attempts to motivate women, both in urban and in rural areas, to sign on with mutual insurance associations, covering both health and education. There had been very promising contacts with Malian and French associations. Everything was still rather tentative, but it was to be hoped that the idea could be pursued further.

37. **Ms. Soumano** (Mali), responding to the questions about girls' education, drew attention to the figures for enrolment given in the report. As for how to communicate information to illiterate women, the answer was through local radio, which was a very valuable source of information for women. Additionally, women attending the literacy centres received all messages dealing with health or other development issues.

38. **Ms. Diallo** (Mali), responding to the question on the impact of policies and programmes on female poverty, explained that although detailed national statistics were not available, several studies had been carried out, for example in order to obtain macroeconomic data on wealth creation in the agricultural sector and in the informal sector. In the case of two major national programmes, PRODEC and PRODESS, gender analyses had been carried out after their first phase to determine their impact and also their limitations, with the aim of improving the second phase. All national programmes were mandated to take a cross-cutting approach to the gender dimension, in other words to ensure that the disparities between men and women in the various sectors were dealt with.

39. With respect to the issue of management training, she added that whenever microprojects were financed, provision was made for literacy enhancement and management training for the women involved. Training on finance and revenue generation was also provided. With regard to ensuring that men played their parts even if it was the woman who was the breadwinner, what was needed was ongoing advocacy. Additionally, very explicit efforts were made to involve the men in the design of communal development projects.

40. **Ms. Diarra Samoura** (Mali) said that she did not see a contradiction between what was in the report in connection with women's access to land ownership and what had been said in the response document. According to studies undertaken in 2000 by the Ministry, women's right to land ownership was indeed implemented without discrimination. The problem to which she had referred came later: how women could keep their land. Fees had to be paid, instalment payments had to be met, and women often lacked the resources needed to do so.

41. Under customary law, as it was applied to land that was not managed by the Government, women were not given access to the good land. Although land was a matter of survival for families, it was often the infertile soil that was allotted to women.

*Articles 10 to 14: follow-up questions*

42. **Ms. Saiga** returned to the issue of access to land. She understood very well that the access to Government-managed land was non-discriminatory, but she supposed that not all the land in Mali was owned by the Government. She sought a more precise

explanation of the land system in Mali, including its impact on inheritance: if the husband owned land, and he died, what happened to the land? Was it returned to the Government? She also sought further clarification about payment of fees. Were those fees to acquire the land? She wondered if there was also an issue with the expenses involved in maintaining and cultivating the land.

43. **Ms. Morvai** asked what the Government was willing and ready to do about the male/female wage disparities which existed even within the civil service. Secondly, she asked to what extent there was awareness of the special situation and problems of women with disabilities. Her third question related to awareness about sexual harassment in the workplace: she understood that there was no legislation against it, but asked whether there was any policy or research on the topic.

44. **Mr. Konfourou** (Mali) explained that all land in Mali belonged to the State. However, under the Land Code, there were two types of land: registered and unregistered. Registered land had been surveyed by the State, and the Government was authorized to allocate ownership of it to individuals. By contrast, the administration of unregistered land was allocated to communities.

45. With regard to Ms. Saiga's second question, in the event of the decease of a father, the issue was twofold. If the land owned by the father was registered land, then naturally ownership of it passed immediately to his successors. If it was unregistered land, ownership passed to his successors but only until such time as the State needed the land.

46. **Ms. Diallo Sene** (Mali) said that the issue of wage disparity had been discussed at the morning meeting, and was also covered in the documentation. In the past, for taxation purposes a working woman had always been treated as being single and without children, causing her tax burden to be heavier than it should have been. In order to correct that inequity, steps had been taken to ensure that a working woman who was married with children paid the same taxes as a man in the same situation.

47. **Ms. Maiga** (Mali) said that there was no law on positive discrimination (affirmative action) with regard to disabled women, who, however, had formed an association, duly registered, which worked together with a number of ministries such as the Ministry of

Social Development, Solidarity and the Elderly and the Ministry of Health. The association had initiated a number of measures intended firstly to identify the problems that women with disabilities faced and secondly to support them in the search for solutions, for example in the area of access to universities, or adaptation of classrooms.

48. It was true that sexual harassment was an emerging issue. When women encountered it, they complained to the legal aid service, which tried to identify whether harassment was actually occurring, because often it was disguised as a reprimand or a warning, or even a dismissal. Increasingly, women were calling on the justice system to act against unjustified dismissals, resulting from their rejection of advances made by their superiors. Thus the approach was really to identify sexual harassment as being a problem of violence done to women, and from there to move towards a law on sexual harassment.

#### *Articles 15 and 16*

49. **Ms. Gnacadja** said that she greatly appreciated the Government's candid acknowledgement that some of Mali's laws were discriminatory. Moreover, the constructive dialogue with the Committee had further clarified the Government's intentions with respect to legislative reform. The situation of women in Mali was a matter of some concern, and she therefore hoped that the draft Personal and Family Code would be enacted during the first quarter of 2006. It was also crucially important to abolish the discriminatory provisions in Mali's Marriage and Guardianship Code with respect to the minimum marriage age, the legal status of spouses, parental authority, polygamy and divorce.

50. She was aware that such legislative reforms often encountered strong resistance, but it was essential to make steady progress. Although it was clear that religion played an inordinately strong role in areas such as women's rights, the family, and marital relations, the tendency to justify polygamy by reference to the Muslim religion reflected an attempt to conceal an attachment to outmoded patriarchal attitudes. She would urge the State party to open a public debate about polygamy, as it had already done with respect to the practice of excision.

51. **Ms. Tan** said that according to the State party's report there were three types of law governing family relationships in Mali: civil law, the Islamic sharia and

customary law. In that regard, she would be grateful for clarification concerning how the assets of the husband were divided among the widow and children in the event of the husband's decease, who was granted custody of the children and whether the Government was taking steps to eliminate discriminatory practices against widows, such as the levirate or the shaving of heads.

52. She also wished to know whether the draft Personal and Family Code provided for the abolition of polygamy. She was aware that it was an extremely difficult question, but it was an important one, because polygamy was an explicit form of discriminatory stereotyping. The draft Personal and Family Code was clearly an improvement on the Marriage and Guardianship Code. However, by retaining the provision that the man was the head of the family, it contravened both the Convention and article 2 of the Malian Constitution, which prohibited all discrimination on the basis of sex.

53. The report indicated that although marriages between children were invalid, they were nonetheless commonplace. She therefore asked whether the Code of General Social Protection contained provisions on early enforced marriages, and whether it had been promulgated. She also wondered whether the draft Personal and Family Code, or any other law, condemned rape within marriage. As, according to the report, certain ethnic groups were having difficulty in accepting non-discriminatory laws regarding women and girls, she wondered what educational efforts were being made to ensure that laws pertaining to marriage were accepted and enforced in society by both men and women.

54. **Ms. Diallo Sene** (Mali) said that, although she agreed with the Committee's observations concerning polygamy, it would not be possible to eliminate the practice overnight. The draft Personal and Family Code at least represented a step forward in improving the difficult situation of Malian women.

55. **Ms. Maiga** (Mali) said that some of the issues raised by Ms. Gnacadja were very sensitive. Legal reform in Mali was a slow process, which required sustained political will. If the country's various population groups were not properly consulted and invited to participate in the process of reform, there was a risk that draft legislation would be rejected. Indeed, civil society had been the driving force behind

the reforms introduced in the legislation governing family relationships.

56. The persistence of polygamy was due, not only to resistance on the part of men, but also to tolerance on the part of women, who were not sufficiently independent to make their own choices. However, the draft Personal and Family Code provided, for example, that couples who chose a monogamous marriage could no longer convert their marriage into a polygamous one, introduced the same minimum marriage age, of 18, for men and women, and established the principle of reciprocity with respect to the restitution of the dowry and other gifts in the case of divorce.

57. Legislative reforms had also abolished all provisions limiting women's civil capacity, introduced equality of parental authority, and given mothers the full right to exercise guardianship over her children in the event of the husband's decease. With respect to laws on inheritance, Mali would introduce laws that recognized the equality of all citizens before the law, in line with the Constitution and Mali's international treaty commitments. However, although all such legislation was necessary, polygamy would not disappear without measures to train and educate the public and make women economically independent. Furthermore, men would remain head of family until women were given the capacity and resources to run their own households.

#### *Articles 15 and 16: follow-up questions*

58. **Ms. Simms** said that she wished to congratulate the State party for the frankness of its report and for its ability to describe very candidly the situation of women in Mali. She believed that women who were at the forefront of efforts to promote gender equality in Mali would have to become subversive if it was their intention to overthrow the prevailing patriarchal culture. The crux of the matter was control of female sexuality. If women did not take back control of their sexuality, development would be impossible.

59. **Ms. Diallo Sene** (Mali) thanked the Committee for its pertinent questions and for the frankness of the dialogue.

60. **The Chairperson** recalled that Mali had been one of the first African States to ratify the Convention. It had done so without reservations, and it had also ratified the Convention's Optional Protocol. However,



the Convention must be accorded equal rank with the Constitution and given precedence over domestic laws.

61. Following the long period of colonial rule, Malians, like many other African peoples, had fallen back on their religions and their customs in an effort to survive and safeguard their identities. For the sake of future generations, it was time for the peoples of Africa to move forward together in order to make up for lost time. In addition to working at the international level, within the framework of the United Nations, the countries of Africa must also find joint solutions to their joint problems at the regional level, within the framework of the African Union. Malian women, and like-minded Malian men, must no longer be prepared to accept compromise. The draft Personal and Family Code represented significant progress, notably in the area of polygamy, but Mali must go further still by ensuring full application of the Convention and abolishing all forms of discrimination against women.

*The meeting rose at 5.30 p.m.*