



**IDA's Compilation of Disability
Related Extracts of Concluding
Observations of the Committee on
the Elimination of Discrimination
Against Women**

**CEDAW Committee's 84th session
(06 Feb – 24 Feb 2023)**

Committee on Elimination of Discrimination Against Women - 84th Session- 2023

Total number of Concluding Observations	8
Number of countries receiving recommendations on persons with disabilities	8
Number of countries receiving recommendations on persons with disabilities	100%
Number of recommendations including explicit references to disability	61

BARHAIN - CEDAW/C/BHR/CO/4

COSTA RICA - CEDAW/C/CRI/CO/12

GEORGIA - CEDAW/C/GEO/CO/6

HUNGARY - CEDAW/C/HUN/CO/9

MAURITANIA - CEDAW/C/MRT/CO/4

NORWAY - CEDAW/C/NOR/CO/10

SLOVENIA - CEDAW/C/SVN/CO/7

TUNISIA - CEDAW/C/UTUN/CO/7

Official versions of Concluding Observation are available on the website devoted to the session [here](#).

BARHAIN - CEDAW/C/BHR/CO/4

Gender-based violence against women

26. The Committee notes that the Supreme Council for Women launched a national strategy to protect women from domestic violence in 2015. It also notes that a draft law has been proposed to repeal article 353 of Decree-Law No. 15 (1976) promulgating the Penal Code, pursuant to which a perpetrator of rape can evade punishment by marrying the victim. The Committee nevertheless notes with concern:

(d) The lack of data, disaggregated by age, nationality, ethnicity, disability, urban or rural area, and the relationship between victim and perpetrator, on the number of reported cases of gender-based violence against women, investigations, prosecutions and convictions, as well as on the sentences imposed;

27. Recalling its previous recommendations (CEDAW/C/BHR/CO/3, para. 22) and general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, the Committee recommends that the State party:

(d) Provide in the next periodic report statistical data, disaggregated by age, nationality, ethnicity, disability, urban or rural area, and the relationship between victim and perpetrator, on the number of reported cases of gender-based violence against women, investigations, prosecutions and convictions, as well as on the sentences imposed;

COSTA RICA - CEDAW/C/CRI/CO/12

Visibility of the Convention, the Optional Protocol thereto and the Committee's general recommendations

9. The Committee notes the 29 court decisions in which judges have referred to the Convention. It notes with concern, however, that the Convention, the Optional Protocol thereto and the Committee's general recommendations are not fully incorporated into domestic law and that women, in particular women living in poverty, women with disabilities, migrant women and rural women, are often not aware of their rights under the Convention and the remedies available to claim them.

10. The Committee recommends that the State party widely disseminate the Convention, the Optional Protocol thereto and the Committee's general recommendations and raise awareness among women, including women living in poverty, women with disabilities, migrant women and rural women, of their rights under the Convention and the legal remedies available to them to claim violations of those rights.

Definition of equality and non-discrimination

11. The Committee notes the State party's efforts to strengthen its legal and regulatory framework to give effect to the principles of equality of women and men and of non-discrimination. However, it notes with concern the limited implementation of laws and policies in place to address intersecting forms of discrimination against women, in

particular women affected by poverty, Indigenous women, women of African descent, women with disabilities, migrant women and rural women.

12. The Committee recommends that the State party adopt and ensure the effective implementation of legislation that prohibits discrimination against women, covering direct and indirect discrimination in the public and private spheres, and intersecting forms of discrimination, in line with articles 1 and 2 of the Convention, the Committee's general recommendation No. 28 (2010) on the core obligations of States parties under article 2 of the Convention, and target 5.1 of the Sustainable Development Goals on ending all forms of discrimination against all women and girls everywhere.

Women's access to justice

13. The Committee notes the adoption of Law No. 9593 (2018) on Access to Justice for Indigenous Peoples and the recruitment of seven legal professionals to the Department for Women's Affairs of the National Institute for Women providing free legal aid to women without sufficient means. Nevertheless, the Committee notes with concern:

(b) Barriers to access to justice faced by Indigenous women, women of African descent, migrant, refugee and asylum-seeking women and women with disabilities, such as legal illiteracy and the lack of information on available remedies to complain about intersecting forms of discrimination.

14. The Committee, in line with its general recommendation No. 33 (2015) on women's access to justice, recommends that the State party:

(b) **Strengthen access to justice for Indigenous women, women of African descent, migrant, refugee and asylum-seeking women and women with disabilities, including through legal literacy campaigns, addressing linguistic barriers, accessible courts and disseminating information about the legal remedies available to claim their rights.**

National machinery for the advancement of women and gender mainstreaming

15. The Committee notes with concern:

(a) That hate speech and threats by extremist groups against the National Institute for Women risk weakening the national machinery for the advancement of women;

(b) The limited authority, mandate and capacity of the municipal offices for women's affairs to effectively advance women's human rights at the local level;

(c) The lack of collaboration of the national machinery for the advancement of women with women's civil society organizations.

16. The Committee recommends that the State party:

(c) **Ensure effective coordination and consultation between the national machinery and women's civil society organizations, including those representing Indigenous women, women of African descent and women with disabilities, in the adoption and implementation of public policies and programmes for the advancement of women and integrate a human rights-based approach and an intersectional gender perspective in those policies.**

National human rights institution

17. The Committee notes with concern:

(a) The drastic cut in the resources of the Ombudsperson Office for Women within the Office of the Ombudsperson of Costa Rica, further undermining its capacity to promote and protect the rights of women, including women and girls with disabilities and Indigenous, migrant, Afro-descendent, and lesbian, bisexual, transgender and intersex women;

18. The Committee urges the State party to allocate adequate human, technical and financial resources to the Ombudsperson Office for Women within the Office of the Ombudsperson of Costa Rica so that it can effectively and independently discharge its mandate to promote and protect women's rights and gender equality, including by considering complaints by women and girls in a confidential and gender-responsive manner. It also recommends that the State party repeal or amend the proposed draft law No. 23217 amending Law No. 7319 (1992) on the Office of the Ombudsperson of the Republic to ensure the maintenance and independence of the Ombudsperson Office for Women and all specialized offices within the Office of the Ombudsperson. It further recommends that the State party expedite the confirmation of the head of the Office of the Ombudsperson of Costa Rica and ensure that the process is transparent and in conformity with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

Temporary special measures

19. The Committee notes the affirmative action in favour of people of African descent envisaged in Law No. 10120 of 2 February 2022. However, it notes with concern the lack of information on the use of temporary special measures to achieve substantive equality of other disadvantaged groups of women, such as Indigenous women, migrants, refugee and asylum-seeking women, female heads of household and women with disabilities.

20. The Committee recalls its previous concluding observations ([CEDAW/C/CRI/CO/7](#), para. 13) and recommends that the State party:

(a) Raise awareness of the non-discriminatory nature of temporary special measures among politicians, public officials and the general public;

(b) Adopt temporary special measures in line with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, to accelerate the achievement of substantive equality of women and men in all areas covered by the Convention where women are underrepresented or disadvantaged, including in political, public and economic life, education, employment, health care and social security, and to address intersecting forms of discrimination against Indigenous, Afrodescendent, migrant, refugee and asylum-seeking women, female heads of household and women with disabilities.

Stereotypes

21. The Committee acknowledges the measures adopted by the State party to eliminate gender stereotypes, such as awareness-raising and educational campaigns in the framework of the national policy for effective equality of women and men in Costa Rica for 2018–2030, to sensitize public officials on gender equality. However, the Committee is concerned about the persistence of discriminatory gender stereotypes about the roles and responsibilities of women and men in the family and in society in the State party.

22. The Committee recommends that the State party:

(b) Ensure that all intervention measures to change societal stereotypes are conducted through an intersectional lens, so that they combat stereotypes against Afrodescendent, Indigenous, migrant, lesbian, bisexual, transgender and intersex and older women and women with disabilities;

Education

29. The Committee acknowledges the country's high literacy rate of 98 per cent and the establishment of community centres to increase access to technology and digital literacy by communities and takes note of initiatives such as *Puente al Desarrollo*, *Avancemos* and *Crecemos* to reduce the digital gender divide and address the feminization of poverty. However, it notes with concern:

(b) The lack of measures to meet women's and girls' needs to develop science, technology, engineering and mathematics and digital skills, including for rural, migrant, refugee and Afrodescendent girls and women and women and girls with disabilities.

30. Recalling its general recommendation No. 36 (2017) on the right of girls and women to education and target 4.1 of the Sustainable Development Goals, to ensure by 2030 that all girls and boys complete free, equitable and quality primary and secondary education leading to relevant and effective learning outcomes, the Committee recommends that the State party:

(a) Approve and implement without delay the Connectivity Law to address barriers to women's access to the Internet and recognize their right to connectivity and to access information and telecommunications technologies in all parts of the State party, and increase the number of community centres in rural areas to take technology and digital literacy/skills closer to rural, Indigenous, Afrodescendent, migrant and refugee women and women with disabilities;

Employment

31. The Committee notes that the revised Labour Code (2022) now provides for eight days of paid paternity leave for the private sector, as well as the adoption of Law No. 9677 (2019) for the Protection of Equal Pay for Women and Men and the recent introduction of the national care policy for 2021–2031, which seeks to progressively implement a system of care for persons in situations of dependency. However, the Committee notes with concern:

(d)The limited employment opportunities for rural women, women with disabilities, Indigenous women, Afro-descendent women on the coast, migrant women and lesbian, bisexual, transgender and intersex women in the State party;

32.The Committee recommends that the State party:

(b)Promote women’s access to formal employment, including for rural women, women with disabilities, and Indigenous, Afrodescendent, migrant, returnee, lesbian, bisexual, transgender and intersex women, and extend social protection schemes to women employed in the informal economy;

(d)Establish employment retention schemes specifically targeted at promoting access by women facing intersecting forms of discrimination, including rural women, women with disabilities, and Indigenous, Afrodescendent, migrant, lesbian, bisexual, transgender and intersex women, to formal employment;

Data collection and analysis

49.The Committee recommends that the State party enhance the collection, analysis and dissemination of comprehensive data, disaggregated by sex, age, disability, geographical location and other relevant factors, and use measurable indicators to assess trends in the situation of women and progress towards the realization by women of substantive equality in all areas covered by the Convention and the gender-related targets of the Sustainable Development Goals

GEORGIA - CEDAW/C/GEO/CO/6

Visibility of the Convention, the Optional Protocol thereto and the Committee’s general recommendations

9.The Committee notes the efforts by the State party to enhance the visibility of the Convention, the Optional Protocol thereto and the Committee’s general recommendations, including through capacity-building for relevant stakeholders and public awareness-raising campaigns on women’s rights, gender equality and gender-based violence against women, including domestic violence, in partnership with development partners and local civil society organizations, and by means of a communication strategy for 2018–2020 on the mandate of the Gender Equality Council as a permanent consultation body to Parliament. It is, however, concerned that the awareness and use of the relevant public services in that regard by women belonging to such disadvantaged and marginalized groups as rural women, women belonging to ethnic minority groups, women with disabilities, internally displaced women and women living in conflict-affected areas, and refugee, asylum-seeking, migrant and stateless women, remains low.

10.Recalling its previous recommendation ([CEDAW/C/GEO/CO/4-5](#), para. 9), the Committee recommends that the State party:

(a)Intensify its efforts to widely disseminate and raise awareness of the Convention, the Optional Protocol and the Committee’s concluding observations and general recommendations and provide information in its next periodic report on the follow-

up measures taken on the views of the Committee on communication No. 140/2019 (*H.H., I.H. and Y.H. v. Georgia/Jeiranova*);¹

(b) Consider establishing a comprehensive implementation mechanism for the present concluding observations and involve the Public Defender's Office of Georgia and non-governmental organizations promoting women's rights and gender equality in that mechanism, taking into account the four key capacities of engagement, coordination, consultation and information management of a national mechanism for reporting and follow-up;²

(c) Raise awareness among women of their rights under the Convention and the legal remedies available to them to claim violations of such rights and ensure that information on the Convention, the Optional Protocol and the Committee's general recommendations is accessible to all women, including women belonging to disadvantaged and marginalized groups.

Women's access to justice

15. The Committee welcomes the provision of free legal aid to women who are victims of gender-based violence, including sexual violence and domestic violence, and victims of trafficking and to women with disabilities in all legal proceedings, through the State Legal Aid Service, as well as awareness-raising campaigns on women's rights under the Convention and the remedies available to claim their rights. It is, however, concerned that women and girls who are survivors of gender-based violence, including conflict-related sexual violence and domestic violence, are often reluctant to report such violence owing to prevailing gender stereotypes, fear of stigma or reprisals, and lack of trust in law enforcement mechanisms and State support services.

16. With reference to its general recommendation No. 33 (2015) on women's access to justice, the Committee recommends that the State party address the root causes of the underreporting of cases of gender-based violence against women and girls, including by:

(a) Ensuring effective protection and accessible support services to women victims of such violence, in particular rural women, women with disabilities, women belonging to ethnic minority groups, internally displaced women and women living in conflict-affected areas, refugee, asylum-seeking, migrant and stateless women and lesbian, bisexual, transgender and intersex women;

(d) Continuing the provision of free legal aid to women with disabilities and to survivors and consider extending it to other women facing intersecting forms of discrimination, such as older women, women with disabilities, women belonging to ethnic minority groups, internally displaced women and women living in conflict-affected areas, refugee, asylum-seeking, migrant and stateless women and lesbian, bisexual, transgender and intersex women.

¹ [CEDAW/C/80/D/140/2019](#).

² See

www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf.

National human rights institutions

19. The Committee welcomes the work of the Public Defender's Office of Georgia, in particular its department on gender equality, as the national human rights institution for gender equality and the advancement of women, including recent work on the prevention of femicide, sexual and reproductive health and rights, women belonging to disadvantaged and marginalized groups, such as women belonging to ethnic minority groups and women and girls with disabilities, and on the impact of the coronavirus disease (COVID-19) pandemic on women working in the health sector. It is nevertheless concerned about the limited human, technical and financial resources available to the Office.

20. The Committee recommends that the State party prioritize strengthening the Public Defender's Office, including by allocating sufficient human, technical and financial resources to enable it to effectively and independently discharge its mandate in full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

Gender-based violence against women

25. The Committee notes the considerable legislative and policy measures to combat gender-based violence against women, including their adaptation during the COVID-19 pandemic, such as a review of the scope of the previously gender-neutral formulation of provisions related to domestic violence, their extension to other forms of gender-based violence against women, the criminalization of stalking and forced sterilization, the establishment of the Inter-Agency Commission on Gender Equality, Violence against Women and Domestic Violence, as well as of a department on human rights protection and quality monitoring within the Ministry of Internal Affairs to oversee investigations and other proceedings on gender-based violence against women, including domestic violence, the launch of the public awareness-raising and information campaign "No to Femicide" in 2022, and the extension of the mandate of the Public Defender's Office to monitor femicide cases ("Femicide Watch"). It is, however, concerned about:

(e) The shortage of shelters and crisis centres, the absence of a rape crisis centre, underdeveloped systems of psychosocial support for survivors of gender-based violence against women, and barriers for women and girls with disabilities and lesbian, bisexual, transgender and intersex women and girls survivors of gender-based violence to access protection orders and victim support services.

26. Recalling its previous recommendation ([CEDAW/C/GEO/CO/4-5](#), para. 21), and with reference to its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, the Committee recommends that the State party:

(e) Strengthen victim support services and protection, provide adequate and accessible shelters, medical treatment, psychosocial counselling and economic support to victims, including in rape crisis centres, in all parts of the State party, including by swiftly adopting the draft law on national referral mechanisms for the identification, protection, support and rehabilitation of survivors of gender-based

violence against women, with a particular focus on women facing intersecting forms of discrimination, such as women and girls with disabilities and lesbian, bisexual, transgender and intersex women and girls.

Equal participation in political and public life

29. The Committee welcomes the Gender Equality Strategy and Action Plan of the Civil Service Bureau aimed at establishing a gender-sensitive civil service system to enable the full and effective participation and leadership of women in decision-making processes, the Gender Equality Strategy 2022–2025 for the Ministry of Foreign Affairs and the various awareness-raising and training programmes carried out by the Election Administration to address gender stereotypes related to the electoral process and the participation of women in political and public life in general. It nevertheless notes with concern:

(a) That only 2 out of 12 ministers are women, women's representation at senior levels in the public service is critically low in some departments (6 per cent in 2021 in the Ministry of Internal Affairs) or has decreased (from 33 per cent in 2020 to 20 per cent in the Ministry of Defence) and that only 18 per cent of leading positions in the diplomatic missions of the State party and about 10 per cent of decision-making positions in the judiciary are held by women;

(b) That women in political and public life face sexist and misogynist political discourse, sexual harassment, sexism, threats and intimidation.

30. Recalling its previous recommendation ([CEDAW/C/GEO/CO/4-5](#), para. 25), and in line with its general recommendation No. 23 (1997) on women in political and public life, the Committee recommends that the State party:

(a) Introduce preferential recruitment of women and, as appropriate, adopt temporary special measures, such as quotas and a gender parity system, at all levels of government, the judiciary, academia, the foreign service and for secondment to international organizations, in particular at decision-making levels, which should include policies to promote and support women with disabilities, women belonging to ethnic minority groups and lesbian, bisexual, transgender and intersex women;

Education

33. The Committee notes the Unified National Strategy of Education and Science for 2022–2030, which encompasses multiple activities focusing on gender equality and the establishment of a gender mainstreaming platform within the Ministry of Education and Science to strengthen gender mainstreaming and eliminate gender stereotypes in the education system, and that public funding for the educational system is planned to reach 6 per cent of the gross domestic product. It is nevertheless concerned about:

(c) The comparably higher dropout rates among and the barriers faced by girls with disabilities to access inclusive education, in particular in rural areas.

34. Recalling its previous recommendation ([CEDAW/C/GEO/CO/4-5](#), para. 27), and with reference to its general recommendation No. 36 (2017) on the right of girls and women to education, the Committee recommends that the State party:

(c) Strengthen its awareness-raising campaigns and introduce further measures to increase school enrolment, retention and completion rates among women and girls with disabilities, in particular in rural areas.

Employment

35. The Committee welcomes that harassment, in particular sexual harassment, in the workplace and in public life was legally defined as a form of discrimination against women in 2019. The Committee, however, remains concerned about:

- (a) The disproportionately high unemployment rate among women;
- (b) The continued horizontal and vertical segregation in the labour market and the concentration of women in low-paid jobs and in the informal economy;
- (c) The widening gender pay gap, despite economic and income growth in the State party, which unevenly benefits women;
- (d) The limited access to social protection schemes for women working in the informal sector;
- (e) The disproportionate burden on women of unpaid domestic and child-care responsibilities and the persistently low number of men availing themselves of parental leave while the child is below three years of age, despite the recent introduction of a parental leave scheme.

36. Recalling its previous recommendation ([CEDAW/C/GEO/CO/4-5](#), para. 29), the Committee recommends that the State party:

- (a) Take targeted measures, including under the active labour market policy, to reduce unemployment among women, with an emphasis on unemployed internally displaced women and women living in conflict-affected areas, single mothers, young mothers, rural women, women with disabilities and lesbian, bisexual, transgender and intersex women;**

Health

37. The Committee welcomes the adoption of the National Strategy on Maternal and Infant Health Care 2017–2030, which is aimed at reducing the maternal and infant mortality rates and providing all women with universal access to evidence-based prenatal, antenatal, obstetric, neonatal and postnatal care. It nevertheless notes with concern:

- (b) That women's and girls' access to available and affordable modern contraceptives, in particular for rural women and girls and those with disabilities, remains limited despite measures to improve access in the National Action Plan for Maternal and Neonatal Health 2021–2023;

38. Recalling its previous recommendation ([CEDAW/C/GEO/CO/4-5](#), para. 31), and with reference to its general recommendation No. 24 (1999) on women and health, the Committee recommends that the State party:

- (a) Increase the budget allocated to health care to ensure the provision of accessible and affordable health services to all women and girls, including HIV pre-exposure prophylaxis, in particular for women belonging to disadvantaged and marginalized groups;**

- (b) Ensure the availability, accessibility and affordability of modern contraceptives for women and girls, in particular those belonging to disadvantaged and marginalized groups and in rural areas;**
- (c) Ensure access to safe abortion and post-abortion services for women and girls, including through awareness-raising campaigns and capacity-building targeting medical professionals, and collect data on the prevalence of illegal abortions in the State party and their causes and provide such information in its next periodic report;**
- (d) Take further measures to address the causes of maternal mortality by ensuring access to obstetric care and increasing the number of skilled birth attendants;**
- (e) Adopt measures to ensure the availability, accessibility and quality of mental health-care services and gender-sensitive addiction rehabilitation services, in both urban and rural areas, and establish suicide prevention helplines.**

Economic empowerment of women, economic and social benefits, and women living in poverty

39. The Committee notes the tabling in Parliament of the State Concept on Women's Economic Empowerment in December 2022, and a number of sectoral policies and programmes, including preferential loan schemes, aimed at the economic empowerment of women, in particular in rural areas. The Committee is, however, concerned at the feminization of poverty and social exclusion in the State party, exacerbated by the impact of the COVID-19 pandemic, and the lack of a comprehensive social protection scheme.

40. The Committee recommends that the State party:

- (a) Swiftly adopt the State Concept on Women's Economic Empowerment and implement it, paying specific attention to women belonging to disadvantaged and marginalized groups such as rural women, women belonging to ethnic minority groups, women with disabilities, internally displaced women and women living in conflict-affected areas, refugee, asylum-seeking, migrant and stateless women, and provide information in its next periodic report on the results achieved in the implementation of the State Concept;**

Disadvantaged and marginalized groups of women

41. The Committee takes note of the State Strategy for Civic Equality and Integration with respect to ethnic minorities for 2021–2030 and its action plans, which also mainstream women's rights and gender equality. It nevertheless remains concerned that older women, women with disabilities, women belonging to ethnic minority groups, internally displaced women and women living in conflict-affected areas, refugee, asylum-seeking, migrant and stateless women and lesbian, bisexual, transgender and intersex women continue to face intersecting and aggravated forms of discrimination in the State party.

42. Recalling its previous recommendation ([CEDAW/C/GEO/CO/4-5](#), para. 35), the Committee recommends that the State party adopt targeted measures, including temporary special measures, to ensure access to justice, employment and health care, including sexual and reproductive health services, social protection and food

security for disadvantaged groups of women, such as older women, women with disabilities, women belonging to ethnic minority groups, internally displaced women and women living in conflict-affected areas, refugee, asylum-seeking, migrant and stateless women and lesbian, bisexual, transgender and intersex women, taking into account their specific needs.

Marriage and family relations

43. The Committee welcomes that the minimum age for marriage has been raised to 18 years for both women and men and that the Civil Code provides for equal personal and property rights and equal responsibilities for spouses, that care of children is taken into account as a contribution to the communal property and that spouses can choose to regulate the property regime by entering into a contract. It is nevertheless concerned about:

(c) Cases in which mothers with disabilities living in State care institutions have not been allowed to live with their children.

44. Recalling its previous recommendation ([CEDAW/C/GE0/4-5](#), para. 37), and in accordance with joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child on harmful practices, the Committee recommends that the State party:

(c) **Prioritize deinstitutionalized living arrangements for mothers with disabilities pursuant to the Strategy on the Independent Living of Persons with Disabilities and Deinstitutionalization 2023–2030 and its action plan 2023–2025 and improve support services so that mothers with disabilities and their children enjoy their right to privacy and family life.**

HUNGARY - CEDAW/C/HUN/CO/9

Access to justice

13. The Committee notes with concern persistent barriers to women's and girls' access to justice, in particular for women and girls facing intersecting forms of discrimination who have limited access to justice owing to social stigma, the inaccessibility of the judicial system, gender bias among law enforcement officers, including the police. The Committee further notes that priority is given to mediation and reconciliation procedures in cases involving gender-based violence against women, women's limited awareness of their rights and limited knowledge among judges and law enforcement officials of the Convention, the Optional Protocol thereto and the Committee's general recommendations.

14. Recalling its general recommendation No. 33 (2015) on women's access to justice, the Committee recommends that the State party address the barriers to women's and girls' access to justice, including by:

(c) **Raising awareness among women and girls, including in rural areas and among Roma women, women with disabilities and older women, on the legal remedies available to claim violations of their rights.**

Temporary special measures

21. The Committee notes with concern the limited understanding within the State party of the non-discriminatory nature and importance of temporary special measures for accelerating the achievement of substantive equality of women and men, including through statutory quotas for women's representation in the public and private sectors, in particular as regards rural women, Roma women and girls, women with disabilities and older women.

22. In line with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, and recalling its previous recommendations (CEDAW/C/HUN/CO/7-8, para. 17), the Committee reminds the State party that the application of temporary special measures in accordance with the Convention is one of the means to realize de facto or substantive equality for women, rather than an exception to the norms of non-discrimination and equality, and recommends that the State party:

(b) Take further legal measures, including quotas and other proactive measures, accompanied by time-bound targets, sufficient resources and sanctions for non-compliance, to accelerate the realization of the rights of all women under the Convention, in particular in the areas of access to credit, entrepreneurship, employment in the formal sector and professional occupations in the judiciary and in science, technology, engineering, mathematics and information and communication technology, especially with respect to access to decision-making positions in those areas, and to elected and appointed decision-making positions at the provincial and local levels, with particular attention to rural women, Roma women and girls, women with disabilities and older women;

Gender-based violence against women

25. The Committee notes the launch of a new application in 2019 named *Kapcsolj egyből!* (Switch immediately) for victims of gender-based violence and the establishment of new crisis centres, secret shelters, transitional homes and crisis management clinics in 2018. However, it remains concerned about the high incidence of gender-based violence against women in the State party. In particular, it notes with concern:

(a) The absence of a comprehensive law in line with general recommendation No. 25 (2017) on gender-based violence against women specifically criminalizing all forms of gender-based violence, in particular psychological violence and inadequate protection from gender-based violence to women and girls facing intersecting forms of discrimination, including women and girls belonging to religious and ethnic minorities, women and girls with disabilities and LGBTI women;

26. Recalling its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, the Committee recommends that the State party:

(a) Adopt a comprehensive law on gender-based violence against women, in line with general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19 and the Committee's jurisprudence under

the Optional Protocol, which includes a definition of gender-based violence against women, measures and policies aimed at its elimination, institutions responsible for its implementation and coordination mechanisms, and takes into account the special protection needs of disadvantaged and marginalized groups of women, including Roma women, women with disabilities and LGBTI women;

Education

31. The Committee notes with appreciation the high number of girls and women enrolled in education, and the initiatives to promote women's and girls' participation in non-traditional fields of study and career paths, in particular in science, technology, engineering and mathematics and information and communications technology. However, the Committee notes with concern the "Pink education" analysis produced by the State Audit Office in 2022, which contains sexist language and reinforces gender stereotypes. It also notes with concern:

- (a) Reports about segregation and discrimination in access to education against Roma, refugee and asylum-seeking women and girls and LGBTI women and girls;
- (b) The lack of comprehensive age-appropriate sexuality education at school;
- (c) The persistence of discriminatory gender stereotypes in school curricula and textbooks and the lack of school education on gender equality;
- (d) The lack of effective measures to ensure the protection of women and girls from gender-based violence, harassment and bullying in schools and universities and the lack of effective complaint and redress mechanisms.

32. Recalling its general recommendation No. 36 (2017) on the right of girls and women to education, the Committee reminds the State party about its obligation to adopt measures towards a genuine transformation of opportunities, institutions and systems so that they are no longer grounded in historically rooted patriarchal power and life patterns, and that the education system is an example of an area for transformation that, once achieved, can accelerate positive change in other areas. The Committee recommends that the State party:

- (a) Ensure that girls and women belonging to disadvantaged and marginalized groups, such as girls and women with disabilities and Roma, migrant, refugee and asylum-seeking girls and women, and LGBTI girls and women have access to inclusive quality education;**

Employment

33. The Committee notes with appreciation the amendment to the Labour Code in January 2023, which introduces new opportunities for the return of parents of small children to work and grants 44 working days of parental leave for both the mother and father until a child reaches 3 years of age provided that the employee has at least one continuous year of employment. However, the Committee is concerned at the lack of awareness among fathers and employers about these possibilities. The Committee also notes the new provisions for flexible working arrangements to improve the work-life balance of women and men. However, the Committee is concerned:

(d) At the limited access to decent employment for disadvantaged and marginalized groups of women, including Roma women and women with disabilities;

34. The Committee recommends that the State party refocus its employment policy on gender equality and ensure that it is based on results, measurable indicators, partnerships with the private sector and opportunities for professional training in all areas, including innovative sectors such as the information and communications technology sector. It also recalls its previous recommendations (CEDAW/C/HUN/CO/7-8, para. 29) and recommends that the State party:

(d) Improve access to employment and training opportunities for disadvantaged and marginalized groups of women, such as Roma women and women with disabilities;

Health

35. The Committee remains concerned:

(c) That women with disabilities living in institutions continue to be subjected to sterilization and forced sterilization without their free and informed consent;

36. In line with its general recommendation No. 24 (1999) on women and health and targets 3.1 and 3.7 of the Sustainable Development Goals, the Committee recommends that the State party:

(c) Repeal or amend Act CLIV of 1997 which enables doctors to perform forced sterilizations on very wide grounds and eliminate the possibility of forced sterilization of women with disabilities, as recommended by the Committee on the Rights of Persons with Disabilities in 2022 (CRPD/C/HUN/CO/2-3, para. 36);

Disadvantaged and marginalized groups of women

37. The Committee remains concerned that rural women, older women, women with disabilities, women belonging to ethnic minority groups, such as Roma women and girls, LGBTI women and girls, refugee, asylum-seeking women and migrant women continue to face intersecting and aggravated forms of discrimination in the State party.

38. The Committee recommends that the State party adopt targeted measures, including temporary special measures, to ensure access to justice, employment and health care, including sexual and reproductive health services, social protection and food security for disadvantaged groups of women such as rural women, older women, women with disabilities, women belonging to ethnic minority groups, refugee, asylum-seeking and migrant women, taking into account their specific needs.

MAURITANIA - CEDAW/C/MRT/CO/4

Access to justice

12. The Committee notes with concern the barriers to women's access to justice in the State party, including limited awareness of their rights and of the legal remedies available to claim those rights, fear of stigmatization for filing complaints, complex legal procedures, unavailability of legal aid and the geographical inaccessibility of courts. It is further concerned that the judiciary is not sufficiently responsive to discrimination faced by women and lacks knowledge of their rights and the remedies available to them under the human rights treaties ratified by the State party.

13. In line with its general recommendation No. 33 (2015) on women's access to justice, the Committee recommends that the State party:

(b) In cooperation with civil society and intergovernmental organizations, raise awareness among women and girls, in particular women in poverty, formerly enslaved women or women from enslaved communities (Haratine), rural women and women with disabilities and other disadvantaged groups of women, of their rights under the Convention and the remedies available to them to claim those rights;

National machinery for the advancement of women

14. The Committee welcomes the establishment in 2020 of the National Observatory on the Rights of Women and Girls, which acts as the national machinery for the advancement of women and girls in the State party. It regrets, however, the lack of information on its relationship with the Ministry of Social Affairs, Children and the Family, as well as on its human, technical and financial resources. It also notes with concern the absence of a mechanism to effectively coordinate, monitor and evaluate the impact of strategies to mainstream gender across all sectors notwithstanding the establishment of sectoral gender units in all ministerial departments. The Committee is further concerned by the lack of details concerning the national gender policy and the related action plan linked with the national development plan and the lack of systemized consultation and cooperation between the Ministry of Social Affairs, Children and the Family, the National Observatory on the Rights of Women and Girls, and women's rights organizations.

15. Recalling the guidance provided in the Beijing Platform for Action, in particular regarding the conditions necessary for the effective functioning of national machineries, the Committee recommends that the State party:

(e) In cooperation with the National Agency for Statistical and Economic Analysis, strengthen the national capacity to systematically collect data, disaggregated by sex, age, disability, ethnicity, region and socioeconomic background, to benchmark progress towards realizing the objectives of its national gender policy and provide an assessment of progress made in its next periodic report.

Temporary special measures

18. The Committee notes the increased percentage of elected women representatives in decision-making bodies. However, it notes with concern the absence of temporary special measures to achieve the substantive equality of disadvantaged groups of women, such as Haratine women, refugee, stateless and migrant women, women with disabilities, rural women, and older women, in areas where they are underrepresented or disadvantaged, such as in access to education, health services, economic and social benefits and employment opportunities.

19. In line with article 4 (1) of the Convention and general recommendation No. 25 (2004) on temporary special measures, the Committee recommends that the State party:

(b) Adopt temporary special measures, such as regulatory instruments, policies and practices, outreach and support programmes, allocation of resources, preferential treatment, targeted recruitment, hiring and promotion, and affirmative actions, as

well as establish time-bound targets, as a necessary strategy to accelerate the achievement of substantive equality of women and men in all areas covered by the Convention where women are underrepresented or disadvantaged, such as in completion of mandatory schooling, enrolment in vocational training and tertiary education programmes, decreasing illiteracy through campaigns targeting adult and rural women, access to full-time formal employment opportunities, economic and social benefits and insurances, and unhindered access to affordable sexual and reproductive information and services, with particular attention to Haratine women, refugee, stateless and migrant women, women with disabilities, rural women and older women;

Gender-based violence against women

24. The Committee notes with concern the high levels of gender-based violence against women in the State party, exacerbated during the coronavirus disease (COVID-19) pandemic and disproportionately affecting disadvantaged groups of women. It also notes with concern that perpetrators often enjoy impunity owing to an inadequate legal framework protecting women, as well as the underreporting of incidents owing to women's mistrust in the justice system and the police, including their risk of being subjected to prosecution under an accusation of having sexual relations outside of marriage (*zina*), to which the death penalty applies, and to virginity testing during forensic examinations for rape that do not meet international health protocols and standards. The Committee further notes with concern that women are required to produce four witnesses to establish a prima facie case of rape and are often revictimized owing to gender-insensitive responses by first-line responders and law enforcement officers. It also regrets the lack of victim protection and support services in the State party, which are delegated largely to non-governmental organizations.

25. Recalling general recommendation No. 35, the Committee recommends that the State party:

(a) Urgently submit to the parliament for adoption the draft law on combating violence against women and girls in line with the commitment made by the State party's delegation during the constructive dialogue to do so in the first half of 2023, also echoed in the third cycle of its universal periodic review,³ and adopt targeted measures to protect Haratine women, refugee, stateless and migrant women, women with disabilities and rural women;

(k) Adopt harmonized protocols for the collection of data on incidents of gender-based violence against women, in coordination with relevant government departments and the National Statistics Office, ensuring that the data are disaggregated by the form of violence, age, region, disability and relationship between the victim and the perpetrator.

³ [A/HRC/47/6/Add.1](#), paras. 130.51, 130.52, 130.54, 130.56, 130.192, 130.193 and 130.194.

Trafficking

26. The Committee notes the progress made by the State party in establishing a legislative and institutional framework to combat and prevent trafficking in persons, in particular women and girls. However, it notes with concern the lack of a gender perspective within this framework, the limited attention paid to disadvantaged groups and the lack of early identification and referral of victims of trafficking to appropriate assistance and protection services and of the prosecution of their perpetrators.

27. In line with general recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration, the Committee recommends that the State party integrate a gender perspective into its anti-trafficking framework, strengthen the early identification and referral of victims of trafficking to appropriate services, and protect and support disadvantaged groups of women and girls who are at higher risk of being trafficked, including migrant women, Haratine women, women in prostitution, women with disabilities and girls who are exploited in forced begging. It requests the State party to provide in its next periodic report information on the number of investigations, prosecutions and convictions and on the sentences imposed on perpetrators in trafficking cases, including all complicit actors, as well as on support services, compensation and temporary residence permits provided to victims.

Education

32. The Committee commends the State party on the measures taken to promote girls' access to education, including the promulgation of Law No. 2022-023 on the orientation law of the education system establishing compulsory education from 6 to 16 years of age. It remains concerned, however, by the high rate of attrition from primary school to secondary school and the very low number of girls and women enrolled in tertiary education, in particular in science, technology, engineering and mathematics. The Committee regrets the lack of updated data disaggregated by age and other relevant indicators on the dropout rates among married and pregnant girls and their rates of reinsertion into the education system following marriage and childbirth. It notes with concern the high levels of gender-based violence, including sexual violence, against girls in the school environment and on the way to school.

33. Recalling general recommendation No. 36 (2017) on the right of girls and women to education, the Committee recommends that the State party raise awareness of the importance of girls' and women's education at all levels as a basis for their empowerment and the development of the country, as well as that the State party promote girls' and women's completion of secondary education and access to tertiary education, including by:

(a) Increasing the number of secondary schools in rural areas, the number of women teachers and support staff at all levels of education, the availability of sex-segregated sanitary facilities to manage menstrual hygiene, the availability of safe transport to schools, access to inclusive education for girls with disabilities and access to financial support for girls' families;

Health

36. The Committee acknowledges the State party's efforts to enhance women's access to health care, including the adoption of Law No. 2017-025 on Reproductive Health. However, it notes with concern:

(a) The inadequacy of women's and girls' access to sexual and reproductive health services and to the digital technologies that accelerate health service delivery, in particular in rural areas;

(b) The persistently high maternal mortality rates, including among adolescent girls, and the lack of adequate basic emergency obstetric and neonatal care in the State party;

(c) The high number of unsafe abortions in the State party, where abortions may be legally performed only in extremely restricted circumstances, including when the life of a pregnant woman is at risk;

(d) The limited access to antiretroviral treatment and the stigmatization and social exclusion of women and girls living with HIV/AIDS.

37. In line with general recommendation No. 24 (1999) on women and health, as well as targets of 3.1 and 3.7 of the Sustainable Development Goals, the Committee recommends that the State party:

(d) Ensure that women and girls have adequate access to sexual and reproductive health information and that all women, including rural women and women with disabilities, have access to high-quality sexual and reproductive health services, including family planning, modern forms of contraception to prevent in particular early pregnancy and sexually transmitted infections, and safe abortion and post-abortion services;

Data collection and analysis

44. The Committee recommends that the State party enhance the collection, analysis and dissemination of comprehensive data, disaggregated by sex, age, disability, geographical location and other relevant factors, and use measurable indicators to assess trends in the situation of women and progress towards the realization by women of substantive equality in all areas covered by the Convention and the gender-related targets of the Sustainable Development Goals.

NORWAY - CEDAW/C/NOR/CO/10

Visibility of the Convention, the Optional Protocol and the Committee's general recommendations

10. The Committee welcomes the courses offered on women's rights at Oslo University and other academic institutions. It is concerned, however, that no equivalent education exists for the larger public. It also reiterates its concern about the lack of awareness about the Convention, the Optional Protocol thereto and the Committee's general recommendations among women, in particular women from ethnic minorities, migrant women and women with disabilities, which presents an obstacle to them claiming their rights, as well as among the general public.

11. The Committee recommends that the State party intensify its efforts to raise awareness among women and men, girls and boys, of women's rights under the Convention and the remedies available to them under the Optional Protocol thereto, including via online courses and outreach activities on the Convention, the dissemination of accessible information and the usage of media.

Gender-based violence against women

30. The Committee welcomes the many initiatives of the State party to address gender-based violence against women, including the sixth action plan against domestic violence, the expansion of the rehabilitation services for perpetrators of gender-based violence against women, family counselling services, the Alternative to Violence (ATV) programme, the development of an education programme for service providers that work with perpetrators of gender-based violence, and the existence of an inter-ministerial working group to combat domestic violence. The Committee is concerned, however, about the continued high rate of gender-based violence against women and its significant underreporting. It also notes with concern:

(i) That according to reports, the risk of women with disabilities of domestic violence is significantly higher than that of women without disabilities, and that in cases of rape of women with disabilities, the courts in the State party sometimes apply Section 295 of the Penal Code on special protection of women with disabilities from sexual exploitation which carries a lighter penalty than Section 291 of the Penal Code on rape;

31. The Committee recommends that the State party, in close consultation with women's groups and experts on gender-based violence prevention, increase efforts toward the prevention of gender-based violence against women, including by introducing teachings about zero tolerance for violence into the school curriculum at all levels and train teachers accordingly; conduct large-scale awareness-raising campaigns in the media on zero tolerance for violence, on recognizing aggressive behaviour and on where to seek help; ensure sufficient support structures are in place for women wishing to leave an aggressive spouse and set up programmes for perpetrators of gender-based violence aimed at non-recurrence. The Committee furthermore recommends that the State party:

(f) Provide capacity building to relevant law enforcement officers, health professionals and municipal employees to strengthen the identification of victims of gender-based violence among women with disabilities, including through better usage of the TryggEst tool, ensure that women with disabilities have access to confidential and independent complaint mechanisms, and apply the Section 291 of the Penal Code's on rape in all cases of rape;

Equal Participation in political and public life

34. The Committee notes with appreciation the number of programmes developed for women who are underrepresented and belong to disadvantaged groups owing to discriminatory structures, institutions and systems, in particular with regards to Sami women and women with disabilities. The Committee is concerned, however, that this approach is based on a model of service-provision only rather than effective

empowerment, visible in an underrepresentation of Sami women, women with disabilities and other minority women in the State party's decision-making systems.

35. The Committee recommends that the State party adopt an empowerment model rather than a model of service provision only and allocate the necessary resources and develop quotas to ensure true empowerment of women from every group and their full representation in the State party's decision-making systems.

Employment

40. The Committee welcomes that 76 percent of women in the age group of 20–66 are in formal employment in the State party, which is among the highest participation rates in the world. It also notes with appreciation that according to 2019 data, in companies where the State party had an ownership share, the average number of women CEOs at the executive level and on boards was at 41 and above 46 percent, respectively. The Committee further welcomes the instauration of flexible working arrangements, the new initiative to encourage employers to provide full rather than part-time job, parental leave schemes and child care facilities, as well as a job opportunity programme aimed at increasing the employment rate among minority women. However, it notes with concern:

(e) That women belonging to underrepresented groups, who are disadvantaged and marginalized because of discriminatory structures, institutions, and systems, including migrant women, Sami women, women with disabilities and women victims of gender-based violence, face barriers to integrate into the labour market.

41. The Committee recommends that the State party:

(a) Further strengthen its efforts to promote equal sharing of child-raising and care responsibilities between women and men and to offer flexible working arrangements to women and men in all sectors;

(b) Adopt the draft gender equality law which would require large companies to have 40 percent of women on their boards; extend this quota to medium-scale companies and to women's representation at the executive level; and conduct a study on the underrepresentation of women in managerial posts, with a view to identifying potential gender bias and developing strategies to address it;

(c) Provide training and support programmes combined with active involvement and incentives for employers to facilitate access to the job market by women belonging to underrepresented groups, who are disadvantaged or marginalized because of discriminatory structures, institutions, and systems, with a view to promoting their autonomy.

Women with disabilities

54. The Committee is concerned that women with disabilities continue to face intersecting forms of discrimination. It notes with concern:

(a) The lack of a gender perspective in disability studies and the absence of the rights of women and girls with disabilities from gender equality and disability agendas;

(b) Under certain circumstances, women and girls with disabilities continue to be subjected to involuntary medical treatment, including forced sterilization and abortion.

55. The Committee recommends that the State party:

(a) Ensure that a gender perspective is integrated into disability studies and the human rights of women and girls with disabilities into gender equality and disability agendas;

(b) Prohibit involuntary medical treatment including abortion and sterilization, without the free, prior and informed consent of the women and girls concerned, regardless of the severity and type of their disability, and provide them with adequate support to take autonomous decisions on their health;

(c) Establish programmes at the national and regional levels to provide access for women with disabilities to sexual and reproductive health services.

SLOVENIA - CEDAW/C/SVN/CO/7

Temporary special measures

21. The Committee takes note of the special programme for the promotion of women's entrepreneurship 2016–2019, the funds earmarked in 2020 for women start-up entrepreneurs, aimed at including women in early entrepreneurship, and the "Day with a Woman MP" organized by the National Assembly in 2019 and 2020. However, the Committee is concerned that these initiatives fall short of temporary special measures to accelerate the achievement of substantive equality of women and men in areas where women are underrepresented or disadvantaged.

22. Recalling article 4 (1) of the Convention and its general recommendation No. 25 (2004) on temporary special measures, the Committee recommends that the State party:

(b) Include disadvantaged groups of women, such as refugee and asylum-seeking women, women with disabilities and Roma women, in the design, adoption, implementation and monitoring of temporary special measures;

Gender-based violence against women

25. The Committee welcomes the introduction of the affirmative consent model for rape and sexual offences in the Criminal Code. It also notes with appreciation that the amended Criminal Code (2016) criminalizes psychological violence (coercion, threats, domestic violence, workplace mobbing, violence and stalking), physical violence, as well as rape and sexual violence in a marriage, extramarital partnership or registered same-sex civil partnership. It further notes the various strategies developed in the area of violence against women, the survey conducted on the prevalence and identification of cyber harassment among young people and the media campaign launched in 2019 focusing on raising awareness of various forms of cyberviolence, in particular those that frequently affect women and girls. However, the Committee notes with concern:

(a) The absence of a comprehensive strategy on gender-based violence against women;

(b) The absence of a permanent mechanism to coordinate, monitor and assess the effectiveness of measures taken to address violence against women;

(c)The lack of sexual violence referral centres and the fact that support services for victims of gender-based violence are concentrated in urban areas, while rural areas are underserved;

(d)The lack of continuous training provided to health-care professionals on the gender-responsive protocols to attend to victims of gender-based violence;

(e)The lack of information on the effective enforcement and monitoring of compliance with protection orders, in particular restraining and separation orders, for victims of domestic violence, which leaves women who are victims of such violence at risk of revictimization;

(f)The overall lack of disaggregated data on all forms of gender-based violence against women and girls, including psychological, economic and domestic violence, as well as cyberviolence.

26. Recalling its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, and in line with target 5.2 of the Sustainable Development Goals, to eliminate all forms of violence against women and girls in the public and private spheres, the Committee recommends that the State party:

(c) Establish sexual violence referral centres, provide adequate shelters for victims of gender-based violence in all regions and ensure that they meet the accommodation needs of all women victims of violence, including women with disabilities;

(f) Ensure the collection and analysis of data on all forms of gender-based violence against women and girls, including psychological, economic and domestic violence, as well as cyberviolence and femicide, disaggregated by age, nationality, disability and the relationship between the victim and the perpetrator, and include economic and psychological forms of gender-based violence against women in administrative legislation.

Education

35. The Committee welcomes the high enrolment rate of women and girls at all levels of education, in particular tertiary education, where their participation is considerably higher than that of men. It also notes that 51 per cent of state scholarships and 58.4 per cent of talented students' scholarships are awarded to girls. It further notes the launch of research, together with public universities, on sexual harassment and other forms of gender-based violence in higher education. However, the Committee notes with concern:

(b)The low enrolment rates of girls with disabilities in mainstream education;

36. Recalling its general recommendation No. 36 (2017) on the right of girls and women to education, the Committee recommends that the State party:

(b) Strengthen access for women and girls with disabilities to inclusive education at all levels and include in its next periodic report disaggregated data on school enrolment, completion and dropout rates, and access to university education;

Employment

37. The Committee welcomes the reduction of the gender pay gap to 3.1 points in 2020, one of the lowest in Europe; the amendments to the Parental Care and Family Benefits Act that will give each parent 60 days of non-transferable paid parental leave; and the development of guidelines for active fatherhood. It also welcomes the establishment of a dedicated officer in the Ministry of Community Development, Gender Affairs and Social Services to work with persons with disabilities and older persons. However, the Committee notes with concern:

(b) The lack of policy to support and empower women and girls with disabilities and provide special training programmes to increase their independence and employability;

38. The Committee draws attention to its general recommendation No. 13 (1989) on equal remuneration for work of equal value and to target 8.5 of the Sustainable Development Goals, to achieve, by 2030, full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value, and recommends that the State party:

(a) Take targeted measures, such as financial incentives for employers, to promote the equal participation of women in the labour market, particularly in innovative sectors such as the digital sector;

(b) Enforce the principle of equal pay for work of equal value in order to narrow and ultimately close the gender pay gap, including by undertaking regular gender pay reviews in all occupational sectors, including the public service, in cooperation with employers' associations and trade unions, applying gender-sensitive analytical job classification and evaluation methods;

(c) Raise awareness among employers and employees of the relevant provisions of the Labour Code prohibiting all forms of harassment, including sexual harassment, in the workplace, ensure that all reports of sexual harassment are effectively investigated and that those responsible are adequately punished, and that employers take preventive measures against harassment and sexual harassment, and adopt in the penal code special preventive sanctions and create data indicators;

(d) Strengthen labour inspections and women's access to confidential and independent complaint mechanisms to address employment discrimination against women.

Health

39. The Committee welcomes the preventive reproductive health-care programme of the State party, which includes counselling on family planning and the use of contraception, prevention of sexually transmitted diseases, spontaneous or artificial termination of pregnancy, cervical cancer detection and vaccination against human papillomavirus for girls. It notes that infertility treatment, including assisted procreation procedures, are covered by the health insurance. The Committee further notes the publication of standards and instructions to help vulnerable groups to gain access to health-care institutions and other institutions, and that mental health programmes put a special emphasis on disadvantaged groups of women, such as

women in detention and women in prostitution. The Committee, nevertheless, notes with concern:

(b)The limited access to health services for disadvantaged groups of women, including women with disabilities;

40. Recalling its general recommendation No. 24 (1999) on women and health, the Committee recommends that the State party:

(b) Ensure that women and girls belonging to disadvantaged groups, such as women and girls with disabilities, have affordable access to health care, including sexual and reproductive health services;

Women with disabilities

49. The Committee notes with concern that women with disabilities in the State party often face exclusion from the labour market and education.

50. Recalling its general recommendation No. 18 (1991) on disabled women, the Committee recommends that the State party ensure that all women and girls with disabilities are able to access the labour market, justice, inclusive education, employment and health services, including sexual and reproductive health services.

TUNISIA - CEDAW/C/UTUN/CO/7

Women's access to justice

19. The Committee notes that the 2022 Constitution mandates the reorganization of the judicial branch. It also notes that Organic Law No. 58-2017 provides for the right of victims of gender-based violence against women to legal guidance on the provisions governing litigation and services available. However, the Committee notes with concern that the Constitutional Court is still not operational, despite its fundamental role to ensure the rule of law, the independence of the judiciary and access to justice for all women and girls. It also notes with concern the lack of training for judges, prosecutors and lawyers on the Convention and the Optional Protocol thereto. It further notes with concern the issuance on 1 June 2022 of presidential decrees Nos. 35-2022 and 516-2022, dismissing 57 judges, including seven women, of whom two faced gender-based harassment and online smear campaigns. The Committee is further concerned at the limited access to free legal aid for women victims of gender-based violence and legal illiteracy among women belonging to disadvantaged groups. The Committee, finally, notes with concern that article 6 of Law No 52-2002 restricts access to legal aid to nationals as well as to non-nationals with a residence permit.

20. In the light of its general recommendation No. 33 (2015) on women's access to justice, the Committee recommends that the State party:

(a) Enhance the legal literacy of women and girls, including rural women and girls and disadvantaged groups of women, such as migrant women, women belong to ethnic minorities, women with disabilities, Amazigh women and older women, by ensuring that they have adequate access to information on the legal remedies available to them to claim violations of their rights;

National machinery for the advancement of women

25. The Committee welcomes the establishment of the Council of Peers for Equality and Equal Opportunities for Women and Men and the Centre for Research, Documentation and Information on Women (CREDIF). It also notes the adoption of the National Strategy for Gender Mainstreaming (2016-2020), the National Plan for the Inclusion and Institutionalization of Gender and the National Plan on Women and Climate Change. The Committee notes with concern, however, the inadequate human, technical and financial resources allocated to these institutions and for the implementation of these policies.

26. The Committee, recalling its general recommendation No. 6 (1988) on effective national machinery and publicity, as well as the guidance provided in the Beijing Declaration and Platform for Action, notably regarding the conditions necessary for the effective functioning of national machineries for the advancement of women, recommends that the State party:

(c) Strengthen the national capacity to systematically collect data, disaggregated by sex, age, disability, ethnicity, region and socioeconomic background;

Temporary special measures

27. The Committee notes that article 51 of the 2022 Constitution includes the principle of parity in elected legislative bodies. It also notes that the State party has adopted special measures to promote the participation of women in the area of entrepreneurship in the digital sector (programme Fly Wheel) in the framework of the national digital strategy 2021-2023. However, the Committee notes with concern the limited use of temporary special measures by the State party, education, employment and health as well as in political representation.

28. In line with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, the Committee recommends that the State party:

(a) Adopt temporary special measures and establish time-bound targets to accelerate the achievement of substantive equality of women and men in all areas covered by the Convention in which women are underrepresented or disadvantaged, especially at the decision-making level, and with particular attention to rural women, migrant women, women belonging to ethnic minorities, Amazigh women and women with disabilities;

Education

37. The Committee welcomes the increase in girls' enrolment at all levels of education, including in public institutions of higher learning, and notes the high literacy rate among adolescent girls and young women. It also notes that the State party has integrated education on sexual and reproductive health and rights into school curricula. However, the Committee notes with concern that the right to education, while guaranteed in the 2022 Constitution, is limited to citizens under the law of the State party. It also notes with concern the high dropout rates among girls due in part to the lack of public transportation in rural and remote areas and gender-based violence,

including sexual abuse, against girls in the school environment. It further notes with concern the high illiteracy rate among women with disabilities.

38. Recalling its general recommendation No. 36 (2017) on the right of girls and women to education, the Committee recommends that the State party:

(b) Strengthen inclusive and targeted adult literacy programmes for women, prioritizing disadvantaged groups of women, including women with disabilities, older women and rural women and girls;

Employment

39. The Committee notes that article 40 of the Constitution (2022) guarantees the right to work to women; article 5 of the Labour Code prohibits gender-based discrimination in the application of employment laws; article 6 of Law No. 58-2022 requires the State party to eliminate discriminatory practices against women, particularly with regard to remuneration and social security coverage; and article 226 of the Penal Code criminalizes sexual harassment at the workplace. However, it notes with concern women's significantly lower labour force participation rate and higher unemployment rate in comparison to men, despite their high levels of education. It is also concerned that women are concentrated in traditionally female employment sectors and rural women in the agricultural sector, including as unpaid workers in family farming and low paid seasonal workers, where they have only limited access to social protection and social benefits and often work in precarious conditions. The Committee further notes with concern the significant gender pay gap, the prevalence of child labour and the lack of affordable childcare facilities in the State party.

40. Recalling target 8.5 of the Sustainable Development Goals to, by 2030, achieve full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value, the Committee recommends that the State party:

(a) Ensure the effective implementation of the provisions of Law No. 58-2022 to enforce the principle of equal pay for work of equal value, and regularly review wages in sectors where women are concentrated and adopt measures to close the gender pay gap, including through gender-neutral analytical job classification and evaluation methods and regular pay surveys;

(b) Increase the number of affordable childcare facilities to enable women and men to reconcile family and work responsibilities;

(c) Ensure the strict application of article 226 of the Penal Code and ensure that victims of sexual harassment in the workplace have access to effective, independent and confidential complaint procedures and that all complaints are effectively investigated and perpetrators prosecuted and adequately punished, and that victims receive redress and are protected from retaliation;

(d) Ratify the International Labour Organization (ILO) Violence and Harassment in the World of Work Convention, 2019 (No.190), the Labour Inspection (Agriculture) Convention, 1969 (No. 129).

Health

43. The Committee notes the State party's efforts to guarantee universal health care coverage, despite limited resources, and the adoption of the National Strategy for the Advancement of Maternal and Newborn Health 2020-2024. It also notes that women aged 18 years or above have access to safe abortion services in public hospital and that the State party is conducting public awareness raising campaigns on sexual and reproductive health and rights. However, the Committee notes with concern the persistent regional disparities in women's access to affordable quality healthcare and their limited access to modern contraceptives and their increased unmet need for family planning. It also notes with concern that doctors often refuse to perform or discourage women from seeking abortion without referring them to alternative safe abortion services.

44. In line with its general recommendation No. 24 (1999) on women and health and target 3.7 of the Sustainable Development Goals to, by 2030, ensure universal access to sexual and reproductive health-care services, including for family planning, information and education, and the integration of reproductive health into national strategies and programmes, the Committee recommends that the State party:
(c) Ensure that women and girls, including those with disabilities and rural women and girls, have adequate access to sexual and reproductive health services and information, including family planning and safe abortion and post-abortion services;

Women with disabilities

57. The Committee notes with concern that women and girls with disabilities in the State party face physical and other barriers to access justice, education, employment, health and other basic services.

58. The Committee recommends that the State party remove all barriers and adopt temporary special measures, in accordance with article 4, paragraph 1, of the Convention, to ensure that women and girls with disabilities have adequate and autonomous access to justice, accessible and inclusive education, health services, including sexual and reproductive health services, transportation and other basic services that are responsive to their needs.