

United Nations  Nations Unies

---

**United Nations Office on Drugs and Crime  
United Nations Division for the Advancement of Women**

**Expert Group Meeting on good practices in legislation on violence against  
women**

United Nations Office at Vienna, Austria  
26 to 28 May 2008

**Excerpts from Concluding Observations of United Nations Human  
Rights Treaty Bodies and Reports of the Human Rights Council  
Working Group on Universal Periodic Review**

**Supporting Paper prepared by:**

**Dubravka Šimonović\***  
Chair

Committee on the Elimination of All Forms of Discrimination against Women

---

\* *The views expressed in this paper are those of the author and do not necessarily represent those of the United Nations.*

## Excerpts from concluding observations on Good Practices

Excerpt from concluding observations of CEDAW on Denmark<sup>1</sup>:

*While commending the State party for the scope of its efforts to eliminate violence against women since the submission of its last periodic report, including the adoption of two national action plans, introducing increasing penalties for rape, amending the Criminal Code concerning female genital mutilation so that Danish nationals and residents of Denmark who perform or assist in performing female genital mutilation abroad can be brought to justice and the passage of an act that introduces the option of removing a violent spouse or partner from the home, the Committee is concerned about the extent of violence against women and girls.*

***The Committee calls upon the State party to continue to address the issue of violence against women as an infringement of their human rights. In particular, the Committee urges the State party to take substantial and sustained measures to allocate sufficient financial resources, including for sufficient numbers of shelters for women victims of violence, to undertake research on all forms of violence against women and to implement policies in accordance with the Committee's general recommendation 19, in order to prevent such violence, provide protection, support and services to the victims and punish and rehabilitate offenders.***

## Excerpts from concluding observations on the scope of the legislation on gender-based violence:

Excerpt from concluding observations from CEDAW on India<sup>2</sup>:

*The Committee is concerned that the proposed Communal Violence (Prevention, Control and Rehabilitation of Victims) Bill, 2005, does not include sexual and gender-based crimes against women perpetrated during communal violence or create a system of reparations for victims of such crimes, as these elements are not covered effectively by the Indian Penal Code or other relevant legislation. In addition, the Committee remains concerned that this Bill does not adequately address abuse of power by State officials in failing to take action or being complicit in communal violence.*

***The Committee welcomes the State party's statement that recommendations from this Committee will be considered for inclusion in the proposed Communal Violence (Prevention, Control and Rehabilitation of Victims) Bill, 2005, and recommends the incorporation into the Bill of: sexual and gender-based crimes, including mass crimes against women perpetrated during communal violence; a comprehensive system of reparations for victims of such crimes; and gender-sensitive victim-centred procedural and evidentiary rules. The Committee further recommends that inaction or complicity of State officials in communal violence be urgently addressed under this legislation.***

Excerpt from concluding observations from CAT on Japan<sup>3</sup>:

*(...) The Committee is also concerned at the restrictive scope of the State party's legislation covering rape, referring only to sexual intercourse involving male and female genital organs, excluding other forms of sexual abuse and rape of male victims.*

<sup>1</sup> Denmark, CEDAW/C/DEN/CO/6 (CEDAW, 2006), paras. 20 and 21.

<sup>2</sup> India, CEDAW/C/IND/CO/3 (CEDAW, 2007), paras. 24 and 25.

<sup>3</sup> Japan, CAT/C/JPNCO/1 (CAT, 2007), paras. 25.

***(...) The State party should adopt preventive measures to combat sexual violence and violence against women, including domestic violence and gender-based violence, and promptly and impartially investigate all allegations of torture or ill-treatment with a view to prosecuting those responsible. (...)***

Excerpt from concluding observations from CESCR on Mexico <sup>4</sup>:

*(...) [The Committee] calls on the State party to ensure that all federated states adopt and effectively implement laws on sexual harassment and that any provisions contrary to article 3 of the Covenant are repealed in federal and state legislation.*

***The Committee urges the State party to proceed with the adoption of the General Act establishing a National System for Prevention, Protection, Assistance and Eradication of Violence against Women and Girls, of the envisaged amendments to the Constitution, the Federal Criminal Code, the Federal Civil Code, the Federal Act for the Prevention and Elimination of Discrimination and the Social Assistance Act and of other legislative projects, with a view to (a) providing adequate counselling and medical, psychological, as well as legal assistance to victims of domestic violence; (b) defining the offences of domestic violence and incest, as well as the sentences for perpetrators of such acts; and (c) providing for banning orders against perpetrators, as well as for compensation and alimony payments to victims, of domestic violence. The Committee also calls on the State party to ensure the harmonization and promulgation of legislation on domestic violence and incest in all its States, to strengthen and upgrade shelters for battered women and children and to intensify its awareness-raising campaigns and training of judges, prosecutors, police and medical personnel on the criminal nature of such acts. The Committee invites the State party to include information on the results of these measures and on the number of victims, perpetrators, convictions, the types of sanctions imposed and the assistance provided to victims in its next periodic report.***

Excerpt from concluding observations from CEDAW on Macedonia <sup>5</sup>:

*While welcoming the legislative measures taken to combat violence against women, including the amendment, in 2004, of the Law on Family codifying domestic violence as a separate crime in the Criminal Code, the Committee remains concerned about the high prevalence of violence against women, including domestic violence.*

***In accordance with its general recommendation No. 19, the Committee urges the State party to give priority to putting in place comprehensive measures to address all forms of violence against women, including domestic violence, recognizing that such violence is a form of discrimination and constitutes a violation of women's human rights under the Convention. The Committee calls upon the State party to further elaborate and effectively implement legislation on violence against women, so as to ensure that perpetrators are effectively prosecuted and punished, and that victims receive adequate protection and assistance. The Committee also calls on the State party to provide shelters for women victims of violence. The Committee recommends that the State party also implement educational and awareness-raising measures that highlight the unacceptability of all forms of violence against women and that it aim such efforts at law enforcement officials, the judiciary, health providers, social workers, community leaders and the general public.***

Excerpt from concluding observations from CEDAW on Maldives <sup>6</sup>:

<sup>4</sup> Mexico, [E/C.12/MEX/CO/4 \(CESCR, 2006\)](#), paras. 29 and 38.

<sup>5</sup> [Macedonia, CEDAW/C/MKD/CO/3 \(CEDAW, 2006\)](#), paras. 23 and 24.

ENGLISH only

*While noting the establishment of rudimentary support services for women victims of violence and the projected 11 shelters to be established in 2007, the Committee expresses its deep concern about the prevalence of violence against women and girls, including domestic violence, which appears to be tolerated or even expected by society. The Committee is also concerned about the legislative gaps in this area, including the lack of specific legislation on domestic violence and specific legislation to address sexual harassment.*

***The Committee urges the State party to give priority attention to combating violence against women and to adopt comprehensive measures to address all forms of violence against women and girls in accordance with its general recommendation 19 on violence against women. The Committee calls on the State party to enact legislation on domestic violence and on all forms of sexual abuse, including sexual harassment, as soon as possible. Such legislation should ensure that: violence against women and girls constitutes a criminal offence; women and girls who are victims of violence have access to immediate means of redress and protection; and perpetrators are prosecuted and adequately punished. The Committee recommends the implementation of training for parliamentarians, the judiciary and public officials, in particular law enforcement personnel, and health-service providers in order to ensure that they are sensitized to all forms of violence against women and can provide adequate support to victims. It also recommends the carrying out of further public awareness-raising campaigns on all forms of violence against women.***

Excerpt from the UPR Working Group report on the Czech Republic<sup>7</sup>:

Azerbaijan (...) asked if relevant authorities in the Czech Republic considered changing the current definition of rape in the light of definitions of rape in international tribunals and as recommended by CEDAW<sup>8</sup>.

Excerpt from the UPR Working Group report on South Africa<sup>9</sup>:

*The Netherlands commended South Africa on its Constitution which strongly protects human rights. It noted however that although women's rights are protected in the Constitution and some actions have been undertaken, more efforts are needed to prevent gender-based violence. **The Netherlands recommended to take increased measures to protect and provide redress to women at risk of or subjected to gender-based violence.***

Excerpt from the UPR Working Group report on Peru<sup>10</sup>:

*Noting the limited scope of Peru's Criminal Code regarding the criminalization of violence against women, Turkey asked whether Peru plans to expand the definition of violence against women in accordance with the recommendations of the Committee on the Elimination of Discrimination against Women (CEDAW).*

### **Excerpts from treaty bodies' concluding observations and UPR Working Group's report on legislation on:**

- **intimate partner violence, including marital rape**

---

<sup>6</sup> Maldives, CEDAW/C/MDV/CO/3 (CEDAW, 2007), paras. 19 and 20.

<sup>7</sup> Czech Republic, Report of the Working Group on the Universal Periodic Review, A/HRC/WG.6/1/CZE/4, adopted on 18 April 2008, interactive dialogue, para.26.

<sup>8</sup> Reference is made to the 2006 concluding observations from CEDAW, CEDAW/C/CZE/CO/3 (CEDAW, 2006) paras. 15 and 16.

<sup>9</sup> South Africa, Report of the Working Group on the Universal Periodic Review, A/HRC/WG.6/1/ZAF/4, adopted on 18 April 2008, para. 39.

<sup>10</sup> Peru, Report of the Working Group on the Universal Periodic Review, A/HRC/WG.6/2/L.3, adopted on 8 May 2008, interactive dialogue, para. 21.

Excerpt from concluding observations from CEDAW on Morocco<sup>11</sup>:

*While welcoming the measures adopted to combat and prevent domestic violence and violence against women such as the establishment, in 2002, of a national strategy to eliminate violence against women, developed in partnership with UNFPA, UNDP and UNIFEM, as well as the introduction of a national “green number” for battered women and girls and the appointment of “gender focal points” within the Criminal Investigation Directorate, the Committee remains deeply concerned that there is no specific legislation on violence against women and girls, including domestic violence and violence against domestic workers.*

***The Committee urges the State party to enact, in accordance with its general recommendation 19, as soon as possible, legislation on violence against women and girls, including domestic violence, to ensure that all violence against women constitutes a criminal offence, that women and girls who are victims of violence have access to immediate means of protection, including shelters, and redress and that perpetrators are prosecuted and punished adequately. The Committee calls upon the State party to amend, without delay, the Penal Code to ensure that marital rape is criminalized and criminal proceedings against rapists are not terminated when they marry their victims. (...)***

Excerpt from concluding observations from CESCR on Slovenia<sup>12</sup>:

*The Committee is concerned that the State party provides no specific legal mechanisms to deal with domestic violence, particularly violence against women, and consequently victims of such violence may not be adequately protected by current legislation.*

***The Committee encourages the State party to consider adopting specific legislation rendering domestic violence a criminal offence, and also offering to judges training, as presently provided for police officers, to raise awareness of the criminal nature of domestic violence.***

Excerpt from concluding observations from the HRC on the Republic of Korea<sup>13</sup>:

*Notwithstanding a variety of measures and programmes intended to combat domestic violence, the Committee regrets the lack of progress in the prosecution and punishment of those responsible for domestic violence. The Committee is concerned that specific legal provisions on domestic violence, including marital rape, are lacking in the State party's legislation (arts 3, 7 and 26).*

***The State party should assess the effectiveness of the measures taken by it to combat domestic violence. It also recommends that the penal legislation of the State party be reformed to establish marital rape as a criminal offence. Law enforcement officials, in particular police officers, should be provided with appropriate training to deal with cases of domestic violence, and awareness-raising efforts should be continued to sensitize the public.***

Excerpt from concluding observations from CEDAW on Singapore<sup>14</sup>:

---

<sup>11</sup> Morocco, Advanced unedited version, CEDAW/C/MAR/CO/4 (CEDAW, 2008), paras. 20 and 21.

<sup>12</sup> Slovenia, [E/C.12/SVN/CO/1 \(CESCR, 2006\)](#) paras. 18 and 34.

<sup>13</sup> Republic of Korea, CCPR/C/KOR/CO/3 (HRC, 2006), para. 11.

<sup>14</sup> CEDAW/C/SGP/CO/3 (CEDAW, 2007), paras. 27 and 28.

ENGLISH only

*The Committee is concerned about the reluctance of the State party to criminalize marital rape, and notes that current reform proposals would recognize marital rape as a crime only in very narrowly defined circumstances.*

***The Committee requests the State party to enact legislation criminalizing marital rape, defined as lack of consent of the wife/spouse.***

Excerpt from concluding observations from CEDAW on Malaysia<sup>15</sup>:

*While noting the various initiatives taken by the State party to address violence against women, the Committee is concerned about the reluctance of the State party to criminalize marital rape. In particular, the Committee is concerned that the proposal before Parliament on this issue is narrowly tailored to criminalize sexual assault based on use of force and death threats by the husband, rather than marital rape based on lack of consent of the wife.*

***The Committee requests the State party to enact legislation criminalizing marital rape, defining such rape on the basis of lack of consent of the wife.***

Excerpt from the UPR Working Group report on the Netherlands<sup>16</sup>:

*Italy referred to recommendations made by CEDAW to take effective measures to eliminate discrimination against women refugees and other women from ethnic minorities. It also referred to comments made by the Special Rapporteur on violence against women on the fact that Dutch law excludes undocumented migrant women from access to social welfare benefits, including to shelters for those facing violence. Italy invited the Netherlands to elaborate on the latest initiatives undertaken to address these issues.*

Excerpt from the UPR Working Group report on Poland<sup>17</sup>:

*On the issue of domestic violence, Canada indicated that CEDAW expressed concerns about the remaining gaps in the 2005 Law on Combating Domestic Violence.*

***CEDAW and the Human Rights Committee recommended that law enforcement officers be properly trained and that appropriate measures be taken to address domestic violence. In 2007, CEDAW further recommended that Poland conduct awareness-raising campaigns to combat violence against women and undertake research on the root causes of such violence. Canada noted with interest that Poland's national report indicates steps to combat violence against women, inter alia, the inauguration of the National Programme against Domestic Violence in 2006 and public campaigns to raise awareness of this issue. Canada commended the Government on the measures already taken, and recommended that steps continue to be taken to follow up on these recommendations.***

Excerpt from the UPR Working Group report on Gabon<sup>18</sup>:

*Recalling the views of treaty bodies that gender disparities may be further reduced and the recommendation made by CEDAW that Gabon incorporate a definition of discrimination against women in accordance with article 1 of the Convention in its Constitution and laws,*

---

<sup>15</sup> Malaysia, CEDAW/C/MYS/CO/2 (CEDAW, 2006), paras. 21 and 22.

<sup>16</sup> Netherlands, Report of the Working Group on the Universal Periodic Review, A/HRC/WG.6/1/NLD/4, adopted on 18 April 2008, interactive dialogue, para. 54.

<sup>17</sup> Poland, Report of the Working Group on the Universal Periodic Review, A/HRC/WG.6/1/POL/4, adopted on 16 April 2008, interactive dialogue, para.28.

<sup>18</sup> Gabon, Report of the Working Group on the Universal Periodic Review, A/HRC/WG.6/2/L.1, adopted on 7 May 2008, interactive dialogue, para. 33.

**Canada recommended that Gabon take the necessary measures to follow up on CEDAW recommendations, notably by enshrining gender equality in its Constitution and by criminalizing domestic violence, and recommended that particular attention be paid to gender issues in the preparation of policies and laws.**

- **harmful traditional practices, including female genital mutilation/cutting**

Excerpt from concluding observations from CEDAW on Eritrea<sup>19</sup>:

*While noting the entrenched cultural underpinning of female genital mutilation and while welcoming the important awareness-raising efforts implemented by the National Union of Eritrean Women towards ending the practice of female genital mutilation, the Committee is concerned at the high incidence of female genital mutilation in the country and the State party's reluctance to expedite the adoption of legislation aimed at eradicating this practice.*

**The Committee urges the State party to speedily enact the draft legislation prohibiting female genital mutilation and to ensure that offenders are prosecuted and adequately punished and to continue its awareness-raising efforts to change the cultural perceptions connected with female genital mutilation.**

Excerpt from concluding observations from CEDAW on Indonesia<sup>20</sup>:

*The Committee is concerned about the incidence of the practice of female genital mutilation in Indonesia, which constitutes a form of violence against women and girls and is in violation of the Convention. It is further concerned about the reported phenomenon of the medicalization of the practice of female genital mutilation. The Committee is also concerned that there is no law prohibiting or penalizing the practice of female genital mutilation in Indonesia.*

**The Committee urges the State party to speedily enact legislation prohibiting female genital mutilation and to ensure that offenders are prosecuted and adequately punished. It also recommends that the State party develop a plan of action and undertake efforts to eliminate the practice of female genital mutilation, including implementing public awareness-raising campaigns to change the cultural perceptions connected with female genital mutilation, and provide education regarding the practice as a violation of the human rights of women and girls that has no basis in religion.**

Excerpt from concluding observations from the HRC on Sudan<sup>21</sup>:

*While noting that the State party has made efforts to end and criminalize female genital mutilation, the Committee remains concerned that this assault on human dignity, which in the Sudan occurs in one of its most serious forms (type III - infibulation), persists. (arts 3, 7 and 24 of the Covenant)*

**The State party should:(a) Prohibit in its legislation the practice of female genital mutilation, and step up its efforts to completely eradicate the practice, in particular in communities where the practice remains widespread. (b) Ensure that the perpetrators of female genital mutilation are brought to justice.**

Excerpt from the UPR Working Group report on Philippines<sup>22</sup>:

<sup>19</sup> Eritrea, [CEDAW/C/ERI/CO/3 \(CEDAW, 2006\)](#), paras. 18 and 19.

<sup>20</sup> Indonesia, [CEDAW/C/IDN/CO/5 \(CEDAW, 2007\)](#), paras. 20 and 21.

<sup>21</sup> Sudan, [CCPR/C/SDN/CO/3 \(HRC, 2007\)](#), para. 15.

<sup>22</sup> Philippines, Report of the Working Group on the Universal Periodic Review, A/HRC/WG.6/1/PHL/4, adopted on 15 April 2008, interactive dialogue, para.53.



ENGLISH only

*Mexico acknowledged the progress made by the Philippines relating to (...) (iv) legislative progress on women's rights (...). **Mexico made the following recommendations: (i) the National Plan should take into account the recommendations formulated by treaty bodies and special procedures; (ii) national legislation and customs and traditional practices should be harmonized with the Convention on the Rights of the Child and CEDAW (...).***

Excerpt from the UPR Working Group report on Benin:

*The United Kingdom of Great Britain and Northern Ireland also welcomed Benin's legislative reforms to eliminate discrimination against women and to protect the rights of children, specifically the adoption of legislation outlawing the practice of FGM, but noted that CEDAW had expressed concern that some forms of FGM are still practiced in some villages and referred to the concerns expressed on the absence of specific laws against domestic violence and the trafficking of women. The United Kingdom also expressed concern that a high number of adolescent girls are trafficked for the purpose of sexual exploitation and domestic labour to other countries, asked whether Benin plans to further work in these areas and **recommended that it take further steps to establish and implement laws against domestic violence and the trafficking of women and children, and to ensure that existing laws prohibiting FGM are reviewed and enforced throughout the country.***<sup>23</sup>

*France commended Benin on efforts in the field of human rights and on the moratorium on death penalty, and enquired whether Benin plans to formally abolish it. Concerning the rights of women and children, it asked what measures Benin is planning to take in order to strengthen the struggle against traditional practices like FGM and infanticide of witch children. It also noted that practices contrary to the rights of women and children are still too numerous, such as forced marriages and various forms of marital violence, and asked how Benin is planning to combat more generally discrimination against women and if it plans to establish marital rape and forced marriages as criminal offences. **It recommended that Benin take the necessary steps to strengthen its fight against discriminatory practices and violence against women.***<sup>24</sup>

- **female infanticide and prenatal sex selection**

Excerpt from concluding observations from CEDAW on China<sup>25</sup>:

*While noting that legal measures prohibiting sex-selective abortions and female infanticide and other measures are in place, such as the nationwide campaign, "Operation Caring for Girls", launched in 2006 and a system of incentives, the Committee remains concerned at the persistence of illegal practices of sex-selective abortion, female infanticide and the non-registration and abandonment of female children, and about forced abortions. The Committee is concerned about the impact of the adverse sex ratio, which may contribute to the increase in trafficking in women and girls.*

***The Committee urges the State party to strengthen its monitoring of the implementation of existing laws against selective abortion and female infanticide and to enforce them through fair legal procedures that sanction officials acting in excess of their authority. It also urges the State party to investigate and prosecute the reports of abuse and violence against ethnic minority women by local family planning officials,***

<sup>23</sup> Benin, Report of the Working Group on the Universal Periodic Review, A/HRC/WG.6/2/L.5, adopted on 9 May 2008, para. 43.

<sup>24</sup> Benin, Report of the Working Group on the Universal Periodic Review, A/HRC/WG.6/2/L.5, adopted on 9 May 2008, para. 19.

<sup>25</sup> China, CEDAW/C/CHN/CO/6 (CEDAW, 2006), paras. 31 and 32.



**including forced sterilization and forced abortion. The Committee recommends that the State party introduce mandatory gender-sensitivity training for family planning officials. It encourages the State party to continue to strengthen efforts to ensure that all girls are registered at birth, in particular in rural areas. It further recommends that the State party vigorously address the causes of son-preference, which remain strong in rural areas, and of the negative consequences of the one-child policy as regards the adverse sex ratio by expanding insurance systems and old-age pensions to the population at large, in particular in rural areas.**

Excerpt from concluding observations from CRC on India<sup>26</sup>:

*The Committee notes the 2003 amendment to the Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994, but remains deeply concerned that the sex ratio in the age group 0-6 years has worsened over the past decade.*

**In addition to its recommendations regarding gender discrimination (para. 30), the Committee strongly recommends that the State party:**

**(a) Take all necessary steps to ensure the implementation of the Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994;**

**(b) Further develop massive awareness campaigns, involving parents, communities, law enforcement officers, etc., and take the necessary measures, including imposing sanctions to end the practice of selective abortions and female infanticide; and**

**(c) Undertake gender impact studies when planning programmes relating to economic and social policies.**

Excerpt from concluding observations from CRC on Senegal<sup>27</sup>:

*The Committee notes with appreciation the efforts made by the State party in combating female genital mutilation. In particular, it welcomes the promulgation of the Law No. 99-05 prohibiting this practice. However, the Committee remains concerned at the persistence of practices harmful to girls, including female genital mutilation of girls, early and forced marriages, and other emerging forms of violence such as infanticide.*

**The Committee recommends that the State party:**

**(a) Continue with awareness-raising campaigns to combat and eradicate female genital mutilation and other traditional practices harmful to the health, survival and development of children, especially girls;**

**(b) Introduce education and awareness-raising programmes for practitioners and the general public to encourage change in traditional attitudes and discourage harmful practices, engaging with the extended family and the traditional and religious leaders and support practitioners of female genital mutilation to find alternative sources of income; and**

<sup>26</sup> India, [CRC/C/15/ADD.228 \(CRC, 2004\)](#), paras. 33 and 34.

<sup>27</sup> Senegal, [CRC/C/SEN/CO/2 \(CRC, 2006\)](#), paras. 50 and 51.

ENGLISH only

**(c) *Ensure the implementation of the Law No. 99-05 regarding, inter alia, the prohibition of female genital mutilation and all forms of sexual mutilation and ensure that perpetrators are brought to justice.***

- **Early and forced marriage**

Excerpt from concluding observations from CEDAW on Pakistan<sup>28</sup>:

*The Committee expresses concern that under the Dissolution of Muslim Marriage Act of 1939 women do not enjoy equal rights with men during the dissolution of marriage. It also notes with concern that under the Child Marriage Restraint Act of 1929 the minimum age for marriage for boys is 18 years and for girls 16 years. The Committee is further concerned about the persistence of forced and early marriage.*

***The Committee urges the State party to amend the Dissolution of Muslim Marriage Act of 1939 to eliminate all discriminatory provisions, including with regard to raising the minimum legal age of marriage for girls to 18 years in order to bring it into line with article 1 of the Convention on the Rights of the Child, article 16, paragraph 2, of the Convention on the Elimination of All Forms of Discrimination against Women and its general recommendation 21 on equality in marriage and family relations. It also requests the implementation of measures to eliminate forced marriages.***

Excerpt from concluding observations from CRC on Mali<sup>29</sup>:

*The Committee welcomes the establishment of the national programme that the State party implemented in cooperation with NGOs to combat female genital mutilation and the efforts undertaken to sensitize the population to the danger of other harmful practices. However, the Committee is deeply concerned at the lack of a specific legal prohibition to the practice of female genital mutilation. It is also particularly concerned at the persistence of early and forced marriages and other harmful traditional practices listed in the State party report.*

***The Committee urges the State party to:***

***(a) Implement legislative measures on the prohibition of female genital mutilation and the prohibition of traditional marriage practices, including early and forced marriages, which are harmful to children, and ensure that perpetrators are brought to justice;***

***(b) Continue and strengthen awareness-raising campaigns to combat female genital mutilation and reinforce sensitization programmes for practitioners and the general public to encourage change in traditional attitudes, by engaging with the extended family as well as with traditional and religious leaders;***

***(c) Take adequate measures to provide practitioners of female genital mutilation with the adequate training necessary to find alternative sources of income;***

***(d) Take appropriate measures to eradicate female genital mutilation and other traditional practices harmful to the health, survival and development of children, especially girls.***

<sup>28</sup> Pakistan, [CEDAW/C/PAK/CO/3 \(CEDAW, 2007\)](#), paras. 44 and 45.

<sup>29</sup> Mali, [CRC/C/MLI/CO/2 \(CRC, 2007\)](#), paras. 52 and 53.

Excerpt from concluding observations from the HRC on the Democratic Republic of the Congo<sup>30</sup>:

*(...) The Committee expresses its concern at the State party's admission (paragraphs 51, 54 and 55 of the report) that women do not enjoy equal rights with men in the areas of political participation and access to education and employment (articles 3, 25 and 26 of the Covenant) and at the legislation on forced marriage, which is incompatible with the Covenant (articles 3, 25 and 26 of the Covenant).*

***The State party should speed up the process of adapting the Family Code to international legal instruments, especially articles 3, 23 and 26 of the Covenant, in particular with regard to the rights of both spouses within marriage (paragraph 48 of the report) and the quasi-impunity of forced marriage. (...)***

Excerpt from the UPR Working Group report on Benin<sup>31</sup>:

*Denmark also drew attention to the need to seriously address the issue of forced marriage, which persists in spite of the provisions of the new Family Code. **Denmark therefore recommended that Benin reinforce measures to ensure that women are no longer subjected to forced marriage. This could be supported by developing and implementing comprehensive educational measures on the provisions of the Persons and Family Code and on other relevant laws.***

Excerpt from the UPR Working Group report on Gabon<sup>32</sup>:

*Moreover, the Czech Republic asked Gabon on the measures aimed at eliminating the practice of forced and early marriage. **In this regard, it recommended that Gabon adopt as a matter of priority legislative and other measures to guarantee gender equality and strengthen efforts to eradicate customs and traditions that discriminate women.***

- **dowry-related violence**

Excerpt from concluding observations from CEDAW on India<sup>33</sup>:

*The Committee is concerned about the persistence of social norms of purity and pollution which de facto preclude marriages between Dalits and non-Dalits; it is also concerned about violence and social sanctions against inter-caste couples and the continuing practices of child marriage and dowry, and devadasi whereby mostly Dalit girls are dedicated to temple deities and forced into ritualised prostitution. (art. 5 (d) (iv) and 5 (b))*

***The Committee urges the State party to effectively enforce the prohibition of child marriage, the Dowry Prohibition Act (1961) and State laws prohibiting the practice of devadasi. The State party should punish such acts and acts of discrimination or violence against inter-caste couples and rehabilitate victims. Furthermore, it should conduct training and awareness-raising campaigns to sensitize police, prosecutors, judges, politicians, teachers and the general public as to the criminal nature of such acts.***

<sup>30</sup> Republic Democratic of the Congo, [CCPR/C/COD/CO/3 \(HRC, 2006\)](#), para. 11.

<sup>31</sup> Benin, Report of the Working Group on the Universal Periodic Review, A/HRC/WG.6/2/L.5, adopted on 9 May 2008, interactive dialogue, para. 21.

<sup>32</sup> Gabon, Report of the Working Group on the Universal Periodic Review, A/HRC/WG.6/2/L.1, adopted on 7 May 2008, interactive dialogue, para. 26.

<sup>33</sup> India, [CEDAW/C/IND/CO/3 \(CEDAW, 2007\)](#) para. 18.

Excerpt from concluding observations from CEDAW on Nepal<sup>34</sup>:

*The Committee is concerned at the continuing existence of child marriage and polygamy and other practices, including the institution of dowry, deuki (dedicating girls to a god and goddess), jhuma (in some communities, second sisters remain unmarried and spend their life in monasteries), kumari pratha (having a girl child as living goddess) and badi (ethnic practice of prostitution among young girls), that are contrary to the Convention and constitute discrimination against women. The Committee is also concerned that the enactment of the draft bill on domestic violence has been delayed indefinitely.*

***The Committee recommends action without delay by the State party to enforce its marriage laws, particularly as they relate to the prohibition of child marriage and polygamy, in the light of general recommendation 21 on equality in marriage and family relations, and urges the State party to take steps to abolish other harmful and discriminatory traditional practices, such as dowry deuki, jhuma, kumari pratha, and badi. The Committee also recommends that the State party take comprehensive and effective measures, including the training of the judiciary and law enforcement officials and public awareness-raising campaigns aimed at eliminating these practices. The Committee requests the State party to adopt immediately measures on domestic violence and to provide in its next report information about progress in relation to the draft bill on domestic violence.***

- **crimes against women committed in the name of “honour”**

Excerpt from concluding observations from CEDAW on Pakistan<sup>35</sup>:

*The Committee notes with concern that violence against women and girls persists, including domestic violence, rape and crimes committed in the name of honour. The Committee is especially concerned about the Qisas and Diyat law, which allows for the victim of violence or his/her heir to determine whether to exact retribution (Qisas) or payment of compensation (Diyat) or to pardon the accused, thus providing impunity for perpetrators of violence against women, especially perpetrators of crimes committed in the name of honour. (...)*

***The Committee urges the State party to accord priority attention to the adoption of a comprehensive approach to address all forms of violence against women and girls, taking into account the Committee’s general recommendation 19 on violence against women. The Committee calls on the State party to ensure that the Qisas and Diyat law has no application in cases of violence against women, especially crimes committed in the name of honour, and to adopt the Bill on Domestic Violence, within a clear time frame, in order to ensure that women and girls who are victims of violence have access to protection and effective redress and that perpetrators of such acts are effectively prosecuted and punished. (...)***

Excerpt from concluding observations from CEDAW on the Syrian Arab Republic<sup>36</sup>:

*(...) The Committee is further concerned that several provisions in the Penal Code condone acts of violence against women by exempting perpetrators from punishment. In particular, it is concerned that the definition of rape in article 489 of the Penal Code excludes marital rape; article 508 of the Penal Code exempts rapists from punishment if they marry their victims; and article 548 of the Penal Code exonerates perpetrators of “honour crimes”.*

<sup>34</sup> Nepal, [A/59/38\(SUPP\)\(CEDAW, 2004\)](#), paras. 208 and 209.

<sup>35</sup> Pakistan, CEDAW/CPAK/CO/3 (CEDAW, 2007), paras. 22 and 23.

<sup>36</sup> Syria, CEDAW/C/SYR/CO/1 (CEDAW, 2007), paras. 19 and 20.

***In accordance with its general recommendation 19, the Committee urges the State party to give high priority to putting in place comprehensive measures to address all forms of violence against women and girls, recognizing that violence against women is a form of discrimination against women and thus constitutes a violation of their human rights under the Convention. The Committee calls upon the State party to enact, as soon as possible, legislation on violence against women, including domestic violence, so as to ensure that violence against women constitutes a criminal offence, that women and girls who are victims of violence have access to immediate means of redress and protection and that perpetrators are prosecuted and punished. The Committee calls upon the State party to amend, without delay, applicable provisions in the Penal Code to ensure that marital rape is criminalized, that marriage to the victim does not exempt a rapist from punishment, and that perpetrators of honour crimes are not exonerated and do not benefit from any reduction in penalty. (...)***

Excerpt from concluding observations from CEDAW on Lebanon<sup>37</sup>:

*The Committee remains concerned about the persistence of violence against women and girls, including domestic violence, rape and crimes committed in the name of honour and about the lack of a comprehensive approach to address violence against women. It also reiterates its concern about article 562 of the Lebanese Penal Code, which allows mitigation of the penalty for crimes committed in the name of honour and which continues to be in force. It is further concerned about other discriminatory provisions in the Lebanese Penal Code, in particular article 503 which tolerates marital rape, article 522 which allows for charges to be dropped in cases of rape.*

***In accordance with its general recommendation 19 recognizing that violence against women is a form of discrimination against women and thus constitutes a violation of their human rights under the Convention, the Committee urges the State party to place high priority on establishing and implementing comprehensive measures to address all forms of violence against women and girls. The Committee calls upon the State party to enact, without delay, legislation on violence against women, including domestic violence, so as to ensure that violence against women constitutes a criminal offence, that women and girls who are victims of violence have access to immediate means of redress and protection and that perpetrators are prosecuted and punished. The Committee calls upon the State party to amend, without delay, applicable provisions in the Penal Code to ensure that perpetrators of honour crimes are not exonerated, that marital rape is criminalized and that marriage to the victim does not exempt a sexual offender from punishment. (...)***

- **maltreatment of widows**

Excerpt from concluding observations from CERD on Ghana<sup>38</sup>:

*While noting the legislative and other measures adopted to eradicate practices that are harmful to the health and dignity of women, the Committee is concerned that some practices, in particular female genital mutilation, degrading treatment of widows and the Trokosi system, still occur, and wishes to be further informed of their ethnic dimensions.*

***The Committee encourages the State party to continue its efforts in this field and refers the State party to its general recommendation XXV (56) of 20 March 2000 on gender-related dimensions of racial discrimination.***

Excerpt from concluding observations from the HRC on Mali<sup>39</sup>:

<sup>37</sup> Lebanon, Advanced unedited version, CEDAW/C/LBN/CO/3 (CEDAW, 2008), paras. 26 and 27.

<sup>38</sup> Ghana, CERD/C/62/CO/4 (CERD, 2003), para. 12.

*While welcoming the establishment of a Ministry for the Advancement of Women, Children and the Family, the Committee expresses its grave concern at the continued existence in Mali of legislation which discriminates against women, in particular with regard to marriage, divorce, and inheritance and succession, and of discriminatory customary rules relating to property ownership. The Committee, while appreciating that adoption of a Family Code requires wide-ranging consultations, notes with concern that the proposed reform, ongoing since 1998, has not yet concluded. The Committee is also concerned by information that the practice of the levirat, a practice whereby a widow is inherited by the deceased husband's brothers and cousins, is said to persist in Mali (articles 3, 16 and 23 of the Covenant).*

**(a) The State party should expedite adoption of the Family Code; the Committee recommends that it should comply with the provisions of articles 3, 23 and 26 of the Covenant, in particular with regard to the respective rights of spouses in the context of marriage and divorce. In this connection the Committee draws the attention of Mali to its General Comment No. 28 (2000) on equality of rights between men and women, in particular with regard to polygamy, a practice which violates the dignity of women and constitutes unacceptable discrimination against women. The State party should abolish polygamy once and for all.**

**(b) Particular attention should be paid to the question of early marriage by girls, a widespread phenomenon. The State party should raise the minimum legal age for marriage by girls to the same age as for boys.**

**(c) The State party should establish a succession regime that does not discriminate against women: equality of heirs without discrimination on the basis of sex should be guaranteed, and the State should ensure that there are better guarantees of the rights of widows and that on succession there is a fair distribution of assets.**

**(d) The State party should abolish the levirat once and for all and apply appropriate penalties against those engaging in the practice, and take appropriate measures to protect and support women, especially widows.**

- **femicide**

Excerpt from concluding observations from CEDAW on Mexico<sup>40</sup>:

*(...) While welcoming the efforts undertaken by the State party, the Committee is concerned about the persistence of the widespread and systematic violence against women, including homicides and disappearances, and in particular about the acts of violence committed by public authorities against women in San Salvador Atenco, State of Mexico.*

***In the light of its general recommendation 19, the Committee urges the State party to take without delay all necessary measures to eliminate violence against women by any person, organization or enterprise, as well as violence committed by, or resulting from, actions or omissions by State agents, at all levels. The Committee urges the State party to accelerate the adoption of the amendment of the Penal Code to define the specific crime of femicide, and to proceed with the speedy adoption of the proposed General Act on Access of Women to a Life without Violence. It recommends that the State party implement a comprehensive strategy that includes prevention efforts involving the media and public education programmes aimed at changing social,***

<sup>39</sup> Mali, CCPR/CO/77/MLI (HRC, 2003), para. 10.

<sup>40</sup> Mexico, CEDAW/C/MEX/CO/6 (CEDAW, 2006), paras. 14 and 15.



ENGLISH only

**cultural and traditional attitudes that are root causes of, and perpetuate, violence against women. It calls on the State party to enhance victims' access to justice and ensure that effective punishment of perpetrators is consistently imposed and that victims can benefit from protection programmes. The Committee requests the State party to put in place effective monitoring mechanisms and to assess regularly the impact of all its strategies and measures taken. It further calls on the State party to guarantee that the Special Prosecutor for Offences related to Acts of Violence against Women has the required authority, as well as the necessary human and financial resources, to empower her to effectively fulfil her mandate in an independent and impartial manner. The Committee requests the State party to ensure that the Special Prosecutor is given jurisdiction over the case of crimes in San Salvador Atenco so as to ensure the prosecution and punishment of perpetrators. It recommends that the State party provide the necessary economic, social and psychological assistance to the victims of these crimes.**

Excerpt from concluding observations on Honduras<sup>41</sup>:

*While appreciating the reforms to the Penal Code relating to sexual violence and abuse of 2005, and the reforms to the Law on Domestic Violence of 2006, the Committee continues to be concerned about the prevalence of many forms of violence against women, including sexual abuse against women and girls, particularly incestuous abuse of girls, as well as rape, domestic violence and femicide. The Committee is concerned that the effective implementation of plans and functioning of mechanisms to eliminate violence against women — such as the National Plan to Prevent, Punish and Eradicate Violence against Women (2006-2010), the proposed unit in the Public Prosecutor's Office to deal with violent crimes against women and specialized domestic violence courts in Tegucigalpa and San Pedro Sula — is hindered by insufficient allocation of resources. While appreciating the efforts of the State party to provide gender-sensitivity training for law enforcement and judicial officials, the Committee continues to be concerned about the negative attitudes of police and magistrates responsible for enforcing the law and applying protection mechanisms for the benefit of women victims of violence, which result in the continuation of impunity for crimes of violence against women. In this regard, the Committee is concerned that only 2.55 per cent of all complaints of domestic violence filed with the police in 2006 have been resolved. The Committee is further concerned that Honduran women may be compelled to migrate because of violence against women.*

**In accordance with general recommendation 19, the Committee calls upon the State party to ensure that all forms of violence against women are criminalized; that women and girls who are victims of violence have access to immediate means of redress and protection; and that perpetrators are prosecuted and punished. The Committee urges the State party to allocate sufficient resources for the effective functioning of plans and mechanisms, including the National Plan to Prevent, Punish and Eradicate Violence against Women and the specialized domestic violence courts, to address all forms of violence against women and girls. The Committee further urges the State party to monitor the application, by law enforcement and judicial officials, of relevant legal measures for the benefit of women victims of violence and ensure that officials who fail to properly apply such measures are appropriately sanctioned. The Committee requests the State party to provide information, in its next periodic report, on the resources, both human and financial, allocated to plans and mechanisms aimed at eliminating violence against women, and the impact of such measures.**

Excerpt from concluding observations from CEDAW on China<sup>42</sup>:

<sup>41</sup> Honduras, CEDAW/C/HON/CO/6 (CEDAW, 2007), paras. 18 and 19.

<sup>42</sup> China, CEDAW/C/CHN/CO/6 (CEDAW, 2006), paras. 31 and 32.



*While noting that legal measures prohibiting sex-selective abortions and female infanticide and other measures are in place, such as the nationwide campaign, "Operation Caring for Girls", launched in 2006 and a system of incentives, the Committee remains concerned at the persistence of illegal practices of sex-selective abortion, female infanticide and the non-registration and abandonment of female children, and about forced abortions. The Committee is concerned about the impact of the adverse sex ratio, which may contribute to the increase in trafficking in women and girls.*

***The Committee urges the State party to strengthen its monitoring of the implementation of existing laws against selective abortion and female infanticide and to enforce them through fair legal procedures that sanction officials acting in excess of their authority. It also urges the State party to investigate and prosecute the reports of abuse and violence against ethnic minority women by local family planning officials, including forced sterilization and forced abortion. The Committee recommends that the State party introduce mandatory gender-sensitivity training for family planning officials. It encourages the State party to continue to strengthen efforts to ensure that all girls are registered at birth, in particular in rural areas. It further recommends that the State party vigorously address the causes of son-preference, which remain strong in rural areas, and of the negative consequences of the one-child policy as regards the adverse sex ratio by expanding insurance systems and old-age pensions to the population at large, in particular in rural areas.***

- **sexual violence by non-partners**

Excerpt from concluding observations from CAT on Japan<sup>43</sup>:

*The Committee is concerned at continued allegations of gender-based violence and abuse against women and children in custody, including acts of sexual violence by law enforcement personnel. The Committee is also concerned at the restrictive scope of the State party's legislation covering rape, referring only to sexual intercourse involving male and female genital organs, excluding other forms of sexual abuse and rape of male victims. In addition, the Committee is concerned that cross-border trafficking in persons continues to be a serious problem in the State party, facilitated by the extensive use of entertainment visas issued by the Government, and that support measures for identified victims remain inadequate, leading to victims of trafficking being treated as illegal immigrants and deported without redress or remedy. The Committee is also concerned over the lack of effective measures to prevent and prosecute violence perpetrated against women and girls by military personnel, including foreign military personnel stationed on military bases.*

***The State party should adopt preventive measures to combat sexual violence and violence against women, including domestic violence and gender-based violence, and promptly and impartially investigate all allegations of torture or ill-treatment with a view to prosecuting those responsible. The Committee calls on the State party to strengthen its measures to combat trafficking in persons, including restricting the use of entertainment visas to ensure they are not used to facilitate trafficking, allocate sufficient resources for this purpose, and vigorously pursue enforcement of criminal laws in this regard. The State party is also encouraged to undertake training programmes for law enforcement officials and the judiciary to ensure that they are sensitized to the rights and needs of victims, to establish dedicated police units, and to provide better protection and appropriate care for such victims, including, inter alia, access to safe houses, shelters and psychosocial assistance. The State party should ensure all victims can claim redress before courts of law, including victims of foreign military personnel stationed on military bases.***

<sup>43</sup> Japan, CAT/C/JPN/CO/1 (CAT, 2007), para. 25.

Excerpt from concluding observations from the HRC on Sudan<sup>44</sup>:

*While taking note of steps taken to reduce violence against women in the Sudan, the Committee continues to be concerned that violence against women persists - in particular, the many cases of rape in Darfur. It notes with concern the information from the State party that women do not trust the police, and that women are reticent to report rape to which they have been subjected, which would explain in part the small number of rapes that are reported (arts. 2, 6, and 7 of the Covenant).*

**The State party should:(a) Step up its efforts to raise awareness of, and educate the police and general public about, violence against women. (b) Undertake to review its legislation, in particular articles 145 and 149 of the 1991 Criminal Code, so that women are not deterred from reporting rapes by fears that their claims will be associated with the crime of adultery. (c) Ensure implementation of the Action Plan to combat violence against women in Darfur, and its extension to the rest of the country.**

- **sexual harassment and violence in the workplace and elsewhere**

Excerpt from concluding observations from CEDAW on Cook Islands<sup>45</sup>:

*While noting that a Draft Labour Bill (Employment Relations) is pending approval, to replace the Cook Islands Industrial and Labour Ordinance of 1964 and the Public Service Act of 1995-96, the Committee is concerned that the passage of the bill has been delayed in part due to resistance from the Chamber of Commerce to proposed maternity protections contained therein. It is concerned that, at present, there is no guaranteed maternity protection for women in the private sector, either in the form of paid maternity leave or preservation of employment during pregnancy or after birth. The Committee is also concerned about the lack of a law on sexual harassment, and the apparent lack of such provisions in part IV of the draft bill. The Committee is further concerned that the bill would limit the role of government in labour market matters, and that it may leave the achievement of women's right to equality in the labour market to their capacity to individually or collectively bargain.*

**The Committee recommends that the Cook Islands ensure that the Draft Labour Bill (Employment Relations) fully complies with article 11 of the Convention, and that discrimination against women is prohibited in the private sector, in accordance with article 2 (e) of the Convention, and that such prohibition is effectively enforced. In the light of the Cook Islands' withdrawal of its reservation to article 11 (2) (b), the Committee calls upon it to take all appropriate measures to ensure that maternity leave is available in all public and private sector employment, with pay or with comparable social benefits. The Committee also calls upon the Cook Islands to prohibit sexual harassment in the workplace and guarantee women's rights to individual and collective bargaining. The Committee further encourages increasing attention for preschool programmes, including day-care centres, to assist working mothers.**

Excerpts from concluding observations from CESCR on Slovenia<sup>46</sup>:

*The Committee is concerned that sexual harassment in the workplace is not classified as a specific offence and for this reason victims may not be adequately protected.*

<sup>44</sup> Sudan, CCPR/C/SDN/CO/3 (HRC, 2007) para. 14.

<sup>45</sup> Cook Islands, New Zealand, CEDAW/C/COK/CO/1 (CEDAW, 2007) paras. 32 and 33.

<sup>46</sup> Slovenia, E/C.12/SVN/CO/1 (CESCR, 2006), paras. 14 and 29.

***The Committee urges the State party to undertake measures to combat sexual harassment in the workplace including by adopting specific legislation rendering it a criminal offence in order to combat this practice and better protect victims.***

Excerpts from concluding observations from CEDAW on Singapore<sup>47</sup>:

While recognizing the State party's achievements in the area of women's employment, the Committee (...) remains concerned about (...) the persistent wage gap between women and men; and the lack of a legal definition and prohibition of sexual harassment.

***(...) The Committee also encourages the State party to take steps to enact legislative provisions on sexual harassment at the workplace as well as in educational institutions, including sanctions, civil remedies and compensation for victims.***

- **trafficking in women**

Excerpts from concluding observations from CESCR on Uzbekistan<sup>48</sup>:

*The Committee is concerned that trafficking in persons is increasing in the State party, that it has now become both a country of origin and destination, as well as a transit point for trafficking in persons. The Committee notes with regret that there is no legislation in the State party that criminalizes trafficking in persons. (...)*

***The Committee urges the State party to criminalize trafficking in persons, and to continue to take other measures to combat this phenomenon, including through sensitization of law-enforcement officials and the judiciary to the rights and needs of victims, and the provision of medical, psychological and legal support for victims. (...)***

Excerpts from concluding observations from CMW on Egypt<sup>49</sup>:

*While noting that the State party is mainly a transit country for victims of trafficking, the Committee takes note of the State party's willingness to address the emerging problem of trafficking in persons. It regrets the fact that there is no specific anti-trafficking legislation in force.*

***The Committee urges the State party to:***

***(a) Adopt specific anti-trafficking legislation;***

***(b) Step up its efforts to counter migrant-smuggling and trafficking in persons, especially women and children, inter alia by taking appropriate steps to detect the illegal or clandestine movements of migrant workers and their families and punish the criminals and/or groups who orchestrate or assist such movements.***

Excerpts from concluding observations from CEDAW on Mauritania<sup>50</sup>:

*While appreciating the State party's efforts to combat the trafficking of women and girls and the exploitation of girls in domestic service, including the accession to the Protocol to Prevent, Suppress and Punish Trafficking in*

<sup>47</sup> Singapore, [CEDAW/C/SGP/CO/3 \(CEDAW, 2007\)](#), paras. 29 and 30.

<sup>48</sup> Uzbekistan, concluding observations, [E/C.12/UZB/CO/1 \(CESCR, 2006\)](#), paras. 25 and 56.

<sup>49</sup> Egypt, [CMW/C/EGY/CO/1 \(CMW, 2007\)](#), paras. 50 and 51.

<sup>50</sup> Mauritania, [CEDAW/C/MRT/CO/1 \(CEDAW, 2007\)](#) paras. 31 and 32.

ENGLISH only

*Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, the adoption of Act No. 025-2003 of 17 July 2003 on the suppression of trafficking in persons and the amended Labour Code which prohibits forced labour, the Committee remains concerned about the persistence of trafficking and the exploitation of women and girls in the country, in particular with respect to the economic exploitation and ill-treatment of young girls employed as domestic servants. The Committee is also concerned about remnants of slavery in parts of the country.*

***The Committee requests the State party to accelerate its efforts aimed at the effective implementation and full enforcement of its legislation on the suppression of trafficking and on the prohibition of forced labour. Such efforts should, in particular, include the effective prosecution and punishment of traffickers. It also recommends that the State party increase the provision of assistance and support to women victims, as well as prevention efforts, by addressing the root causes of trafficking and by improving the economic situation of women so as to eliminate their vulnerability to exploitation and traffickers. It requests the State party to place priority on enhancing practical measures for the protection of girls employed as domestic servants from all forms of exploitation and abuse and to ensure that they can exercise their right to education. The Committee calls upon the State party to take steps to completely eliminate remnants of slavery.***

- **forced sterilization**

Excerpts from concluding observations from CERD on Mexico<sup>51</sup>:

*While the Committee welcomes the criminalization of forced sterilization under article 67 of the General Health Law, it reiterates its concern at the reproductive health situation of indigenous men and women in Chiapas, Guerrero and Oaxaca as far as the alleged practice of forced sterilization is concerned. (Art.5 (e) (iv))*

***The Committee urges the State party to take all necessary steps to put an end to practices of forced sterilization, and to impartially investigate, try and punish the perpetrators of such practices. The State party should also ensure that fair and effective remedies are available to the victims, including those for obtaining compensation.***

Excerpts from concluding observations from CEDAW on the Czech Republic<sup>52</sup>:

*The Committee is particularly concerned about the report, of December 2005, by the Ombudsman (Public Defender) regarding uninformed and involuntary sterilization of Roma women and the lack of urgent Government action to implement the recommendations contained in the Ombudsman's report and to adopt legislative changes on informed consent to sterilization as well as to provide justice for victims of such acts undertaken without consent.*

***The Committee urges the State party to take urgent action to implement the recommendations of the Ombudsman/Public Defender with regard to involuntary or coercive sterilization, and adopt without delay legislative changes with regard to sterilization, including a clear definition of informed, free and qualified consent in cases of sterilization in line with the Committee's general recommendation 24 and***

<sup>51</sup> Mexico, [CERD/C/MEX/CO/15 \(CERD, 2006\)](#), para. 17.

<sup>52</sup> Czech Republic, [CEDAW/C/CZE/CO/3 \(CEDAW, 2006\)](#), paras. 23 and 24.

ENGLISH only

**article 5 of the European Convention on Human Rights and Biomedicine; provide ongoing and mandatory training of medical professionals and social workers on patients' rights; and elaborate measures of compensation to victims of involuntary or coercive sterilization. It also calls on the State party to provide redress to Roma women victims of involuntary or coercive sterilization and prevent further involuntary or coercive sterilizations. The Committee requests the State party to report on the situation of Roma women pertaining to the issue of coercive or involuntary sterilization, in its next periodic report, including a detailed assessment of the impact of measures taken and results achieved.**

Excerpts from concluding observations on Hungary<sup>53</sup>:

*The Committee is concerned that the State party has not implemented the Committee's recommendations, and specifically the recommendation to provide appropriate compensation to Ms. A.S., to review its domestic legislation pertaining to the principle of informed consent and ensure its conformity with international human rights and medical standards, and monitor public and private health centres which perform sterilization procedures, as contained in its views under the Optional Protocol to the Convention in respect of communication No. 4/2004, Ms. A.S. v. Hungary. The Committee is further concerned about the reasons given by the State party for non-payment of compensation to Ms. A.S. The Committee recalls that, in accordance with article 7 of the Optional Protocol, the State party is under an obligation to give due consideration to the views of the Committee, together with its recommendations.*

**The Committee urges the State party to reconsider its stance on the Committee's views in respect of communication No. 4/2004, Ms. A.S. v. Hungary, and to provide appropriate compensation to Ms. A.S.**

Excerpt from the UPR Working Group report on the Czech Republic<sup>54</sup>:

*Algeria noted that paragraph 20 of the compilation reported that a high proportion of Roma women have been subjected to coerced sterilization. Paragraph 23 of the compilation noted concern expressed by CEDAW about violence against women. In this respect, Algeria recommended that the Czech Republic acknowledge the harm done to the victims of sterilization, in particular Roma, bring perpetrators to justice and provide reparations to the victims. Furthermore, it urged the Czech Republic to establish clear mandatory criteria for the informed consent of women prior to sterilization.*

Excerpt from the UPR Working Group report on Peru<sup>55</sup>:

*Malaysia noted that CEDAW had commended Peru on the initiatives taken to combat violence against women, including through the National Plan against Violence towards Women, but also expressed concern at the extent, intensity and prevalence of such violence. Malaysia requested information on achievements and challenges in the implementation of the National Plan and measures to overcome those challenges. Information was also requested on the extent of cases of women who reported undergoing involuntary sterilization and on the legal and policy measures taken to address the issue.*

<sup>53</sup> Hungary, [CEDAW/C/HUN/CO/6 \(CEDAW, 2007\)](#), paras. 8 and 9.

<sup>54</sup> Czech Republic, Report of the Working Group on the Universal Periodic Review, A/HRC/WG.6/1/CZE/4, adopted on 18 April 2008, interactive dialogue, para.22.

<sup>55</sup> Peru, Report of the Working Group on the Universal Periodic Review, A/HRC/WG.6/2/L.3, adopted on 8 May 2008, interactive dialogue, para. 24.