

EQUALITY AND DISCRIMINATION - TEMPORARY SPECIAL MEASURES (AFFIRMATIVE ACTION)

III. CONCLUDING OBSERVATIONS, CONTINUED

CERD

- Costa Rica, CERD, A/57/18 (2002) 21 at para. 81.

81. The Committee is...concerned about the lack of representation of minorities at the judicial and governmental levels. The Committee recommends that the State party undertake affirmative action to ensure such minority representation.

- Hungary, CERD, A/57/18 (2002) 63 at para. 372.

372. The Committee...welcomes the positive elements incorporated in...Act XVI of 2001 on the amendment of the Labour Code defining, in particular, "indirect discrimination" and affirming the principle of affirmative action...

- New Zealand, CERD, A/57/18 (2002) 69 at para. 428.

428. The Committee has noted the recent interpretation of the concepts of “affirmative action” and “equality” by the former Complaints Review Tribunal in relation to section 73 of the Human Rights Act, and by the High Court, in relation to section 65 of the Human Rights Act. While it lacks detailed information about the two cases referred to in the report of the State party, it considers that the State party appears to take a narrower view of the scope of special measures than is provided for in articles 1 and 2 of the Convention.

- Fiji, CERD, A/58/18 (2003) 25 at paras. 84, 85 and 87.

84. The Committee welcomes the commitment of the State party to ensure the social and economic development as well as the right to cultural identity of the indigenous Fijian community. None of these programmes, however, should abrogate or diminish the enjoyment of human rights for all, which can be limited solely in accordance with the rules and criteria established under international human rights law. In this regard, the Committee strongly urges the State party to ensure that the affirmative action measures it adopts to pursue the above objectives are necessary in a democratic society, respect the principle of fairness, and are grounded in a realistic appraisal of the situation of indigenous Fijians as well as other communities. The Committee further recommends that the State party guarantee that the special measures adopted to ensure the adequate development and protection of certain ethnic groups and their members in no case lead to the maintenance of

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unequal or separate rights for different ethnic groups after the objectives for which they were taken have been achieved (article 1, paragraph 4, and article 2, paragraph 2, of the Convention).

85. The Committee notes that despite reports that levels of poverty among all Fijian nationals, including Indo-Fijians and Banabans, have worsened over the years, the State party's affirmative action programmes, as adopted under the Social Justice Act of 2001 and the 50/50 by year 2020 plan, mainly target indigenous Fijians and Rotumans. The Committee strongly recommends that the State party ensure that its poverty alleviation programmes benefit all poor Fijian citizens, irrespective of their ethnic origin, to avoid undue stress on already strained ethnic relations. It also recommends that the adoption of any affirmative action programme be preceded by consultations involving all ethnic communities.

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87. The Committee expresses concern about the underrepresentation of Indo-Fijians and other ethnic minorities in the police, the army and other public services in general, and recommends that specific programmes be adopted to ensure appropriate representation of all ethnic communities in these services...

- United Kingdom of Great Britain and Northern Ireland, CERD, A/58/18 (2003) 88 at para. 543.

543. The Committee reiterates its concern that besides the Roma/Gypsy/Traveller populations, certain other minority groups or individuals belonging to them experience discrimination in the areas of employment, education, housing and health.

The Committee urges the State party to continue taking affirmative measures in accordance with article 2, paragraph 2, of the Convention to ensure equal opportunities for full enjoyment of their economic, social and cultural rights...

- Madagascar, CERD, A/59/18 (2004) 58 at para. 319.

319. The Committee notes with concern that some regions of the country are harder hit than others by the low level of economic development, with lower literacy rates and life expectancy in particular, even if the lack of technical and financial resources objectively contributes to these disparities.

The Committee points out that the principle of non-discrimination is not subject to the availability of resources, and calls on the State party to ensure that existing resources are

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distributed fairly among the various regions of the country. As indirect discrimination is forbidden under the Convention, the Committee draws the attention of the State party to the ethnic dimension that these inequalities could have, and invites it to adopt special measures that could be necessary under article 2, paragraph 2, of the Convention.

- Portugal, CERD, A/59/18 (2004) 66 at para. 370.

370. While the Committee notes the measures taken by the State party to improve the situation of Roma/gypsies, it remains concerned about the difficulties faced by many members of this community in the fields of employment, housing and education, as well as reported cases of discrimination in daily life. The Committee also invites the State party to take more effectively into account, in all programmes and projects planned and implemented and in all measures adopted, the situation of Roma/gypsy women, who are often victims of double discrimination.

The Committee urges the State party to continue taking special measures in accordance with article 2, paragraph 2, of the Convention to ensure the adequate protection of Roma/gypsies and to promote equal opportunities for the full enjoyment of their economic, social and cultural rights.

- Ireland, CERD, A/60/18 (2005) 30 at para. 146.

146. The Committee notes that members of the Traveller community are not adequately represented in the State party's political institutions and do not effectively participate in the conduct of public affairs (art. 5 (c)).

The Committee invites the State party to consider adopting affirmative action programmes to improve the political representation of Travellers, particularly at the level of Dáil Eireann (Lower House of Parliament) and/or Seanad Eireann (Upper House of Parliament (Senate)).

- Nigeria, CERD, A/60/18 (2005) 54 at para. 293.

293. The Committee is concerned about the persistence of discrimination against persons belonging to various ethnic groups in the fields of employment, housing and education, including discriminatory practices by people who consider themselves to be the original inhabitants of their region against settlers from other states. While noting the efforts taken by the State party to improve the representation of different ethnic groups in the public service, most notably by the Federal Character Commission, the Committee remains

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concerned about the reports of continuing practices of patronage and traditional linkages based on ethnic origin, leading to the marginalization of certain ethnic groups in Government, legislative bodies and the judiciary (arts. 2 and 5).

The Committee recommends that the State party continue to promote equal opportunities for all persons without discrimination in order to ensure their full enjoyment of their rights, in accordance with article 2, paragraph 2, and article 5 of the Convention. In this connection, the Committee urges the State party to strengthen its Affirmative Action Plans in favour of underrepresented or marginalized groups, including women, in its employment policies with regard to the public service...

ICESCR

- Israel, ICESCR, E/2004/22 (2003) 42 at para. 248.

248. The Committee notes with appreciation the various affirmative-action measures taken, as mentioned in the State party's replies to the list of issues, with respect to various disadvantaged sectors such as the Arab, Druze, Circassian and Bedouin communities, despite the decline in economic growth in the State party in recent years.

- Russian Federation, ICESCR, E/2004/22 (2003) 64 at paras. 462 and 490.

462. The Committee is concerned about the difference in wages between men and women as well as about working conditions for women...

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490. The Committee recommends that the State party undertake effective measures, including through affirmative action, to improve the working conditions for women and to ensure equal pay for work of equal value...

- Lithuania, ICESCR, E/2005/22 (2004) 18 at paras. 78 and 100.

78. The Committee regrets the lack of information on the integration of people with disabilities in the labour market and expresses its concern that the incentives for employing people with disabilities are limited.

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100. The Committee recommends that the State party take effective measures under the National programme for the social integration of the Disabled for 2003-2012 to promote the integration of people with disabilities into the labour market, including through providing

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incentives to employers and strengthening the system of job quotas for people with disabilities.

- China (Macao Special Administrative Region), ICESCR, E/2006/22 (2005) 38 at paras. 240 and 250.

240. The Committee expresses its concern that persons with disabilities are not sufficiently integrated in the labour market.

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250. The Committee recommends that the Macao Special Administrative Region take effective measures to promote the integration of people with disabilities into the labour market, including by providing incentives to employers and strengthening the system of job quotas for persons with disabilities.

- Serbia and Montenegro, ICESCR, E/2006/22 (2005) 41 at paras. 276, 277 and 304.

276. The Committee is concerned about the high unemployment rate in Serbia and in Montenegro, especially among women, persons with disabilities, Roma and internally displaced persons.

277. The Committee is equally concerned that many persons, especially Roma, internally displaced persons and refugees, work in the informal economy or in the low-income sector without adequate working conditions and social security coverage.

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304. The Committee requests the State party to intensify its efforts to reduce the unemployment rate, including through the implementation of its National Employment Strategy 2005-2010, to promote employment of persons belonging to vulnerable groups through special measures, for example special training, the removal of physical barriers limiting workplace access by persons with disabilities, and wage subsidies or other incentives for employers...

CEDAW

- Fiji, CEDAW, A/57/38 part I (2002) 9 at paras. 48-51.

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48. The Committee is concerned that the Social Justice Act and the "Blue Print", which proposes affirmative action for the indigenous Fijian population, do not integrate a gender perspective.

49. The Committee recommends that the Social Justice Act and the Blue Print be evaluated for their impact on both ethnicity and gender, to ensure respect for gender equality, and human rights in Fiji's multicultural plural society. The Committee urges the State party to introduce an effective monitoring mechanism to ensure that these programmes conform with fundamental rights guaranteed by the Constitution and the Convention's concept of temporary special measures, and contributes to the elimination of discrimination against all Fijian women.

50. The Committee is concerned that, despite significant gains in education, some equal employment opportunities policies and an accessible database on qualified women professionals, women's political participation and access to decision-making positions remain limited.

51. The Committee recommends the introduction of temporary special measures in accordance with article 4.1 of the Convention to increase the representation of women in national and local assemblies, and in decision-making positions at all levels.

- Estonia, CEDAW, A/57/38 part I (2002) 13 at paras. 88, 93-96 and 106.

88. The Committee...recommends the adoption of the draft Gender Equality Act containing provisions to allow the adoption of temporary special measures in accordance with article 4, paragraph 1, of the Convention...

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93. The Committee is concerned that a clear understanding of temporary special measures according to article 4, paragraph 1, of the Convention, as well as the reason for their application, seems to be lacking in large parts of Estonian society and in public administration.

94. The Committee recommends that the State party raise public awareness about the importance of such measures in accelerating the process of gender equality. It also recommends that the State party introduce temporary special measures, *inter alia*, in the educational, employment, professional and political fields, including through encouragement to pursue disciplines and areas of work and of political intervention in which one sex is underrepresented. Such provisions should be designed with measurable goals, targets or quotas and time lines to allow their effective monitoring.

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95. The Committee is concerned about the resurgence and persistence of traditional stereotypes regarding the role of men and women in the family, and in society at large. The Committee is also concerned about the lack of targeted educational programmes, mass media campaigns and temporary special measures to eliminate these stereotypes.

96. The Committee urges the State party to design and implement comprehensive programmes in the educational system and to encourage the mass media to promote cultural changes with regard to the roles and tasks attributed to women and men, as required by article 5 of the Convention. It recommends that legislation be enacted and policies adopted to cover not only the prohibition of discrimination against women but also of the more subtle utilization of and support for traditional sex role stereotypes in the family, in employment, in politics and in society.

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106. The Committee encourages the State party to analyse the lack of correlation between the high level of educational attainments of women and their income levels. It recommends the introduction of measures, including through the use of temporary special measures, to accelerate the representation of women at all levels of decision-making in educational institutions and economic life...

- Trinidad and Tobago, CEDAW, A/57/38 part I (2002) 19 at para. 150.

150. The Committee recommends the introduction of strategies to increase the number of women in decision-making bodies at all levels and in all areas. To this end, the Committee recommends that the State party utilize temporary special measures in accordance with article 4, paragraph 1, of the Convention to increase the number of women in decision-making levels in government, governmental bodies, public administration and State-owned enterprises. It also recommends that the State party strengthen its efforts to organize special training programmes for women and to conduct on a regular basis, awareness-raising campaigns in this regard.

See also:

- Estonia, CEDAW, A/57/38 part I (2002) 13 at para. 104.

- Uruguay, CEDAW, A/57/38 part I (2002) 23 at paras. 200 and 201.

200. The Committee is concerned at the low participation of women in politics and government administration, particularly as regards decision-making.

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201. The Committee urges the State party to take appropriate action and implement broad strategies, including temporary special measures under article 4, paragraph 1, of the Convention, with a view to promoting greater participation by women in public life, particularly decision-making and promoting changes in attitudes and perceptions, held by both women and men, as regards their respective roles in the household, the family, at work and in society as a whole. In particular, the Committee recommends that the State party take account of general recommendations 21 concerning equality in marriage and family relations, and 23 concerning women in public life, that it should strengthen and step up action to promote awareness of the importance of the role, activities and many contributions of women in the community and in the family, and that it should in general promote equality of men and women with respect to rights and opportunities.

- Sri Lanka, CEDAW, A/57/38 part I (2002) 31 at para. 279.

279. The Committee urges the State party to take all necessary measures to increase the representation of women in politics and public life at local, provincial and national levels, including through the implementation of temporary special measures, in accordance with article 4, paragraph 1, of the Convention.

- Portugal, CEDAW, A/57/38 part I (2002) 35 at paras. 337 and 338.

337. The Committee is concerned about the low participation of women in elected and appointed bodies, including as members of parliament and local assemblies, government ministers and secretaries of state, mayors, and high-ranking judges and diplomats.

338. The Committee urges the State party to take measures to increase the representation of women in elected and appointed bodies through, *inter alia*, the implementation of temporary special measures, in accordance with article 4, paragraph 1, of the Convention in order to realize women's right to participation in all areas of public life and, particularly, at high levels of decision-making.

- Russian Federation, CEDAW, A/57/38 part I (2002) 40 at paras. 382 and 384.

382. While acknowledging the Federal Act on Political Parties of July 2001, the Committee recommends that the State party take further measures to give practical and concrete effect to the Act. It requests the State party to adopt additional temporary special measures in

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accordance with article 4, paragraph 1 of the Convention, in order to increase the number of women at all levels of political decision-making.

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384. The Committee urges the enactment of an equal employment opportunity law, prohibiting discrimination in hiring, promotion, employment conditions and dismissal, requiring equal pay for work of equal value and providing for effective enforcement procedures and remedies. It recommends that such legislation include temporary special measures, with time-bound targets, in accordance with article 4, paragraph 1, of the Convention, to increase the number of women in higher-level jobs in the public and private sectors.

- Suriname, CEDAW, A/57/38 part II (2002) 82 at paras. 55, 56, 59 and 60.

55. Noting the importance of ensuring the broadest possible participation of women to achieve adequate representation at all levels in Suriname, the Committee is concerned about women's underrepresentation in decision-making bodies in political and economic structures. The Committee notes that, although there are numerous women participating in training programmes, with respect to diplomatic careers the participation of women at the higher levels of the diplomatic service is low.

56. The Committee recommends the adoption of strategies to increase the number of women in decision-making bodies at all levels and in all areas. The Committee recommends that the State party adopt temporary special measures in accordance with article 4, paragraph 1, of the Convention to increase the number of women in decision-making levels in government, governmental bodies, public administration and diplomatic missions. It also recommends that the State party strengthen its efforts to organize special training programmes for women and to conduct, on a regular basis, awareness-raising campaigns in this regard.

...

59. The Committee expresses concern at discriminatory practices and certain legal labour provisions that could lead to discrimination against women workers with regard to reproductive health and maternity and notes that, in the civil service, women are discriminated against when entering into marriage or becoming pregnant. It notes that regulations on flexible working hours are lacking and that the employer has the right to decrease the number of vacation days during the year in which maternity leave is enjoyed.

60. The Committee recommends that the State party remove discriminatory labour legislation in accordance with article 11 of the Convention and ensure that women workers have working conditions and social security benefits equal to those enjoyed by men, as well as protection for maternity without discrimination under article 4, paragraph 2 of the

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Convention.

- Saint Kitts and Nevis, CEDAW, A/57/38 part II (2002) 90 at paras. 95-98.

95. The Committee expresses concern about the underrepresentation of women in decision-making posts and in political bodies, particularly Parliament.

96. The Committee urges the State party to introduce a range of legal, political and administrative options, in line with, temporary special measures, in accordance with the provisions of article 4, paragraph 1, of the Convention, in order to improve the access of women to decision-making. The Committee recommends the adoption of programmes to change the tenor of the political discourse in campaigns in order to achieve greater female participation in them.

97. The Committee expresses concern at the low number of women in the diplomatic service, particularly in higher posts.

98. The Committee recommends that the State party take measures, including in accordance with article 4, paragraph 1 of the Convention, to encourage women to enter into diplomatic careers.

- Belgium, CEDAW, A/57/38 part II (2002) 95 at paras. 136, 147 and 148.

136. The Committee commends the State party on its employment policy, which integrates equality between women and men. It notes with satisfaction the affirmative action measures provided for by Belgian legislation since the late 1980s, in order to bring about *de facto* equality between women and men in the public and private sectors. In particular, it expresses satisfaction at the actions taken to create a better distribution of working and household tasks between women and men.

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147. While recognizing the impressive gains achieved in the participation of women in public life resulting from the implementation of the 1994 law to promote balanced representation of men and women in electoral candidate lists, the Committee is concerned that, in some cases, the quotas for candidate lists have not necessarily led to the expected results.

148. The Committee urges the State party to analyse the challenges that it has encountered in achieving the goals set in the 1994 law and to evaluate achievements on the basis of final results. It calls on the State party to ensure that women and men participate on an equal

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footing in the political sphere.

- Tunisia, CEDAW, A/57/38 part II (2002) 102 at paras. 198 and 199.

198. While noting the measures taken to increase women's political participation, the Committee is concerned about the low representation of women in high-level decision-making positions, including as members of the Chamber of Deputies, in government positions, in the central council and executive committee of the Tunisian Union for Agriculture and Fisheries, as high-ranking diplomats and as full professors in the universities.

199. The Committee urges the State party to take measures to increase the representation of women in high-level decision-making positions through, *inter alia*, the implementation of temporary special measures, in accordance with article 4, paragraph 1, of the Convention in order to realize women's right to participate in all areas of public life and, particularly, at high levels of decision-making.

- Zambia, CEDAW, A/57/38 part II (2002) 107 at paras. 240, 241, 248 and 249.

240. While welcoming the State parties commitment to achieving 30 per cent participation by women in politics by 2005, the Committee notes with concern that the participation of women in political and public life is limited, and that women are underrepresented at all levels of decision-making in Government, parliament, political parties, the private sector, special public service committees and other institutions in the community.

241. The Committee recommends that the State party take measures to increase the number of women in decision-making positions at all levels and in all areas. It also recommends that the State party introduce temporary special measures, in accordance with article 4, paragraph 1, of the Convention, to strengthen its efforts to promote women to positions of power, supported by special training programmes and awareness-raising campaigns aimed at underlining the importance of women's participation in decision-making at all levels.

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248. The Committee expresses concern at the high rate of unemployment among women. It also expresses concern at disparities between women's and men's wages, sexual harassment, and the lack of social security for women.

249. The Committee urges the State party to introduce temporary special measures in accordance with article 4, paragraph 1, of the Convention in creating employment opportunities for women. Efforts should be made to expand the community-based public

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workers programme into areas where the number of unemployed women is particularly high. The Committee calls on the State party to review its legislation and policy in the employment sector to facilitate full implementation of article 11 of the Convention.

- Ukraine, CEDAW, A/57/38 part II (2002) 114 at paras. 281, 282, 285, 286, 293 and 294.

281. The Committee expresses concern that, although the Convention is incorporated in domestic law and the Constitution provides for the equality of all citizens, Ukrainian law does not contain a specific definition of discrimination against women and does not provide effective enforcement procedures or remedies...

282. The Committee recommends that the State party include in its legislation a definition of discrimination, enforcement procedures and remedies for violation of women's rights under the Convention. It also recommends the inclusion of a provision allowing the adoption of temporary special measures in accordance with article 4, paragraph 1, of the Convention.

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285. While recognizing that the number of women in elected office in local government has increased in some regions, the Committee is concerned about the low representation of women in high-level elected and appointed bodies, including as members of Parliament, of which only 5 per cent are women, as high-ranking officials within the executive branch, where women occupy only 6 per cent of posts, and within the state administrations and civil and diplomatic service.

286. The Committee urges the State party to take measures to increase the representation of women in elected and appointed bodies through, *inter alia*, the implementation of temporary special measures, in accordance with article 4, paragraph 1, of the Convention, in order to realize women's right to participation in all areas of public life and, particularly, at high levels of decision-making. The Committee recommends that the State party increase its efforts in offering or supporting training programmes for current and future women leaders and carry out awareness-raising campaigns regarding the importance of women's participation in political decision-making.

...

293. While noting with appreciation the high level of education among women, the Committee expresses its concern about the situation of women in the labour market, including the high rate of unemployment among women and the strong occupational segregation with a concomitant wage differential. The Committee is concerned that women are not able to receive adequate retraining to compete in the market. It is further concerned that the State party's protective labour laws restricting women's participation in night work and other areas, may create obstacles to women's participation in the labour market.

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294. The Committee urges the State party to ensure equal opportunities for women and men in the labour market, including through the use of temporary special measures in accordance with article 4, paragraph 1, of the Convention. The Committee recommends that the State party design and implement special training and retraining programmes for different groups of unemployed women. It also recommends that efforts be made to eliminate occupational segregation, including through education, training and retraining. There should be additional wage increases in female-dominated sectors of public employment to close the wage gap between these and male-dominated sectors. The Committee recommends that the State party conduct regular reviews of legislation, in accordance with article 11, paragraph 3, of the Convention, with a view to reducing the number of barriers that women face in the labour market. It also recommends that effective measures allowing for the reconciliation between family and professional responsibilities be strengthened and that the sharing of domestic and family tasks between women and men be promoted.

See also:

- Czech Republic, CEDAW, A/57/38 part III (2002) 157 at paras. 99 and 100.
- Yemen, CEDAW, A/57/38 part III (2002) 200 at paras 402 and 403.

- Denmark, CEDAW, A/57/38 part II (2002) 120 at paras. 327-330.

327. While commending the State party for having surpassed the critical 30 to 35 per cent threshold in terms of representation of women in decision-making in Parliament, the Committee expresses concern that women's representation remains low in executive and decision-making positions in municipalities and counties as well as in the private economic sector.

328. The Committee urges the State party to take additional measures to increase the representation of women in decision-making positions in all sectors, including in the municipalities and counties as well as in the private economic sector. It recommends that the State party take steps to facilitate the options available to women in the private sector, *inter alia*, through the implementation of temporary special measures in accordance with article 4, paragraph 1, of the Convention, wherever possible. It also recommends that the State party improve the design of the temporary special measures in accordance with article 4 paragraph 1, of the Convention and monitor their application.

329. Noting the high number of women in the lower ranks of the Foreign Service, the Committee expresses concern about the low level of representation of women in the higher levels of the service, in particular in ambassadorial posts.

330. The Committee recommends that the State party introduce special temporary measures

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in accordance with article 4, paragraph 1, of the Convention to increase the representation of women at higher levels in the Foreign Service, particularly as ambassadors.

- Armenia, CEDAW, A/57/38 part III (2002) 150 at paras. 42 and 43.

42. The Committee is concerned that women are underrepresented in decision-making and political bodies, in particular in the National Assembly where they hold only 4 out of 131 seats. The Committee is concerned that women's skills and potential are not sufficiently utilized in Armenia's efforts to battle the serious economic and social challenges the State party is facing, including the refugee problem. The Committee is also concerned that, despite their participation in the NGO sector, women are not active in politics generally, and that their level of participation in political parties is less than 20 per cent.

43. The Committee recommends the adoption and implementation of measures to increase women's participation in the political sphere and to consider applying temporary special measures set forth in article 4, paragraph 1, of the Convention, such as quotas. The Committee recommends that the State party offer support training programmes for current and future women leaders and carry out awareness-raising campaigns on the importance of women's participation in political decision-making.

- Czech Republic, CEDAW, A/57/38 part III (2002) 157 at paras. 99 and 100.

99. While welcoming the high labour force participation rate of women and the legislative reforms in the area of employment, including the amendments to the Employment Act, the Labour Code, the Act on Wages and the Act on Salaries, the Committee expresses concern about the situation of women in the labour market, including women's high unemployment rate as compared with that of men and the strong vertical and horizontal segregation and wage differentials between women and men. The Committee is concerned at the lack of enforcement mechanisms and thus at the lack of *de facto* enforcement of the equal opportunity standards which have been introduced by law.

100. The Committee urges the State party to ensure *de facto* equal opportunities for women and men in the labour market through, *inter alia*, use of temporary special measures in accordance with article 4, paragraph 1, of the Convention. The Committee recommends that efforts be made to eliminate occupational segregation, horizontal and vertical, through, *inter alia*, education, training and retraining and enforcement mechanisms. It also recommends wage increases in female-dominated sectors of public employment to close the wage gap between these and male-dominated sectors. The Committee recommends that measures allowing for the reconciliation between family and professional responsibilities be

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strengthened and that the equal sharing of domestic and family tasks between women and men be promoted...

- Uganda, CEDAW, A/57/38 part III (2002) 164 at paras. 127, 128, 137-140, 143 and 144.

127. The Committee...welcomes the adoption of the affirmative action policy, resulting in an increase in women's representation in decision-making positions from 16.9 per cent in 1994 to 39 per cent in 2002. The Committee welcomes the fact that women occupy a number of key high-level positions.

128. The Committee... welcomes the application of temporary special measures in accordance with article 4, paragraph 1, of the Convention to increase the population of women students in tertiary education and the Functional Adult Literary Programme, which has particularly benefited women.

...

137. While noting the increasing number of women in decision-making positions as a result, *inter alia*, of temporary special measures in accordance with article 4, paragraph 1, of the Convention, the Committee expresses concern that this number remains low. It is also concerned that the persistence of patriarchal attitudes that view men as natural leaders may preclude women from seeking positions of leadership.

138. The Committee urges the State party to intensify its efforts to encourage women to take up leadership positions through further temporary special measures in accordance with article 4, paragraph 1, of the Convention. The Committee recommends that the State party offer or support programmes for current and future women leaders and undertake awareness-raising campaigns on the importance of women's participation in decision-making.

139. The Committee is concerned at the low number of women in the diplomatic service, particularly in postings outside Uganda, and the fact that few Ugandan women work in international organizations.

140. The Committee recommends that the State party take measures, including in accordance with article 4, paragraph 1, of the Convention, to encourage women to enter the diplomatic service. It also recommends the introduction of measures to encourage women to seek employment in international organizations.

...

143. The Committee expresses concern...at the high rate of unemployment among women, disparities between the wages of men and women, even in the public sector, disparities in social security and the lack of legal protection for women against sexual harassment at the workplace. It also expresses concern that the draft national employment policy, which

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promotes equal employment opportunities for men and women, has still not been adopted. It is also concerned that legislation required by article 40 of the Constitution to provide the right to work under satisfactory and safe and healthy conditions, equal pay for equal work, paid leave and maternity protection have still to be enacted.

144. The Committee...urges the State party to enact legislation to protect the rights of persons in employment which complies with the provisions of article 11 of the Convention. The Committee also urges the State party to adopt the draft national employment policy. It further urges the State party to introduce temporary special measures in accordance with article 4, paragraph 1, of the Convention to create employment opportunities for women...

- Guatemala, CEDAW, A/57/38 part III (2002) 171 at paras. 190 and 191.

190. Although recognizing the introduction of temporary special measures for the advancement of women in the area of education, the Committee notes the reduced participation of women in political activities, in particular the minimum participation in the Congress and at decision-making levels in both the public and the private sectors.

191. The Committee recommends that the State party strengthen current measures and adopt and implement further measures in accordance with article 4.1 of the Convention to promote women's participation in public and political life in Guatemala, in particular by promoting the adoption of the proposed quota system for women candidates in the next five federal elections, offering or supporting training programmes for current and future women leaders and undertaking awareness-raising campaigns on the importance of women's participation in decision-making aimed at decision makers in both the public and private sectors.

- Barbados, CEDAW, A/57/38 part III (2002) 177 at paras. 241 and 242.

241. The Committee is concerned that, despite the fact that the State party has identified women's participation in decision-making as one of its five priorities and despite the high level of education of Barbadian women, little has been achieved in terms of women's representation in decision-making positions in the political sphere. In this context, the Committee expresses concern that the State party lacks a clear understanding of the application of temporary special measures, according to article 4, paragraph 1, of the Convention.

242. The Committee recommends the adoption of strategies to increase the number of women in decision-making positions, both in appointed and elected government bodies. The Committee recommends that the State party adopt temporary special measures in accordance

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with article 4, paragraph 1, of the Convention to increase women's representation. It also recommends that the State party organize special training programmes for women and to conduct, on a regular basis, awareness-raising campaigns in this regard. It recommends that the State party sensitize political parties and social partners about the importance of these measures.

- Greece, CEDAW, A/57/38 part III (2002) 184 at paras. 268 and 287-290.

268. The Committee welcomes the 1999 revision of the Constitution, particularly the revision of article 116, paragraph 2, which legalizes the use of temporary special measures as provided for by article 4, paragraph 1, of the Convention in order to achieve substantive equality between women and men.

...

287. While noting the high rate of women acquiring degrees, the Committee is concerned about the underrepresentation of women in decision-making and political bodies, particularly in Parliament, the economic sector and academia.

288. The Committee recommends that the State party take measures, *inter alia* in accordance with article 4, paragraph 1, of the Convention, in order to realize women's right to participation in all areas of public life and, particularly, at high levels of decision-making. It also urges the State party to adopt proactive measures to encourage more qualified women to apply for high-ranking posts in academia and to implement temporary special measures, such as quotas, with goals and timetables, where necessary.

289. The Committee is concerned at the low number of women in the diplomatic service, particularly in postings abroad, and the fact that few Greek women work in international organizations.

290. The Committee recommends that the State party take measures, including in accordance with article 4, paragraph 1, of the Convention to encourage women to enter the diplomatic service and to provide opportunities to access the highest rank of the diplomatic service. It also recommends the introduction of measures to provide information to women on options for employment in international organizations.

- Hungary, CEDAW, A/57/38 part III (2002) 189 at paras. 325-328.

325. While noting that there has been an increase of three seats occupied by women in Parliament since the latest elections, in May 2002, and that the Speaker of Parliament is a woman and three women are ministers in the Government, the Committee is concerned about

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the overall low representation of women in high-level elected and appointed bodies and in the diplomatic service.

326. The Committee urges the State party to take measures to increase the representation of women in elected and appointed bodies through, *inter alia*, the implementation of temporary special measures, in accordance with article 4, paragraph 1, of the Convention, in order to realize women's right to participation in all areas of public and political life and, particularly, at high levels of decision-making. The Committee recommends that the State party increase its efforts to offer or support programmes for current and future women leaders and to carry out awareness-raising campaigns targeting both women and men regarding the importance of women's equal participation in political decision-making as a *sine qua non* of democracy. In this regard, the Committee urges the State party to carry out research into the obstacles to the participation particularly of young women in political decision-making.

327. The Committee expresses concern about women's disadvantaged position in the labour market, including the decline in women's employment and vertical and occupational segregation with wage differentials between women and men. The Committee is also concerned that government policy regarding these wage differentials rests on general job classification schemes and does not specifically address the need for women to be guaranteed equal pay for work of equal value. The Committee is concerned about discrimination in hiring women of childbearing age, mothers with small children and older women.

328. The Committee urges the State party to ensure equal opportunities for women and men in the labour market, *inter alia*, through the use of temporary special measures in accordance with article 4, paragraph 1, of the Convention. It recommends that efforts be made to eliminate occupational segregation, *inter alia*, through education, training and retraining. The Committee urges the State party to collate sex-disaggregated data regarding the type and extent of wage differentials and to apply job classification analysis to eliminate the practice of women receiving unequal pay for work of equal value. The Committee recommends that measures allowing for reconciliation between family and professional responsibilities be strengthened and that the sharing of domestic and family tasks between women and men be promoted.

- Yemen, CEDAW, A/57/38 part III (2002) 200 at paras. 386 and 387.

386. While acknowledging the statement made by the State party that education is a cornerstone for development and a key element in the improvement of the status of women and the achievement of equality between women and men, the Committee notes with

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concern the high levels of illiteracy among women and girls, particularly in rural areas, and the high rate at which girls drop out of school.

387. The Committee calls upon the State party to strengthen its efforts to eradicate female illiteracy, especially among girls, particularly in rural areas, and to take general as well as temporary special measures to ensure primary and secondary education for girls and lower the high dropout rate among girls. The Committee recommends the introduction of measures to create an environment that increases the enrolment and retention rates of girls in schools at all levels through increased training and employment of women teachers, addressing parents' concerns related to co-education and the setting of precise targets and timetables to measure progress.

- Mexico, CEDAW, A/57/38 part III (2002) 205 at paras. 443 and 444.

443. The Committee expresses its concern about the small percentage of women in high-level posts in all activities, namely political, legislative, trade union and educational.

444. The Committee recommends the adoption of strategies for increasing the number of women in decision-making posts at all levels, particularly in the municipalities, by taking temporary special measures as specified in article 4, paragraph 1, of the Convention; it recommends further that the State party strengthen its efforts to promote women to management positions in the public and private sectors through special training programmes and sensitivity campaigns stressing the importance of women's participation in decision-making at all levels.

See also:

- Peru, CEDAW, A/57/38 part III (2002) 212 at paras 480 and 481.

- Peru, CEDAW, A/57/38 part III (2002) 212 at paras. 474 and 475.

474. Although there is a new poverty relief strategy for 2001-2006, the Committee is concerned about the lack of poverty eradication programmes geared specifically to the female population.

475. The Committee recommends that the State party include a gender perspective in poverty eradication strategies and programmes and, when appropriate, introduce temporary special measures, in conformity with article 4, paragraph 1, of the Convention, with a view to eradicating poverty among women, especially rural women.

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- Albania, CEDAW, A/58/38 part I (2003) 13 at paras. 74, 75, 78 and 79.

74. The Committee is concerned about the higher unemployment rate among women than among men. The Committee is concerned that women are not able to receive adequate training and retraining to compete in the job market. The Committee is concerned about discrimination in hiring women, especially in the emerging private sector.

75. The Committee urges the State party to ensure equal opportunities for women and men in the labour market through, *inter alia*, the use of temporary special measures in accordance with article 4, paragraph 1, of the Convention. The Committee recommends that the State party design and implement special training and retraining programmes for different groups of unemployed women. It also recommends that effective measures allowing for the reconciliation of family and professional responsibilities be strengthened and that the sharing of domestic and family responsibilities between women and men be promoted...

...

78. While welcoming the use of minimum targets for women candidates by some political parties in local elections, the Committee is concerned about the low representation of women in high-level elected and appointed bodies, including as members of Parliament, as high-ranking officials within the executive bodies of the Government, the judiciary and civil and diplomatic service, and within local government bodies.

79. The Committee urges the State party to take measures, including improvements in the election law, to increase the representation of women in elected and appointed bodies through, *inter alia*, the implementation of temporary special measures, in accordance with article 4, paragraph 1, of the Convention, in order to realize women's right to participation in all areas of public life, particularly at high levels of decision-making. The Committee recommends that the State party increase its efforts in offering or supporting training programmes for current and future women leaders and carry out awareness-raising campaigns regarding the importance of women's participation in political decision-making.

See also:

- Japan, CEDAW, A/58/38 part II (2003) 130 at paras. 367 and 368.
- Switzerland, CEDAW, A/58/38 part I (2003) 20 at paras. 126, 127, 130 and 131.

126. The Committee is concerned that, while women make up 54 per cent of the electorate, they are significantly underrepresented in elected and appointed posts in political decision-making bodies. While acknowledging some positive developments, the Committee is also concerned at women's low rate of participation in the administration, the judiciary and the

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diplomatic service as well as their low representation at the international level. The Committee is further concerned that, while regional, linguistic and other quotas are generally accepted, the adoption of quotas in political life that would aim at gender balance has been systematically rejected in the State party.

127. The Committee encourages the State party to take sustained measures to increase the representation of women in elected and appointed bodies, including temporary special measures in accordance with article 4, paragraph 1, of the Convention, in order to realize women's right to equal participation in public and political life. The Committee also recommends that adequate measures be taken with the aim of achieving balanced participation of women and men in the various areas and levels of public life, particularly in the administration, the judiciary and the diplomatic service.

...

130. The Committee is concerned that, although women's rate of participation has been steadily rising and notwithstanding the constitutional mandate to establish gender equality in work and the constitutional provisions on the right to equal pay for work of equal value, as well as the Equality Act, women remain disadvantaged in the labour market. The Committee is particularly concerned at the pay differentiation between women and men and some criteria used to justify it, particularly as regards considerations of a social nature, such as family responsibilities. The Committee is further concerned by the high prevalence of women in part-time work, the higher rate of unemployment among women as compared with men, and the difficulties mainly faced by women in reconciling their personal and family lives with professional and public responsibilities.

131. The Committee urges the State party to ensure *de facto* equal opportunities for women and men in the labour market through, *inter alia*, the use of temporary special measures in accordance with article 4, paragraph 1, of the Convention. The Committee recommends that efforts be made to eliminate occupational segregation, both horizontal and vertical, through, *inter alia*, education, training and retraining, and effective enforcement mechanisms. It also recommends that job evaluation systems based on gender-sensitive criteria be developed with the aim of closing the existing wage gap between women and men. The Committee recommends that measures allowing for the reconciliation of family and professional responsibilities be adopted and implemented and that equal sharing of domestic and family tasks between women and men be promoted.

See also:

- Japan, CEDAW, A/58/38 part II (2003) 130 at paras. 369 and 370.
- Congo, CEDAW, A/58/38 part I (2003) 29 at paras. 168-171.

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168. While noting a slight increase in the number of women elected to parliament, the Committee expresses concern that the number of women in decision-making positions remains low in politics, the judiciary and the civil service. The Committee is particularly concerned at the absence of women in decision-making positions in the foreign service.

169. The Committee recommends that the State party take measures to increase the number of women in decision-making positions in all spheres. It also recommends that the State party introduce temporary special measures, in accordance with article 4, paragraph 1, of the Convention, to strengthen and accelerate its efforts to promote and elect women to positions of power, supported by special training programmes and awareness-raising campaigns aimed at underlining the importance of women's participation in decision-making at all levels.

170. The Committee is concerned at the low rate of female literacy, the low number of girls who complete primary education in both the urban and rural areas, and the high drop-out rate of girls due to, *inter alia*, pregnancies and early marriage.

171. The Committee urges the State party to strengthen its efforts to improve the literacy level of girls and women to ensure equal access of girls and women to all levels of education and to take all appropriate measures to prevent girls from dropping out of school. The Committee further urges the State party to encourage an increase in the enrolment of girls at all levels and recommends that such efforts include further use of temporary special measures, in accordance with article 4, paragraph 1, of the Convention.

See also:

- Kenya, CEDAW, A/58/38 part I (2003) 35 at paras. 215 and 216.
- El Salvador, CEDAW, A/58/38 part I (2003) 41 at paras. 273 and 274.

- Luxembourg, CEDAW, A/58/38 part I (2003) 47 at paras. 310 and 311.

310. The Committee notes that little progress has been made to increase women's role in decision-making in all sectors.

311. The Committee calls upon the State party to develop further measures to increase women's role in decision-making in all sectors, including through awareness-raising campaigns targeted at women and men and the use of special measures in accordance with article 4, paragraph 1, of the Convention, with the goal to accelerate *de facto* equality between women and men. It also recommends that such measures be monitored and evaluated.

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- Canada, CEDAW, A/58/38 part I (2003) 53 at paras. 371 and 372.

371. While appreciating the progress made as regards increased women's political representation and the new legal provisions that benefit female candidates for political office in particular, the Committee is concerned that women are still underrepresented in all areas of political and public life.

372. The Committee urges the State party to take additional measures to increase the representation of women in political and public life. It recommends the introduction of temporary special measures with numerical goals and timetables to increase the representation of women in decision-making positions at all levels.
- Costa Rica, CEDAW, A/58/38 part II (2003) 86 at paras. 58 and 59.

58. The Committee notes that the provisions of the Electoral Code establishing minimum 40 per cent quotas for women's participation have not been fully respected by political parties.

59. The Committee recommends that the State party redouble its efforts and strengthen legislative or procedural measures, as necessary, to ensure proper application of the legislation in force, and that it seek approval of the reforms to articles 5 and 6 of the Act Promoting the Social Equality of Women with the view to ensuring women's participation both in party structures and in elective posts, including the alternation of men and women in lists of candidates submitted for election by political parties. The Committee also recommends that the State party consider adopting temporary measures, in conformity with article 4.1 of the Convention, to promote the establishment of effective mechanisms designed to secure greater participation by women at the decision-making level in government bodies.
- Brazil, CEDAW A/58/38 part II (2003) 93 at paras. 118-121, 130 and 131.

118. While commending the recent appointment of five women ministers and noting the significance of the legal provisions adopting quotas for women's participation in elected bodies, the Committee remains concerned that women are still significantly underrepresented at all levels and instances of political decision-making. It is further concerned that implementation of the quotas is controversial and lacks efficacy.

119. The Committee recommends the adoption of a comprehensive strategy to accelerate the participation of women in decision-making positions in political life, both in appointed and elected bodies, until a balanced representation of women and men was attained. The

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Committee recommends that non-compliance with the existing provisions aiming at a minimum and maximum percentage of each sex be duly sanctioned and that other effective means to support implementation be adopted.

120. The Committee is concerned at the under-representation of women in qualified positions in some areas of professional and public life, such as the judiciary and external affairs, particularly at the highest echelons. It is also concerned that women's participation in high-ranking positions in economic life remains much lower than men's.

121. The Committee recommends that pro-active policies for women's increased participation at those levels be adopted and, when appropriate, temporary special measures in accordance with article 4, paragraph 1, of the Convention be taken to ensure women's real empowerment on equal terms with that of men.

...

130. The Committee is concerned at the State party's use of the term "affirmative action" to describe some of its measures aimed at eliminating discrimination, rather than to describe temporary special measures aimed at accelerating equality.

131. The Committee recommends that the State party, in devising policies for the achievement of gender equality, not only eliminate discrimination, but in line with article 4, paragraph 1, of the Convention adopt temporary special measures to accelerate the process of achieving equality.

- Morocco, CEDAW, A/58/38 part II (2003) 101 at para. 155.

155. The Committee welcomes the legislative changes and the voluntary quota system established by political parties to increase women's representation in the House of Representatives, which has led to a significant increase in the number of women elected during the last elections.

- Slovenia, CEDAW, A/58/38 part II (2003) 109 at paras. 199, 212 and 213.

199. The Committee commends the State party for adopting new laws in support of the goal of gender equality, including the Act on Equal Opportunities for Women and Men, which, *inter alia*, introduces a legal basis for the elaboration of temporary special measures to promote *de facto* equality between women and men; the Employment Relationships Act,

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which provides for equal opportunities and equal treatment of women and men in employment...

...

212. While welcoming the adoption of the Employment Relationships Act, the Committee expresses concern about the situation of women in the labour market, including the strong vertical and horizontal segregation and wage differentials between women and men, in particular in companies and businesses. The Committee is particularly concerned that women's high educational levels do not seem to result in commensurate opportunities and success in the labour market...

213. The Committee urges the State party to ensure equal opportunities for women and men in the labour market through, *inter alia*, temporary special measures in accordance with article 4, paragraph 1, of the Convention. The Committee recommends that the State party design and implement special training and retraining programmes for unemployed women. It also recommends that effective measures allowing for the reconciliation of family and professional responsibilities be strengthened and that the sharing of domestic and family responsibilities between women and men be promoted...

- France, CEDAW, A/58/38 part II (2003) 116 at paras. 259 and 260.

259. The Committee expresses its concern that women are underrepresented in high-level positions in many areas, particularly in the civil service, the diplomatic service and academia.

260. The Committee calls on the State party to take steps to facilitate increased access of women to high-level positions. It recommends the adoption of proactive measures to encourage more women to apply for high-ranking posts, and where necessary, to implement temporary special measures, as provided for in article 4, paragraph 1, of the Convention.

- Ecuador, CEDAW, A/58/38 part II (2003) 122 at paras. 327 and 328.

327. Despite the reform of the Electoral Law, the Committee is concerned at the low percentage of political participation of women and the failure to apply, alternatively and sequentially, article 40 of the Electoral Law, which stipulates that there must be a 30 per cent quota of women on the electoral lists. The Committee is also concerned at the possibility that this article might be removed from the Law.

328. The Committee recommends that the State party should adopt strategies to increase the number of women taking part in decision-making positions at all levels, including the

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introduction of temporary special measures, in conformity with article 4, paragraph 1, of the Convention, to strengthen its efforts to promote women to positions of power in both the public and private sectors, supported by special training programmes and campaigns to raise awareness of the importance of women's participation in the country's political life.

- New Zealand, CEDAW, A/58/38 part II (2003) 138 at paras. 407, 408, 411 and 412.

407. While appreciating the fact that women are in some of the highest decision-making positions and the progress made as regards women's increased political representation, the Committee notes with concern the declining number of women in Parliament and in local government it also notes with concern that not all political parties see this issue as also their responsibility. The Committee further notes with concern that women are underrepresented in public life, *inter alia*, with respect to chief executives in the public sector, on Crown Company Boards, and that the State party does not pursue an overall policy of target setting in its Ministries. The Committee is further concerned about inequality, which persists within the private sector, in which action on equal opportunities is taken up only reluctantly.

408. The Committee urges the State party to bring to the attention of all political parties their responsibility to achieve equality between women and men in political life, in accordance with the Committee's general recommendation 23. It also recommends that the State party adopt a comprehensive strategy including temporary special measures, in accordance with article 4, paragraph 1, of the Convention, to strengthen its efforts to increase the number of women in policy- and decision-making positions at all levels and in all areas in the public sector, and to strengthen its policies in supporting the private sector's efforts towards the promotion of women in decision-making positions.

...

411. While acknowledging the efforts undertaken by the State party to address discrimination faced by women in the labour market, the Committee is concerned that women remain disadvantaged in the labour market, that prerequisites and criteria [to] qualify for paid parental leave may add to women's difficulties in entering the labour market and that the level of benefits does not provide an incentive for men to take up parental leave. The Committee is concerned about the persistence of a gender pay gap, occupational segregation, the high number of women in part-time work and in temporary jobs, affecting their eligibility for paid maternity leave, and the low wages paid to women. The Committee is also concerned about the difficulties women face in reconciling their personal and family lives with their professional and public responsibilities.

412. The Committee recommends that the State party ensure equal opportunities for women and men in the public and private sectors, including through the use of temporary special measures in accordance with article 4, paragraph 1, of the Convention. It also recommends

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that the State party design and implement targeted job-training programmes for different groups of unemployed women. The Committee further recommends that efforts be made to eliminate occupational segregation, through education and training, the application of the principle of equal pay for work of equal and comparable value, and the promotion of additional wage increases in female-dominated sectors of employment. The Committee recommends that the State party consider further amending the Parental Leave and Employment (Paid Parental Leave) Amendment Act with a view to ensuring that pregnancy under no circumstances creates an obstacle for women entering the labour market, and to removing the specific time limit which is required to qualify for paid parental leave, and to increasing the benefits level so that men are encouraged to take parental leave.

- Kuwait, CEDAW, A/59/38 part I (2004) 15 at paras. 72-75.

72. The Committee expresses its concern at the lack of diversified employment opportunities for women despite the high level of education attained by girls and women in all areas. The Committee notes with concern that restrictions on women's employment, as well as protective employment legislation, policies and benefits for women, perpetuate traditional stereotypes regarding women's roles and responsibilities in public life and in the family.

73. The Committee urges the State party to increase its efforts towards accelerating the achievement of *de facto* equal opportunities for women and men in the area of employment through, *inter alia*, the use of temporary special measures in accordance with article 4, paragraph 1, of the Convention, and general recommendation 25. The Committee recommends that measures be taken to promote change concerning the stereotypical expectations of women's roles and to promote the equal sharing of domestic and family responsibilities between women and men.

74. The Committee expresses its concern at the lack of detailed information and statistical data on women's representation, particularly in decision-making positions, in various areas of public life, including in law enforcement, the judiciary and the diplomatic corps.

75. ...The Committee...recommends that the State party take measures to increase the representation of women in all areas of public life, including at the decision-making level, and in law enforcement, the judiciary and the diplomatic corps, through the use of temporary special measures, in accordance with article 4, paragraph 1, of the Convention, and general recommendation 25, as well as general recommendation 23. The Committee encourages the State party to undertake and support awareness-raising programmes on the importance of women's representation, in particular at decision-making levels, in all areas of public life.

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- Bhutan, CEDAW, A/59/38 part I (2004) 21 at paras. 105-110.

105. The Committee expresses concern that policies and programmes are mostly gender neutral and that they were formulated without attention to gender perspectives and to discrimination and inequality faced by women and girls.

106. The Committee urges the State party to mainstream gender perspectives when formulating and implementing policies and programmes, as well as in monitoring and assessing progress achieved. It also urges the State party to implement policies and programmes specifically addressed to women and girls, including the next five-year plan for women, 2006-2010, in order to accelerate the achievement of substantive equality. It urges the State party to apply temporary special measures according to article 4, paragraph 1, of the Convention and general recommendation 25, *inter alia*, in the education, employment and professional fields, in order to accelerate the progress in achieving gender equality.

107. The Committee, while welcoming the progress in promoting women's political participation and noting that several women hold high ministerial posts, expresses concern at the low representation of women in decision-making bodies in the various areas and levels of political and public life.

108. The Committee recommends that the State party adopt temporary special measures in accordance with article 4, paragraph 1, of the Convention and in the light of general recommendations 23 and 25, to increase the number of women at national and local decision-making levels in government, governmental bodies and public administration, provide targeted training programmes for women, and conduct, on a regular basis, awareness-raising campaigns to encourage women to participate in public life in decision-making positions.

109. The Committee is concerned about the lack of special policies and programmes to promote equal employment opportunities for women in the country. It is also concerned that the national labour legislation currently in preparation recognizes "equal pay for equal work" but not "equal pay for work of equal value".

110. The Committee recommends that the State party implement targeted policies and programmes, including temporary special measures in accordance with article 4, paragraph 1, of the Convention and general recommendation 25, in order to increase the number of women in the formal work force. It also urges the State party to ensure that the draft Labour Act also takes into account the right to "equal pay for work of equal value" and contains provisions to facilitate women's access to justice in instances of discrimination.

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- Kyrgyzstan, CEDAW, A/59/38 part I (2004) 28 at paras. 147, 155, 156, 165 and 166.

147. The Committee commends the State party for enacting new laws in support of the goal of gender equality, including the law on the bases for State guarantees of gender equality, which prohibits direct and indirect gender discrimination and allows for the adoption of temporary special measures to promote *de facto* equality between women and men...

...

155. The Committee expresses concern about the situation of women in the labour market, including the concentration of women in traditional spheres of employment, in low-paying jobs and in the informal sectors; the wage differentials between women and men; women's rising unemployment rate; and the employment of women in unfavourable working conditions.

156. The Committee urges the State party to ensure equal opportunities for women and men in the labour market through, *inter alia*, temporary special measures, in accordance with article 4, paragraph 1, of the Convention and general recommendation 25. The Committee urges the State party to intensify its efforts to ensure that all employment-generation programmes are gender sensitive and that women can fully benefit from all programmes to support entrepreneurship. It recommends that efforts be strengthened to eliminate occupational segregation, both horizontal and vertical; to narrow and close the wage gap between women and men; and to ensure that both women and men work under proper conditions of health and safety...

...

165. While noting that the law on the bases for State guarantees of gender equality provides for gender quotas in the appointment of judges to the Constitutional Court and the Supreme Court, the staff of the Central Commission on Elections and Referendums, and the auditors of the Auditing Chamber, the Committee is concerned about the underrepresentation of women in elected and appointed bodies, particularly at high levels, including the Zhogorku Kenesh (Parliament) and regional and district parliaments, State executive and administrative organs and the diplomatic service.

166. The Committee urges the State party to strengthen and implement measures to increase the representation of women in elected and appointed bodies through, *inter alia*, the implementation of temporary special measures, in accordance with article 4, paragraph 1, of the Convention and general recommendation 25, in order to realize women's right to equal participation in all areas of public life, particularly at high levels of decision-making. The Committee recommends that the State party fully utilize general recommendation 23 concerning women in public life and promote changes in the attitudes and perceptions of both women and men with regard to their respective roles in the household, the family, at work and in society as a whole...

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- Nepal, CEDAW, A/59/38 part I (2004) 34 at paras. 192, 214 and 215.

192. The Committee commends the State party for identifying gender equality as a priority in its national development plan and welcomes new laws and legal reforms, such as the...Local Self-Governance Act, which includes a quota of at least 20 per cent representation by women in local bodies...

...

214. While noting the 5 per cent constitutional minimum for the fielding of women candidates for elections by political parties, the Committee is concerned at the very poor representation of women in decision-making positions in the political and administrative spheres. It is also concerned at the very low numbers of women within the judiciary as well as the nominal participation of women at the international level.

215. The Committee recommends that the State party intensify its efforts to encourage women to take up leadership positions through temporary special measures, including timetables and numerical targets, in accordance with article 4, paragraph 1, of the Convention and general recommendation 25...

- Ethiopia, CEDAW, A/59/38 part I (2004) 42 at paras. 240, 249, 250, 261 and 262.

240. The Committee commends the State party for the temporary special measures introduced in the civil service and in education, in particular the allocation of at least 30 per cent of the total number of university seats to female students. It also commends the State party for the introduction of the girl's scholarship programme, covering 28 schools in 7 regions, and the incorporation of gender mainstreaming in the school curriculum.

...

249. The Committee, while welcoming the State party's efforts in the area of education, is concerned at the low rate of female literacy, the continuing gap between boys and girls in the school enrolment rate and at the high drop-out and repetition rates among girls.

250. The Committee urges the State party to strengthen its efforts to improve the literacy rate of girls and women in rural and urban areas, to ensure equal access of girls and young women to all levels of education and to take measures to reduce and eliminate the high drop-out and repetition rates of girls. It encourages the State party to introduce temporary special measures in accordance with article 4, paragraph 1, of the Convention and general recommendation 25 at primary and secondary levels of education, including incentives for parents to send girls to school. It also recommends that the State party take steps to ensure

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that rural women and girls have full access to education and vocational training.

...

261. The Committee is concerned about the discrimination faced by women in the labour market, especially in the emerging private sector.

262. The Committee urges the State party to ensure equal opportunities for women and men in the labour market through, *inter alia*, the use of temporary special measures, according to article 4, paragraph 1, of the Convention and general recommendation 25. The Committee recommends that the State party take effective measures to promote the reconciliation of family and work responsibilities between women and men...

- Nigeria, CEDAW, A/59/38 part I (2004) 49 at paras. 305, 306, 309 and 310.

305. The Committee expresses concern about the persistence of discriminatory legislation, administrative provisions and practices in the labour market. It is also concerned about women's higher unemployment rates, the persistent wage gap in the private and public sector and the lack of adequate social protection for women in the private sector.

306. The Committee urges the State party to ensure equal opportunities for women and men in the labour market, including through the use of temporary special measures in accordance with article 4, paragraph 1, of the Convention and general recommendation 25.

...

309. The Committee, while recognizing the efforts made to achieve 30 per cent representation of women in public office, notes with concern the low number of women in political and public life, especially in leadership and decision-making positions. It also notes with concern that the persistence of stereotypical and patriarchal attitudes, which view men as natural leaders, may preclude women from seeking positions of leadership.

310. The Committee recommends that the State party take measures to increase the number of women in decision-making positions at all levels and in all areas, in the light of general recommendation 23 on women in political and public life. It also recommends that the State party introduce temporary special measures, in accordance with article 4, paragraph 1, of the Convention and general recommendation 25, to strengthen its efforts to promote women to positions of leadership, including in the diplomatic service. To that end, the Committee urges the State party to increase the availability of training programmes and to enhance its awareness-raising campaigns aimed at underlining the importance of women's participation in decision-making at all levels.

- Belarus, CEDAW, A/59/38 part I (2004) 55 at paras. 335, 336, 351, 352, 357 and 358.

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335. While noting the incorporation in a number of laws of provisions prohibiting discrimination on the basis of sex, the Committee expresses concern that the State party has not yet adopted a law on gender equality.

336. The Committee encourages the speedy elaboration and adoption of a law on gender equality that includes a definition of direct and indirect discrimination according to the Convention and a basis for applying temporary special measures according to article 4, paragraph 1, of the Convention and general recommendation 25.

...

351. The Committee expresses concern about the situation of women in the labour market, which is characterized, in spite of women's high level of education, by high female unemployment, the concentration of women in low-paid sectors of public employment, such as health and education, and the wage gap between women and men, in both the public and private sectors. The Committee is concerned that the State party's labour laws, which are overly protective of women as mothers and restrict women's participation in a number of areas, may create obstacles to women's participation in the labour market, in particular in the private sector, and perpetuate gender role stereotypes.

352. The Committee urges the State party to ensure equal opportunities for women and men in the labour market through, *inter alia*, temporary special measures, in accordance with article 4, paragraph 1, of the Convention and general recommendation 25. The Committee urges the State party to intensify its efforts to ensure that all job generation and poverty alleviation programmes are gender-sensitive, and that women can fully benefit from all programmes to support entrepreneurship. It recommends that efforts be strengthened to eliminate occupational segregation, both horizontal and vertical, and to narrow and close the wage gap between women and men through, *inter alia*, additional wage increases in female-dominated sectors of public employment. The Committee recommends that the State party conduct regular reviews of legislation, in accordance with article 11, paragraph 3, of the Convention, with a view to reducing the number of barriers women face in the labour market.

...

357. While recognizing an increase in the representation of women in the House of Representatives of the National Assembly, in the local councils of deputies and on the Supreme Court, as well as the use of a quota-based principle in forming the National Assembly's Council of the Republic, the Committee remains concerned about the underrepresentation of women in elected and appointed bodies, particularly at high levels and in decision-making positions, including the diplomatic service.

358. The Committee urges the State party to strengthen and implement measures to increase the representation of women in elected and appointed bodies through, *inter alia*, the

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implementation of temporary special measures, in accordance with article 4, paragraph 1, of the Convention and general recommendation 25, in order to implement women's right to equal participation in all areas of public life, particularly at high levels of decision-making. The Committee recommends that the State party fully utilize general recommendation 23, concerning women in public life. It also recommends that the State party increase its efforts in offering or supporting capacity-building programmes for current and future women leaders and carry out awareness-raising campaigns regarding the importance of women's equal participation in political and public decision-making.

- Germany, CEDAW, A/59/38 part I (2004) 62 at paras. 388, 389 and 396-399.

388. While noting the agreement to promote the equal opportunities of women and men in private industry, the Committee expresses concern at the high level of long-term unemployment of women, the increase in the number of women in part-time work and in low-paid and low-skilled jobs, the continuing wage discrimination women face and the discrepancy between their qualifications and occupational status...

389. The Committee calls upon the State party to intensify its efforts to increase women's *de facto* equal opportunities in the labour market, including their access to full-time employment, *inter alia*, through the use of temporary special measures in accordance with article 4, paragraph 1, of the Convention and general recommendation 25, and to promote equal pay for work of equal value...

...

396. While appreciating that women's participation in political life has exceeded the critical threshold of 30 per cent, the Committee is concerned that women are underrepresented in the higher echelons of several other sectors of public life, particularly in the civil service, the diplomatic service, science and research and academia.

397. The Committee calls on the State party to take steps to facilitate increased access of women to high-level positions. It recommends the adoption of proactive measures to remove existing obstacles and, where necessary, to implement temporary special measures, as provided for in article 4, paragraph 1, of the Convention.

398. The Committee expresses concern that some references to "temporary special measures" in the report of the State party indicate a lack of a clear understanding of article 4, paragraph 1, of the Convention.

399. The Committee recommends that, in preparing its next report, the State party take account of the Committee's general recommendation 25, on article 4, paragraph 1, of the Convention.

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- Latvia, CEDAW, A/59/38 part II (2004) 103 at paras. 51, 52, 61, 62, 67 and 68.

51. The Committee is concerned at the lack of a comprehensive gender equality law. The Committee is furthermore concerned that the State party's apparent hesitation in utilizing temporary special measures in accordance with article 4, paragraph 1, of the Convention may indicate a lack of understanding of the purpose of such measures and the reasons for their application.

52. The Committee recommends that the State party adopt a comprehensive gender equality law. It furthermore recommends that the State party clearly distinguish between general social policies adopted to improve the situation of women and girls, such as the Programme for the Implementation of Gender Equality, and temporary special measures taken under article 4, paragraph 1, of the Convention to accelerate the achievement of a concrete goal for women of *de facto* equality, in line with general recommendation 25, in various areas of their lives.

...

61. While welcoming the information that there has been a slight increase of women elected to the eighth Saeima (Parliament), the Committee is concerned that women's representation in that body is low. It is also concerned at the low representation of women in decision-making bodies in political and public life in general.

62. The Committee recommends that the State party utilize temporary special measures in accordance with article 4, paragraph 1, of the Convention to increase the number of women at decision-making levels in both elected and appointed governmental bodies, and towards that end, to establish clear timetables and targets. It also recommends that the State party conduct, on a regular basis, awareness-raising campaigns regarding the importance of women's participation in political decision-making.

...

67. The Committee notes with concern that, despite law reform in the field of employment, the position of women in the labour market remains disadvantaged and is characterized by strong occupational segregation, a substantial wage gap, *inter alia*, between rural and urban areas, higher unemployment than that among men, and hidden gender discrimination in the workplace and in remuneration.

68. The Committee recommends that efforts be made to eliminate occupational segregation and to ensure equal opportunities for women and men in the labour market in rural as well as in urban areas through, *inter alia*, the use of gender bias-free job evaluation and wage-setting schemes and temporary special measures in accordance with article 4, paragraph 1, of the Convention. The Committee recommends that the State party design and implement special training and retraining programmes for different groups of unemployed women...

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- Malta, CEDAW, A/59/38 part II (2004) 111 at paras. 107-110.

107. While noting that the proportion of women represented in local councils as of June 2004 was 17.6 per cent, the Committee is concerned that they are significantly underrepresented at the national level in elected and appointed posts, in the judiciary, and in political decision-making, including the administration and the foreign service.

108. The Committee encourages the State party to take sustained measures to increase the representation of women in elected and appointed bodies in all areas of the public sector and in the judiciary. The Committee recommends the utilization of temporary special measures in accordance with article 4, paragraph 1, of the Convention and general recommendation 25 in all areas of public life including adequate measures with clearly defined goals and time-bound targets aimed at achieving balanced representation of women and men in general and at high levels of decision-making in particular...

109. The Committee is concerned that women are severely underrepresented in the labour market in general and in senior and decision-making positions in particular. Furthermore, the Committee notes with concern the strong occupational segregation, both horizontal and vertical, the concentration of women in part-time jobs, and the persistent wage gap between women and men. The Committee is also concerned about the lack of information on women working part-time for less than 20 hours, who seem to be less protected and seem to have access to fewer entitlements.

110. The Committee urges the State party to ensure that women have *de facto* equal opportunities in the labour market. Efforts should be made to eliminate occupational segregation in the public and private sectors through skills training and encouraging women to work in non-traditional fields and by the utilization of temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25. The Committee further requests the State party to address the wage gap, *inter alia*, through job evaluation systems...

- Angola, CEDAW, A/59/38 part II (2004) 118 at paras. 154, 155 and 159.

154. The Committee expresses concern over the fact that the number of women in decision-making positions remains low in political and public life, including in the National Assembly, the civil service and the judiciary. It is also concerned at the low representation of women in decision-making positions in the national foreign service.

155. The Committee recommends that the State party undertake measures to increase the

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number of women in decision-making positions in all spheres, in accordance with its general recommendation 23 on women in political and public life, including in the National Assembly, in political parties, the judiciary and the civil service, including the foreign service. It also recommends that the State party introduce temporary special measures, in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25 on temporary special measures, and to establish concrete goals and timetables to accelerate women's equal participation in public and political life. The Committee urges the State party to implement training programmes to encourage women to participate in public life...

...

159. The Committee urges the State party to increase its investment in education as a fundamental human right and as a basis for the empowerment of women. It recommends that the State party continue and further prioritize efforts to: improve the literacy level of girls and women; ensure equal access of girls and women to all levels of education in both urban and rural areas; increase the enrolment rates for girls; and take measures to retain girls in school, including through temporary special measures in accordance with article 4, paragraph 1, of the Convention and its general recommendation 25, so as to implement article 10 of the Convention.

- Equatorial Guinea, CEDAW, A/59/38 part II (2004) 126 at paras. 201 and 202.

201. The Committee is concerned that the number of women in decision-making positions remains extremely low in politics, the judiciary, and the civil service. It notes with concern that the persistence of stereotypical and patriarchal attitudes may preclude women from seeking positions of leadership.

202. The Committee recommends that the State party take measures to increase the number of women in decision-making positions in all spheres. It recommends that the State party introduce temporary special measures, in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25, to strengthen and accelerate its efforts to promote and elect women to decision-making positions. To that end, the Committee urges the State party to implement and strengthen training and awareness-raising programmes to highlight the importance of women's participation in decision-making at all levels and to create enabling, encouraging and supportive conditions for such participation.

- Bangladesh, CEDAW, A/59/38 part II (2004) 134 at paras. 255 and 256.

255. While welcoming the measures taken to increase the number of women in the National Parliament, the Committee expresses concern that the number of women in decision-making

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positions remains low in politics, the judiciary, the civil service and the foreign service. The Committee is further concerned that a lack of a women-friendly environment in these sectors may contribute to women's low representation.

256. The Committee recommends that the State party adopt proactive policies for women's increased participation at all levels and, when necessary, adopt temporary special measures and establish effective policies and a timetable to increase the number of women in decision-making positions in all spheres. It also recommends that the State party introduce legislation providing for the direct election of women to the National Parliament rather than through selection by members of the Parliament. The Committee furthermore calls on the State party to sensitize government officials on the issue of gender discrimination in order to promote a women-friendly environment that would encourage the participation of women in the public life of the country.

- Dominican Republic, CEDAW, A/59/38 part II (2004) 141 at paras. 298 and 299.

298. Although the Committee notes the Government's efforts to increase the number of women in political party structures and in municipal government, it remains concerned that there are so few women in decision-making posts in the Government and that article 4, paragraph 1, of the Convention on temporary special measures has not been understood and implemented correctly.

299. The Committee recommends that the State party redouble its efforts to bring about the necessary legislative or procedural changes to ensure the participation of women in political party structures as well as in public and political life. The Committee also recommends that the State party consider adopting temporary special measures, in accordance with article 4, paragraph 1, of the Convention and general recommendation No. 25, to accelerate the full participation of women in political and public life and in decision-making at all levels of government.

- Spain, CEDAW, A/59/38 part II (2004) 149 at paras. 342 and 343.

342. The Committee is concerned at the under-representation of women in senior positions in some areas of professional and public life, such as the judiciary and the Foreign Service, particularly at the highest echelons.

343. The Committee recommends that proactive policies for women's increased participation at those levels be adopted and, when appropriate, temporary special measures in accordance with article 4, paragraph 1, of the Convention and general recommendation

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25 be taken to ensure the acceleration of the achievement of women's real empowerment on equal terms with that of men.

- Samoa, CEDAW, A/60/38 part I (2005) 9 at paras. 44 and 52-55.

44. The Committee commends the State party for adopting temporary special measures in the police services, where women are under-represented.

...

52. The Committee is concerned about the continuing low representation of women in public life and decision-making, including women's limited access to family chiefly titles (*matai*) and their resulting low representation in the Parliament. It is concerned that sociocultural stereotypes and traditions continue to prevent women from seeking public, and especially elective, office.

53. The Committee encourages the State party to take sustained and proactive measures to increase the representation of women in elected and appointed bodies in all areas of political and public life. It recommends that the State party introduce temporary special measures, in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25, to increase the number of women in the Parliament and in local government bodies. It calls upon the State party to carry out awareness-raising campaigns on the importance of women's participation in public and political life and in decision-making positions, with a view to eliminating customs and practices that discriminate against women, in accordance with articles 2 (f) and 5 (a) of the Convention. The Committee requests the State party to evaluate regularly the impact of such measures, including temporary special measures, so as to ensure that they lead to the desired goals...

54. The Committee is concerned about the situation of women in the employment sector and their lower level of participation in the labour force. The Committee is concerned that existing legislation is discriminatory or has significant gaps with respect to articles 11 and 13, such as lack of provisions on equal pay for work of equal value, on protection against discrimination on the basis of pregnancy and against sexual harassment in the workplace. The Committee is also concerned about the extremely limited provision of paid maternity leave in the private sector and the lack of adequate childcare services.

55. The Committee calls upon the State party to bring its legislation into compliance with article 11 of the Convention without delay and to ensure compliance with such legislation. The Committee also requests the State party to step up its efforts to address the impediments women face in entering the labour force and to implement measures to promote the reconciliation of family and work responsibilities between women and men. The Committee also urges the State party to use temporary special measures in accordance with article 4,

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paragraph 1, of the Convention and general recommendation 25 so as to enhance implementation of article 11 of the Convention...

- Lao People's Democratic Republic, CEDAW, A/60/38 part I (2005) 16 at paras. 94, 95, 104 and 105.

94. Despite some progress, the Committee is alarmed at the still very high illiteracy rate of women, 40 per cent, and the large discrepancy between male and female literacy rates and between urban and rural women's education. The Committee is especially concerned at the extremely low literacy rate among ethnic minority women...

95. The Committee urges that the State party immediately take all appropriate measures, including temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25 on temporary special measures, to reduce the illiteracy rate of women and to provide education, both formal and informal, to women, including ethnic minority women, especially in rural areas...

...

104. The Committee is concerned about the generally low representation of women in the administration, at both the national and local levels, and in the judiciary. Considering the fact that 80 per cent of the population lives in rural areas and that the village chiefs and the village councils handle most everyday matters, the Committee is very concerned that less than 1 per cent of the village chiefs are women and only one member of the Lao Women's Union represents women in the village council.

105. The Committee recommends that the State party take measures to increase the representation of women in administrative and judicial organs at the national, provincial and village levels, in accordance with the Committee's general recommendation 23 on women in political and public life. It also recommends that the State party introduce temporary special measures, in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25 on temporary special measures, to increase the percentage of women at all levels of decision-making and to make sure that the interests of women are fully reflected and that gender equality is guaranteed at all levels of decision-making. The Committee urges the State party to take measures to empower village women so that they can participate equally in village matters.

- Algeria, CEDAW, A/60/38 part I (2005) 23 at paras. 151, 152 and 155-160.

151. The Committee is...concerned that insufficient progress has been made in achieving *de facto* equality between women and men in all sectors and about the State party's apparent

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lack of understanding of the purpose of temporary special measures and the reasons for their application.

152. The Committee recommends that the State party take concrete measures, including temporary special measures in accordance with article 4, paragraph 1, of the Convention and general recommendation 25, in all sectors to ensure that women enjoy *de facto* equality with men.

...

155. While welcoming the progress achieved over time in women's political participation, the Committee remains concerned about the low level of representation of women in decision-making positions, particularly their political representation at all levels and their representation in the administration and the foreign service.

156. The Committee encourages the State party to take sustained measures, including temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25, to accelerate the increase in the representation of women in elected and appointed bodies in all areas of public life. The Committee also suggests that the State party implement leadership training programmes and carry out awareness-raising campaigns on the importance of women's participation in decision-making, and that it evaluate the impact of such measures.

157. The Committee notes the absence of information on the situation of women in the informal sector and expresses concern that women constitute only 14.18 per cent of the total employed population.

158. The Committee requests the State party to undertake studies to assess the situation of women working in the informal sector...The Committee also requests the State party to step up its efforts to address impediments women face in entering the labour force and to implement measures to promote the reconciliation of family and work responsibilities of women and men. The Committee also urges the State party to use temporary special measures in accordance with article 4, paragraph 1, of the Convention and general recommendation 25 so as to accelerate implementation of article 11 of the Convention.

159. The Committee notes that insufficient information was provided on the situation of rural women.

160. The Committee requests the State party to ensure that the needs and concerns of rural women are fully integrated in the formulation and implementation of sectoral policies and programmes, and that temporary special measures in accordance with article 4, paragraph 1, of the Convention and general recommendation 25 are applied whenever necessary so as to accelerate the realization of the substantive equality of rural women...

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- Croatia, CEDAW, A/60/38 part I (2005) 30 at paras. 194-197 and 200-203.

194. The Committee expresses concern about the serious disadvantages women face in the labour market, as reflected in women's high unemployment rate, the persistence of strong vertical and horizontal segregation, wage differentials between women and men and the predominance of women in low-wage sectors...

195. The Committee urges the State party to ensure *de facto* equal opportunities for women and men in the labour market through, *inter alia*, effective implementation of labour legislation and the use of temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25 on temporary special measures...

196. The Committee is concerned that Roma women remain in a vulnerable and marginalized situation, especially in regard to education, employment, health and participation in public life and decision-making...

197. The Committee requests the State party to take effective measures to eliminate discrimination against Roma women, both in society at large and within their communities, and to enhance respect for their human rights through effective and proactive measures, including temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25, and awareness-raising programmes...

...
200. The Committee is...concerned that girls and women in secondary schools and universities continue to choose study areas traditionally seen as "female areas" and that they are underrepresented in the sciences.

201. The Committee...calls on the State party to further encourage diversification of the educational choices of boys and girls and, at the tertiary level, to attract more women to the field of science and technology, including through temporary special measures in accordance with article 4, paragraph 1, of the Convention...

202. The Committee is concerned that women are significantly underrepresented in the executive bodies of local authorities.

203. The Committee recommends that the State party take appropriate measures to increase the representation of women in the executive bodies of local authorities, *inter alia* by implementing temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25. The Committee recommends

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that the State party assess the causes for the successful increase of women in public and political life at the national level, including in Parliament and the Government, and to use the lessons learned to increase women's participation in local government structures.

- Gabon, CEDAW, A/60/38 part I (2005) 37 at paras. 241-244.

241. The Committee expresses concern that, although education is compulsory for all children aged 6 to 16 under Act No. 16/66 of 10 August 1966, the attendance rates for girls drop precipitously at higher levels of education, with 39.94 per cent in junior high school and 7.20 per cent in upper high school. The Committee is also concerned that the attendance rates for girls drop to 2.63 per cent in higher education.

242. The Committee urges the State party to raise awareness of the importance of education as a fundamental human right and as a basis for the empowerment of women. It recommends that the State party prioritize efforts to ensure equal access of girls and young women to all levels of education and to increase their rates of enrolment and retention, including through the use of temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25 on temporary special measures, by giving incentives to parents and scholarships to girl students...

243. While the Committee commends the State party for introducing temporary special measures to increase the number of women in public life and decision-making, it is concerned at the low level of women's participation, particularly in the National Assembly and the Senate, and at the international level, and the insufficient information provided about the implementation of articles 7 and 8 of the Convention and the Committee's general recommendation 23 on women in public life and decision-making.

244. The Committee recommends that the State party implement temporary special measures, in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25, to increase the number of women in decision-making positions. The Committee urges the State party to implement and strengthen training and awareness-raising programmes to highlight the importance of women's participation in decision-making at all levels, including at the international level, and to create enabling, encouraging and supportive conditions for such participation.

- Paraguay, CEDAW, A/60/38 part I (2005) 44 at paras. 285, 286, 291 and 292.

285. While taking note of the amendments to the Labour Code in regard to domestic

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workers, the Committee remains concerned about the lack of enforcement of the Code in the public and private sectors, the poor working conditions for women in the informal sector, the low participation of women in the formal labour market, persistent wage disparities between women and men, and discriminatory practices *vis-à-vis* domestic workers, such as workdays of 12 hours and remuneration below the minimum wage...

286. The Committee...urges the State party to implement temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25 in order to increase the number of women in the formal workforce...

...

291. The Committee is concerned about the poor conditions of indigenous women, including monolingual Guaraní women, reflected in their high illiteracy rates, which surpass the national average, low school enrolment rates, poor access to health care and significant levels of poverty, which lead them to migrate to urban centres where they are even more vulnerable to multiple forms of discrimination.

292. The Committee urges the State party to ensure that all policies and programmes explicitly address the high illiteracy rates and the needs of indigenous women, including monolingual Guaraní women, and to actively seek their participation in the formulation and implementation of sectoral policies and programmes. It recommends that the State party strengthen its efforts to implement bilingual educational programmes at all levels of education and to ensure indigenous women's access to education and health care. The Committee also encourages the State party to adopt temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25 on temporary special measures, to accelerate such access for indigenous women...

- Italy, CEDAW, A/60/38 part I (2005) 51 at paras. 310, 324-327, 332 and 333.

310. The Committee commends the State party for amending article 51 of the Constitution which, as was stated by the delegation, is the vehicle through which the Convention will become part of the law of the land and forms the constitutional basis for the use of temporary special measures, including the use of quotas for accelerating the increased participation of women in political and public life.

...

324. While noting with appreciation the increase in the number of Italian women in the European Parliament, the Committee remains deeply concerned about the severe underrepresentation of women in political and public positions, including in elected bodies, the judiciary and at the international level. The Committee is especially concerned that the political participation of women at the national level has fallen in recent years and remains

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among the lowest in Europe.

325. The Committee encourages the State party to take sustained measures to increase the representation of women in elected and appointed bodies and in the judiciary and at the international level. It recommends that the State party introduce appropriate measures, including temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25, to increase the number of women in political and public positions. It further encourages the State party to step up efforts to pass legislation under article 51 of the Constitution to increase the number of women in political and public positions, including through the use of quotas, and to ensure adequate representation in such positions of Roma and migrant women, and women from the south of the country. The Committee recommends that the State party carry out awareness-raising campaigns among both men and women on the importance of women's participation in political and public life and in decision-making, and that it create enabling, encouraging and supportive conditions for such participation.

326. While noting the sharp increase in the employment rate among women, the Committee is concerned about the serious disadvantages women face in the labour market, including the underrepresentation of women in senior positions, the concentration of women in certain low-wage sectors and in part-time work, the considerable wage gap between men and women and the lack of implementation of the principle of equal pay for work of equal value...

327. The Committee urges the State party to accelerate and ensure equal opportunities for women and men in the labour market through, *inter alia*, temporary special measures in accordance with article 4, paragraph 1, of the Convention and general recommendation 25, and to ensure equal pay for work of equal value...

...

332. The Committee is concerned that certain groups of women, including Roma and migrant women, remain in a vulnerable and marginalized situation, especially in regard to education, employment, health and participation in public life and decision-making...

333. The Committee urges the State party to take effective measures to eliminate discrimination against vulnerable groups of women, including Roma and migrant women, and to enhance respect for their human rights through all available means, including temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25...

- Turkey, CEDAW, A/60/38 part I (2005) 58 at paras. 355, 371 and 372.

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355. The Committee commends the State party for amending article 10 of its Constitution, which now explicitly sets out the State's responsibility to ensure women's enjoyment of equality and establishes a firm basis for adopting temporary special measures aimed at accelerating *de facto* equality between men and women...

...

371. The Committee is concerned at the high rate of female illiteracy and the lower enrolment and completion rates of girls and women at all levels of education, and that these discrepancies are further aggravated by urban-rural, regional and ethnic differences. The Committee is further concerned that girls and women continue to predominate in traditionally female areas of education and are particularly underrepresented in technical and vocational schools. The Committee is concerned about the disadvantages that result from these educational choices for women's professional and employment opportunities. It is also concerned that women and girls whose mother tongue is not Turkish may face multiple forms of discrimination in access to and achievement in education...

372. The Committee recommends that the State party take proactive measures to decrease the high rate of female illiteracy and to strengthen girls' and women's access to all levels of education and teaching and to actively encourage diversification of educational and professional choices for women and men. The Committee recommends that such measures include the use of temporary special measures, in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25. The Committee calls on the State party to implement further targeted policies and programmes to overcome educational disadvantages faced by girls and women belonging to diverse ethnic groups and those whose mother tongue is not Turkish, particularly in rural areas, as well as to address regional disparities...

- Democratic People's Republic of Korea, CEDAW, A/60/38 part II (2005) 101 at paras. 32, 61 and 62.

32. The Committee welcomes the availability of such support services as nurseries, kindergartens, children's wards, kitchens in workplaces and breastfeeding breaks for working mothers, as well as the use of temporary special measures to increase the number of women in certain management positions.

...

61. While noting that women make up approximately 20 per cent of the deputies to the eleventh Supreme People's Assembly, and 30 per cent of the local people's assemblies, the Committee expresses concern that the number of women in decision-making positions remains low in politics, the judiciary and the civil service. The Committee is also concerned at the low participation of women in decision-making positions in the foreign service.

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62. The Committee recommends that the State party take measures to increase the number of women in decision-making positions in all spheres. It also recommends that women's representation in the foreign service be increased, including in missions abroad. It also recommends that the State party introduce temporary special measures, in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25, to strengthen and accelerate its efforts to promote and elect women to positions of power, supported by special training programmes and awareness-raising campaigns aimed at underlining the importance of women's participation in decision-making at all levels.

- Lebanon, CEDAW, A/60/38 part II (2005) 109 at paras. 107 and 108.

107. While welcoming the fact that the percentage of women deputies in the National Assembly has doubled from 2.3 per cent in 1992 to 4.3 per cent in 2005, the Committee remains concerned about the very low level of representation of women in decision-making positions, particularly in elected and appointed bodies at all levels, and their representation in the administration and foreign service.

108. The Committee encourages the State party to take sustained measures, including temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25, to accelerate the increase in the representation of women in elected and appointed bodies in all areas of public life.

- Benin, CEDAW, A/60/38 part II (2005) 116 at paras. 153-156.

153. The Committee is concerned about the low level of representation of women in public and political life and in decision-making positions, including at the international level. It notes with concern the absence of proactive measures to increase women's participation in political and public life. The Committee further expresses its concern regarding the State party's position that the use of temporary special measures such as quotas might be considered to be in violation of the principle of equality between women and men of the country's Constitution.

154. The Committee draws the State party's attention to general recommendation 23 on the participation of women in public life and urges full implementation of the measures recommended therein. The Committee also urges the State party to implement temporary special measures, including quotas, in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25, and to establish concrete goals and timetables to increase the number of women in political and public life and in decision-making positions. The Committee encourages the State party to implement and

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strengthen training and awareness-raising programmes to highlight the link between the application of temporary special measures and the achievement of substantive equality between women and men, as well as the importance of women's participation in decision-making at all levels, including at the international level, and to create enabling, encouraging and supportive conditions for such participation.

155. The Committee is concerned at the poor educational infrastructure and the insufficient number of schools and teachers, which constitute particular obstacles to the education of girls and young women. The Committee expresses its concern about the low rate of enrolment of girls in schools, preference for the education of boys and the high dropout rate of girls due to pregnancy and early and forced marriage. The Committee is especially concerned about the extremely high rate of illiteracy among women and girls, 81 per cent for women and girls between the ages of 15 and 49.

156. The Committee urges the State party to increase its investment in education, including through international donor assistance, and to raise awareness of the importance of education as a human right and as a basis for the empowerment of women. It also encourages the State party to take steps to overcome traditional attitudes that constitute obstacles to girls' education. It recommends that the State party take steps to ensure equal access of girls and young women to all levels of education, to retain girls in school and to strengthen the implementation of re-entry policies providing for girls to return to school after pregnancy. The Committee recommends that the State party make every effort to improve the literacy level of girls and women through the adoption of comprehensive programmes, in collaboration with civil society, at the formal and non-formal levels and through adult education and training. The Committee encourages the State party to take temporary special measures, in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25, to accelerate the improvement of women's and girls' educational situation.

- Gambia, CEDAW, A/60/38 part II (2005) 122 at paras. 199, 200, 207 and 208.

199. While acknowledging the increase in women's political representation, the Committee remains concerned about the low level of representation of women in public and political life and in decision-making positions, including in the foreign service.

200. The Committee encourages the State party to take sustained measures, including temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25, to accelerate the increase in the representation of women in elected and appointed bodies in all areas of public and political life and at all levels.

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...

207. While noting the efforts made by the State party to revise its policy on education in order to address the needs of the girl child, the Committee expresses its concern about the low enrolment of girls in school, especially at the secondary and higher levels, and their high dropout rates. The Committee is particularly concerned that, according to the 1993 census, only 27 per cent of women in the Gambia are literate and that in the rural areas the proportion is only 18.3 per cent.

208. The Committee urges the State party to take measures on the importance of realizing women's and girls' right to education as a fundamental human right, including for the empowerment of women. It also calls upon the State party to strengthen measures to create an environment that increases the enrolment and retention rates of girls in school at all levels, including through the development of gender-sensitive educational material. The Committee calls upon the State party to step up its efforts to eradicate female illiteracy, particularly in rural areas, including through comprehensive education programmes at the formal and non-formal levels, as well as programmes specifically targeting adult women. The Committee encourages the State party to use temporary special measures, in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25, in order to accelerate the improvement of women's and girls' education.

- Israel, CEDAW, A/60/38 part II (2005) 129 at paras. 251, 252, 255, 256, 259 and 260.

251. While noting the increase in the number of women in the Knesset, the Committee remains concerned about the low level of representation of women in decision-making positions in local authorities. It is also concerned that the number of women in high-level positions in the civil service and foreign service remains low. The Committee is further concerned about the low level of representation of Israeli Arab women in these areas.

252. The Committee encourages the State party to take sustained measures, including temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25, and to establish concrete goals and timetables so as to accelerate the increase in the representation of women, including Israeli Arab women, in elected and appointed bodies in all areas of public life.

...

255. While appreciating the progress made in the fields of women's education and health, the Committee is concerned that Israeli Arab women remain in a vulnerable and marginalized situation, especially in regard to education and health...

256. The Committee recommends that the State party take urgent measures to reduce the drop-out rates of Israeli Arab girls and increase the number of Israeli Arab women at

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institutions of higher education, including temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25...

...

259. The Committee is concerned that Bedouin women living in the Negev desert remain in a vulnerable and marginalized situation, especially in regard to education, employment and health. The Committee is especially concerned about the situation of Bedouin women who live in unrecognized villages with poor housing conditions and limited or no access to water, electricity and sanitation.

260. The Committee requests the State party to take effective measures to eliminate discrimination against Bedouin women and to enhance respect for their human rights through effective and proactive measures, including temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25, in the fields of education, employment and health...

- Guyana, CEDAW, A/60/38 part II (2005) 136 at paras. 299 and 300.

299. The Committee is concerned that the purpose of temporary special measures, as called for under article 4, paragraph 1, of the Convention, may not be widely understood in the State party and that such measures, which aim at accelerating *de facto* equality as well as programmes and policies targeted specifically at women, may be considered as discriminating against men.

300. The Committee recommends that the State party, in its policies and programmes, clearly distinguish between general social and economic policies that also benefit women and temporary special measures under article 4, paragraph 1, of the Convention that are necessary to accelerate the achievement of *de facto* equality for women in various areas, as clarified by the Committee in general recommendation 25. It also recommends that the State party implement information and awareness-raising campaigns on a regular basis on the content of, and obligations resulting from, the Convention and the general recommendations of the Committee, with particular focus on the role of legislators, policymakers, senior public officials, the judiciary and the legal profession. The Committee urges the State party to design, implement and strengthen awareness-raising measures to foster a better understanding of equality between women and men at all levels of society.

- Burkina Faso, CEDAW, A/60/38 part II (2005) 144 at paras. 351 and 352.

351. While noting the increase in the number of women in the National Assembly from three in 2000 to 13 in 2005, the Committee remains concerned about the low level of

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representation of women in public and political life and in decision-making positions, including in the foreign service. It notes with concern the absence of temporary special measures to increase women's participation in political and public life, despite the Committee's recommendation in paragraph 273 of its previous concluding comments (see A/55/38, part one).

352. The Committee urges the State party to implement temporary special measures, including quotas, in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25, and to establish concrete goals and timetables so as to increase the number of women in political and public life and in decision-making positions. The Committee also draws the State party's attention to general recommendation 23 on the participation of women in public life and urges full implementation of the measures recommended therein.

- Ireland, CEDAW, A/60/38 part II (2005) 151 at paras. 390 and 391.

390. While acknowledging that the President, the Deputy Prime Minister and three members of the Cabinet are women, and that women occupy other visible decision-making positions, including three Supreme Court judges, the President of the District Court, the President of the Law Reform Commission and the Ombudsman, the Committee is concerned at the significant underrepresentation of women in elected political structures, particularly in the Oireachtas. The Committee is further concerned at the low representation of women in the civil service and in the Department of Foreign Affairs at the higher grades.

391. The Committee encourages the State party to take sustained measures to increase the representation of women in elected bodies, including temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25 on temporary special measures. It recommends that research be carried out under the aegis of a parliamentary committee into the root causes of the lack of progress in this area.

CRC

- Guinea-Bissau, CRC, CRC/C/118 (2002) 12 at para. 75.

75. The Committee recommends that the State party:

...

(e) Urgently give special attention to raising the proportion of girls completing their primary and secondary education, including through affirmative action and similar special measures,

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and by ensuring that girls have the same opportunities as boys to attend formal education, that the education of girls is seen by parents, families and communities, as being of equal importance to that of boys and that education is seen as the right of all children;

...

- Israel, CRC, CRC/C/121 (2002) 131 at paras. 553, 576, 577, 604 and 605.

553. The Committee welcomes:

...

(e) Affirmative-action programmes for education of Israeli Arabs;

...

576. The Committee is concerned that discrimination, contrary to article 2 of the Convention, persists in the State party, and that non-discrimination is not expressly guaranteed under the Constitution. In particular, the Committee is concerned about discrimination against girls and women, especially in the context of religious laws, discrimination on religious grounds, inequalities in the enjoyment of the economic, social and cultural rights (i.e. access to education, health care and social services) of Israeli Arabs, Bedouins, Ethiopians and other minorities, children with disabilities and children of foreign workers, and of the rights and freedoms of Palestinian children in the occupied territories.

577. The Committee recommends that the State party:

...

(b) Strengthen its efforts with respect to affirmative-action initiatives;

...

604. The Committee welcomes the information that the budget for education has been protected from recent cuts in spending, but is concerned that investment in and the quality of education in the Israeli Arab sector is significantly lower than in the Jewish sector.

605. The Committee recommends that the State party continue and strengthen its affirmative-action programmes and further increase the budget allocated for education in the Arab sector.

- India, CRC, CRC/C/137 (2004) 75 at paras. 409 and 410.

409. While welcoming the special temporary programmes and other activities to improve the enjoyment of rights by girls and vulnerable groups such as children belonging to Scheduled Castes and Tribes, the Committee expresses its concern at the possibility that other children in situations similar to that of those groups are not receiving the same benefits.

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410. The Committee recommends that all existing and future special temporary programmes be provided with specified goals and timetables, in order to evaluate their success and justify their continuation, expansion and dissemination. The Committee further recommends that the State party start to develop special programmes for the allocation of educational and other benefits that are based on the child's needs and rights rather than on the basis of sex, caste or tribe, or any other characteristic that may result in unjustifiable discrimination.