



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

**CEDAW Committee's 85th session  
(08 May– 26 May 2023)**

<b>Committee on Elimination of Discrimination Against Women- 85<sup>th</sup> Session- 2023</b>	
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

**CHINA- CEDAW/C/CHN/CO/9**

**GERMANY - CEDAW/C/DEU/CO/9**

**ICELAND - CEDAW/C/ISL/CO/9**

**SAO TOME AND PRINCIPE - CEDAW/C/STP/CO/1-9**

**SLOVAKIA - CEDAW/C/SVK/CO/7**

**SPAIN - CEDAW/C/ESP/CO/10**

**TIMOR LESTE - CEDAW/C/TLS/CO/4**

**VENEZUELA (BOLIVIA REPUBLIC OF) - CEDAW/C/VEN/CO/9**

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

## CHINA- CEDAW/C/CHN/CO/9

### **Women's rights and gender equality in relation to the pandemic and recovery efforts**

9. The Committee welcomes the adoption of policies and guidelines for institutions to ensure the accessibility of maternal health services during the coronavirus disease (COVID-19) pandemic, the implementation of a programme to support women in recovering from the socioeconomic impacts of the pandemic and the issuance of guidance on the coronavirus disease (COVID-19) pandemic prevention and control for elderly women and women with disabilities. However, the Committee is concerned that measures taken to contain the pandemic, such as restrictions on freedom of movement, have disproportionately restricted women's and girls' access to justice, shelters, education, employment and health care, including sexual and reproductive health services.

**10. The Committee, in line with its guidance note on the obligations of States parties to the Convention in the context of COVID-19, issued on 22 April 2020, recommends that the State party:**

**(a) Implement institutional, legislative and policy measures to redress long-standing inequalities between women and men and to give renewed impetus to the achievement of gender equality by placing women at the centre of COVID-19 recovery strategies as a strategic priority for sustainable change, in line with the Sustainable Development Goals;**

**(b) Ensure that, in the context of post-crisis recovery plans, women and girls are not relegated to stereotypical gender roles;**

### **Definition of discrimination against women**

13. The Committee notes the amendment to the Law on the Protection of Rights and Interests of Women. Nevertheless, it notes with concern the absence from the State party's legislation of a comprehensive definition of discrimination against women, in accordance with articles 1 and 2 of the Convention. The Committee is concerned about the different treatment and protection of the law of women according to their sexual orientation, gender identity and their ethnic or religious affiliation. The Committee is concerned that article 48 of the Constitution read with article 49 advances a protective framework rather than a substantive equality framework in addressing gender equality.

**14. The Committee reiterates its previous recommendation ([CEDAW/C/CHN/CO/7-8](#), para. 13) and calls upon the State party to adopt a comprehensive definition of discrimination against women that explicitly prohibits direct and indirect discrimination in the public and private spheres, including intersecting forms of discrimination, in accordance with articles 1 and 2 of the Convention. It further recommends that the State party ensure the effective implementation of the prohibition of discrimination against all women facing discrimination, including women with disabilities, lesbian, bisexual, transgender and intersex, Tibetan and Uyghur women and women from the Democratic People's Republic of Korea, through appropriate enforcement mechanisms and sanctions.**

### **Women's access to justice**

15. The Committee welcomes the reform of legal aid and the engagement of the State party to reinforcing access to justice but remains concerned that data shows gender bias on the part of many judges, who apply gender stereotypes and give little weight to women's testimony, evidence and claims, and that some courts have dismissed up to 80 per cent of women's domestic violence claims in divorce proceedings. It further notes with concern that disadvantaged groups of women, such as women with disabilities, lesbian, bisexual, transgender and intersex, Tibetan and Uyghur women and women from the Democratic People's Republic of Korea, face economic and linguistic barriers, as well as intersecting forms of discrimination, in accessing justice. It is also concerned by the lack of information on the number and outcome of cases of discrimination against women brought before the courts and competent authorities.

**16. The Committee, recalling its general recommendation No. 33 (2015) on women's access to justice, recommends that the State party:**

**(c) Remove intersecting forms of discrimination and barriers faced by women and girls, in particular women with disabilities, lesbian, bisexual, transgender and intersex, Tibetan and Uyghur women, in accessing justice, including by sensitizing the judiciary on their equal rights and providing free legal aid to women without sufficient means and independent and professional translation and interpretation services, when needed.**

### **Education**

39. The Committee welcomes the fact that the State party has achieved universal primary education. Noting the information provided during the dialogue with the State party, the Committee remains concerned, however, about:

(a) The limited integration of human rights education in curricula at all levels of education;

(b) Cases of sexual harassment and cyberbullying of girls at school;

(c) The lack of data on access to education for disadvantaged groups of girls and women;

(d) Reports on the closure of schools providing instruction in minority languages, such as Kazakh, Tibetan and Uyghur;

(e) Reports of a coerced residential (boarding) school system imposed on Tibetan girls.

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

**(c) Strengthen access for girls and women from disadvantaged groups, including rural girls, girls whose parents have migrated to urban areas and girls and women with disabilities, to mainstream education at all levels and provide updated disaggregated data on their educational access in its next periodic report;**

### **Women with disabilities**

53. The Committee notes that the 2016 Disability Prosperity Directive provides for the broadening of the means of participation in democratic processes for persons with disabilities and their organizations. However, it notes with concern that women with disabilities face exclusion from the labour market, institutionalization and high rates

of gender-based violence. The Committee is also concerned about the shackling of women and girls with psychosocial disabilities owing to stigma or lack of access to community services.

**54. In line with its general recommendation No. 18 (1991) on women with disabilities, the Committee recommends that the State party:**

**(a) Ensure that women and girls with disabilities have adequate access to the labour market, as well as to justice and victim support services when they have experienced gender-based violence, and that they may freely decide where and with whom they choose to live;**

**(b) Address intersecting forms of discrimination against women and girls with disabilities and ensure their inclusion and access to all rights under the Convention, including by eliminating restrictions on their legal capacity and ensuring their access to inclusive education, employment and health services, including sexual health and reproductive health services;**

**(c) Ensure the dignified treatment of women and girls with psychosocial disabilities and their effective access to mental health services.**

#### **GERMANY - CEDAW/C/DEU/CO/9**

##### **National machinery for the advancement of women, and gender mainstreaming**

21. The Committee notes that the State party's cross-sectoral, interdepartmental Gender Equality Strategy 2021-2025 makes explicit reference to regional and international gender equality frameworks, including the Convention and the 2030 Agenda for Sustainable Development, and that it covers issues specific to women and men with disabilities and migrant women. It notes with appreciation that the State party's Sustainable Development Strategy integrates several indicators related to Sustainable Development Goal 5 on gender equality. The Committee notes with concern, however:

(a) That gender-responsive budgeting is limited to advanced training, re-entry and start-ups and has not been explicitly integrated into all areas of the federal budget;

(b) The lack of authority and mandate of the Federal Anti-Discrimination Agency to file or support court cases, launch investigations or impose sanctions in response to discrimination claims;

(c) The need for a clear, mainstreamed monitoring and evaluation system for the Gender Equality Strategy involving all relevant stakeholders.

**22. The Committee reiterates its previous recommendations (see [CEDAW/C/DEU/CO/7-8](#), para. 18) that the State party:**

**(a) Explicitly integrate mandatory gender-responsive budgeting into all areas of the federal budget and include effective monitoring and accountability mechanisms across all sectors and levels of government;**

**(b) Strengthen the mandate of the Federal Anti-Discrimination Agency and provide it with the authority necessary to file court cases, launch investigations and impose sanctions; ensure that it is provided with adequate human, technical and financial resources to implement its mandate effectively; and establish and sustain independent anti-discrimination offices in all federal States;**

**(c) Enhance the monitoring and evaluation system to monitor the implementation of indicators under the Gender Equality Strategy.**

**Gender-based violence against women**

31. The Committee welcomes the entry into force in the State party in 2018 of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence and the non-prolongation of the reservations of the State party to that Convention. It notes the launch, in 2019, of a programme on preventing gender-based violence against women and their children and the launch, in 2020, of the “Not safe at home” campaign seeking to address the increase in gender-based violence against women during the COVID-19 pandemic lockdown. The Committee appreciates the training activities for judges, public prosecutors and members of the legal profession on gender-based violence. The Committee nevertheless notes with concern:

(c) Reports that survivors of gender-based violence against women sometimes do not receive support that is adapted to their specific needs, in particular women and girls with disabilities, trans women and women and girls that do not speak German;

(d) The absence of an independent mechanism for monitoring cases of gender-based violence against women with disabilities living or working in specialized institutions despite indications that those women are particularly at risk;

**32. The Committee recalls its general recommendations No. 19 (1992) on violence against women and No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19 (1992) and recommends that the State party:**

**(c) Encourage women to report incidents of gender-based violence, including domestic violence, and provide support that is both accessible and adapted to their specific needs, in particular for women and girls with disabilities, trans women and women and girls who do not speak German;**

**(d) Monitor and address cases of gender-based violence and abuse in institutions for persons with disabilities;**

**ICELAND - CEDAW/C/ISL/CO/9**

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

11. The Committee notes information on the availability of an online course in the State party on women’s rights and the Convention, targeting upper secondary school students. However, it notes with concern the lack of awareness of the Convention, the Optional Protocol thereto and the Committee’s general recommendations among women, in particular migrant women and women with disabilities, which presents an obstacle to them claiming their rights. It is also concerned about the unusually low number of submissions from women’s organizations and women human rights defenders in the context of the consideration of the report of the State party, which may be attributed to the lack of awareness of the Convention.

**12. The Committee recommends that the State party intensify its efforts to raise awareness among women of their rights under the Convention and the remedies available to claim those rights, such as the individual communications and inquiry procedures under the Optional Protocol, including among women's organizations and women human rights defenders.**

**National machinery for the advancement of women**

15. The Committee welcomes the fact that gender mainstreaming is among the objectives of the parliamentary resolution on the gender equality action programme for 2020–2023 and that each ministry is responsible for mainstreaming gender in its policies and decision-making processes, including by appointing a gender equality representative. It also commends the efforts of the State party to introduce gender-responsive budgeting, in line with the five-year gender budgeting plan for 2019–2023. The Committee further notes the designation of the Directorate of Equality as the national equality body, in accordance with directives of the European Union on the equal treatment of all persons without discrimination on the grounds of gender, race or ethnic origin, and the establishment of the Equality Complaints Committee, which is tasked with examining alleged violations of Act No. 150/2020 as a non-judicial mechanism. The Committee, however, notes with concern:

(a) Reports on the lack of adequate human, technical and financial resources for the appointment of full-time gender equality representatives at ministries, which impedes the work on gender mainstreaming at the ministerial level and the implementation of Act No. 150/2020;

(b) That the Department of Equality and Human Rights lacks the status of a line ministry and that the Directorate of Equality and the Equality Complaints Committee are reportedly understaffed, which undermines their mandate to ensure that gender equality policies are implemented effectively and to carry out their activities in accordance with Act No. 150/2020 and the Act on the Administration of Matters Concerning Equality (No. 151/2020);

(c) The low number of complaints about discrimination submitted by women to the Equality Complaints Committee (29 complaints received between 2015 and 2020), which can be attributed in part to the lack of awareness among women of the role and mandate of the Committee.

**16. 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, the Committee recommends that the State party consider transforming and elevating the status of the Department of Equality and Human Rights to that of a line ministry responsible for women's affairs, with adequate human, technical and financial resources to coordinate all public policies and strategies for gender equality and the advancement of women throughout the State party, including gender-responsive budgeting, and with gender units operating at the local level, in accordance with Act No. 150/2020, Act No. 151/2020 and the parliamentary resolution on the gender equality action**

**programme for 2020–2023. The Committee also recommends that the State party conduct awareness-raising campaigns among women, in particular migrant women and women with disabilities, on the role and mandate of the Directorate of Equality and the Equality Complaints Committee.**

### **Temporary special measures**

19. The Committee welcomes the requirement in article 28 of Act No. 150/2020 to achieve equal representation of women and men in appointments made to national and local government committees, councils and boards, as well as to the boards of public companies. The Committee is nevertheless concerned about women's low representation in decision-making positions and on boards of directors in the private sector in the State party, where only 10 per cent of the directors and 26 per cent of the members of boards of directors of the 100 largest companies are women. It also notes with concern the lack of temporary special measures adopted by the State party to accelerate the achievement of substantive equality of women, in particular migrant women, women with disabilities, rural women and older women, in all areas where they are underrepresented or disadvantaged, such as in political and public life, education and employment.

**20. The Committee recommends that the State party adopt additional 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, and provide incentives such as gender scorecards, strengthen targeted recruitment and establish time-bound goals and quotas in all areas covered by the Convention, where women, in particular migrant women, women with disabilities, rural women and older women, are underrepresented or disadvantaged, notably in the private sector, in order to increase the number of women who are members of boards of directors and in decision-making positions.**

### **Gender stereotypes**

21. The Committee notes the measures taken to eliminate gender stereotypes and structural inequalities between women and men in society, the education sector and the labour market in the State party. It notes with concern, however, reports on the prevalence of gender-based hate speech, including via social media, in particular sexist and misogynist speech, against women in political life and women belonging to disadvantaged groups, such as women with disabilities and migrant, refugee and asylum-seeking women.

**22. The Committee recommends that the State party criminalize sexist, misogynist and other forms of gender-based hate speech, including against women politicians and women belonging to disadvantaged groups, such as migrant women, women with disabilities and refugee and asylum-seeking women; prevent harassment and threats against them, including by strengthening monitoring and reporting mechanisms and holding social media companies accountable for discriminatory user-generated content; and investigate, prosecute and adequately punish those responsible. It recommends that the State party continue to raise awareness to address**



**discriminatory gender stereotypes and promote positive portrayals of women as active drivers of development.**

### **Harmful practices**

23. The Committee notes the adoption of the Act on Sterilization Procedures (No. 35/2019), which prohibits carrying out sterilization procedures on persons over 18 years of age without their consent. It notes with concern, however, the explanation by the delegation that forced sterilization is not explicitly criminalized in the General Penal Code, but is covered by the general provision on bodily harm in the General Penal Code (article 218). It also notes with concern reports on forced sterilizations of women with intellectual and psychosocial disabilities.

**24. The Committee recommends that the State party amend the General Penal Code to explicitly criminalize forced sterilization. It also recommends that the State party ensure that no medical interventions are performed on women with disabilities, including those with intellectual or psychosocial disabilities, without their free, prior and informed consent, and that they have adequate access to sexual and reproductive health services and information in accessible formats, including on family planning and protection from sexual abuse.**

### **Gender-based violence against women**

25. The Committee welcomes the amendments to the General Penal Code to criminalize digital sexual violence and stalking, to increase protection for victims of psychological violence and to base the definition of rape on absence of consent. It also notes the adoption of the action plan concerning sexual offences for the period 2018–2022 and the new action plan for handling of sexual violence for the period 2023–2025, as well as the parliamentary resolution on measures against violence and its consequences for the period 2019–2022. The Committee further notes the establishment of three family justice centres for victims of violence since 2017, the review in 2019 of the Act on Restraining Orders and Removals from Home (No. 85/2011) and the development and publication of instructions of the Director of Public Prosecutions on the handling of cases of sexual violence when the victim is a person with disabilities. The Committee, however, notes with concern:

(a) The absence of a comprehensive law specifically criminalizing all forms of gender-based violence, including domestic violence, and the inadequate protection from gender-based violence of women and girls facing intersecting forms of discrimination, including women and girls with disabilities, migrant women and lesbian, bisexual, transgender and intersex women;

(g) A 2020 report by the National Commissioner of the Icelandic Police indicating a disproportionately high risk of domestic violence against women with disabilities and disproportionately low conviction rates in such cases;

(i) The limited access for women with disabilities, migrant women and rural women who are victims of gender-based violence to health and psychosocial services and shelters in the State party.

**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:**

**(b) Adopt a comprehensive law on all forms of gender-based violence against women, in particular domestic violence, establish identification mechanisms and take into account the special protection needs of disadvantaged and marginalized groups of women, including women with disabilities, migrant women and lesbian, bisexual, transgender and intersex women;**

**(c) Adopt a new parliamentary resolution to combat gender-based violence, including sexual and domestic violence, against women and girls, with a particular focus on women and girls with disabilities, migrant women and lesbian, bisexual, transgender and intersex women, and ensure the effective implementation of the new action plan for handling of sexual violence for the period 2023–2025;**

**(d) Address the causes of underreporting in cases of gender-based violence against women and the high rate of acquittals in those cases, provide mandatory capacity-building for judges, prosecutors and the police on gender-sensitive investigation and interrogation methods and on the strict application of relevant criminal law provisions, and ensure compliance of all police departments with the instructions of the Director of Public Prosecutions on the handling and investigation of sexual offences when the victim is a person with disabilities;**

**(e) Ensure that women and girls who are victims of gender-based violence, in particular women with disabilities, rural women and migrant women, have adequate access to victim support services and shelters;**

**(f) Raise awareness among women and girls, in particular women with disabilities, migrant women and rural women, of the remedies available to them in cases of gender-based violence against women;**

**(h) Ensure the collection and analysis of data on all forms of gender-based violence against women and girls, including data on domestic violence, forced sterilization, cyberviolence and femicide, disaggregated by age, disability and the relationship between the victim and the perpetrator;**

### **Education**

31. The Committee welcomes the provision of instruction on equality and gender issues, including gender stereotypes, at all levels of education, in accordance with article 15 of Act No. 150/2020. It also notes the measures taken to diversify academic and professional choices and encourage women and girls to choose non-traditional fields of study and career paths. The Committee notes with concern, however:

(e) The lack of information on access to inclusive education for women and girls with disabilities and their retention at all levels of education.

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

**(e) Ensure adequate access for women and girls with disabilities to inclusive education at all levels and include in its next periodic report disaggregated data on their school enrolment, completion and dropout rates, and access to university education.**

## Health

37. The Committee notes the State party's efforts to implement the recommendations of the compilation of information on health and health-care services from a gender perspective, which was conducted by the Ministry of Health in January 2021. It welcomes the adoption of the Act on Termination of Pregnancy (No. 43/2019) and the Act on Sterilization Procedures (No. 35/2019). However, the Committee notes with concern:

(c) Reports on the lack of reasonable accommodation and limited accessibility of health-care services, including sexual and reproductive health services, for women and girls with disabilities.

**38. The Committee recommends that the State party conduct a comprehensive study on the disproportionately high rate of mental health issues and the root causes of suicides among women and girls, and take appropriate measures, including early detection programmes, to address mental health issues that lead to suicide among women and girls in the State party, in particular migrant, asylum-seeking and lesbian, bisexual, transgender and intersex women. The Committee also recommends that the State party adopt measures to ensure the accessibility of health-care services and facilities for women and girls with disabilities and train health professionals on their specific health needs. The Committee recommends that the State party address in its respective programmes and plans concrete and specific measures to tackle the high incidence of Alzheimer's disease and dementia among women. The Committee recommends additional guarantees to provide a safe environment for lesbian, bisexual, transgender and intersex women in hospitals and other medical environments by providing adequate health services, training and orientation to medical staff and health workers.**

## Climate change and disaster risk reduction

39. The Committee notes that the State party's policy for climate change focuses on low carbon energy supply through the active pursuit of a renewable energy transition, while considering the impact of climate change on disadvantaged groups. However, it notes with concern the lack of a gender perspective in the formulation and implementation of policies and strategies on climate change and disaster risk reduction. It also notes with concern that the climate change adaptation programme has resulted in transport and energy poverty for poor and vulnerable women due to high costs or the inability to access heat for their homes.

**40. In line with its general recommendation No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change, the Committee recommends that the State party review its climate change, disaster response and disaster risk reduction legislation, policies and programmes to integrate a gender perspective, and ensure that women participate in their development, adoption, implementation and monitoring. It also recommends that the State party assess the impact of climate change specifically on women's access to resources and livelihoods and take measures to ensure that women are not disproportionately affected. It also recommends that the State party redress feminized poverty in the transport and energy sectors by mitigating the cost-of-living impact of its transport**

and energy system on poor and vulnerable women and by reviewing its regulatory policy on corporate social responsibility to make private corporations more protective of vulnerable and poor populations, especially migrant women, women with disabilities, women living in poverty and unemployed women.

#### **SAO TOME AND PRINCIPE - CEDAW/C/STP/CO/1-9**

##### **Gender-based violence against women and girls**

28. The Committee welcomes the measures taken to address gender-based violence against women and girls, including the adoption of Act No. 11/2008, on domestic and family violence, and Act No. 12/2008, on mechanisms to strengthen the legal protection of victims of domestic violence and offences. The Committee is concerned, however, that those laws are not being adequately implemented, are focused only on domestic violence rather than all forms of gender-based violence against women and girls and are not fully in line with international standards. The Committee notes with concern that women and girls are frequently subjected to various forms of gender-based violence in the State party, including, increasingly, domestic and sexual violence and abuse, including within the family, and that a significant number of early pregnancies are caused by rape. The Committee also notes with concern:

(d) The inadequate resources allocated to preventing and addressing gender-based violence against women and girls, limited access to legal aid for victims of domestic violence, the lack of adequate shelters, especially for victims of domestic violence, whose stay is limited to 72 hours, and the lack of victim support services, in particular for women belonging to ethnic minorities and women with disabilities;

**29. The Committee recalls its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, and recommends that the State party significantly strengthen its efforts to prevent gender-based violence against women and girls, in close consultation with experts on the prevention of gender-based violence, and take a women's and girls' rights-centred approach to such efforts, including by focusing on eliminating all forms of gender-based violence at school at all levels of education, and training teachers accordingly, and by conducting media campaigns challenging stereotypical notions of masculinity and femininity, with a view to eliminating all forms of gender-based violence against women and girls, addressing aggressive behaviour and raising awareness of the available remedies and support for survivors/victims. It also recommends that the State party:**

**(a) Bring its legislation on gender-based violence fully in line with international standards and ensure its effective implementation, and update the national strategy to combat gender-based violence, 2013–2018;**

**(b) Fully criminalize the sexual abuse of girls by men in exchange for better grades or other benefits, and prevent and combat the practice, in particular in schools, including by establishing guidelines on preventing and combating sexual harassment and violence at school, set up an effective monitoring and reporting mechanism, and ensure that all cases of sexual abuse of girls are investigated and prosecuted as such**

and girls are provided with the necessary assistance and psychosocial support, in particular to continue schooling;

(c) Provide systematic, recurrent and effective capacity-building, education and training for members of the judiciary and law enforcement, and encourage reporting of gender-based violence against women, including by establishing special gender-responsive units in police stations to register women's complaints;

(d) Reprioritize resources to strengthen victim support services, including by ensuring a sufficient number of adequately funded emergency shelters that provide legal, medical and psychosocial assistance to victims of gender-based violence and their children, including to victims of domestic violence, and that they allow for stays beyond 72 hours, incorporating a victim- and women's and girls' rights-centred approach, with a particular focus on rural women and girls and those belonging to disadvantaged groups;

(e) Criminalize the accusing of women of practising witchcraft, and prosecute and adequately punish perpetrators as well as those that commit gender-based violence against women accused of witchcraft;

(f) Set up a system of data collection in order to compile statistical data on gender-based violence against women and girls, disaggregated by age and relationship between the victim and the perpetrator.

## **SLOVAKIA - CEDAW/C/SVK/CO/7**

### **Women and peace and security**

30. The Committee welcomes the adoption of three packages of laws aimed at facilitating the integration of Ukrainian refugees, in particular women, and which cover residence and temporary protection, access to the labour market, education, transportation, accommodation, social protection and health care. The Committee is concerned, however, about the degree of implementation of these laws, especially with respect to the access that women refugees have to accommodation, food, childcare facilities and employment. The Committee is also concerned about:

(b) Reports about the lack of identification and referral procedures for vulnerable persons, including women with disabilities, in response to gender-based violence against women who are refugees and asylum-seekers.

### **Education**

32. The Committee notes the measures adopted under the national strategy for an inclusive approach in education and training and the corresponding first action plan for the 2022–2024 period, aimed at promoting inclusiveness in education and training at all levels. It also notes the State party's efforts to improve the education infrastructure, with a view to eliminating the segregation of Roma children, and to facilitate the implementation of the national project to support pre-primary education within Roma communities through the provision of temporary compensation for those affected. However, the Committee is concerned about:

(c)The persistent segregation of Roma children in special schools and/or in special classes in mainstream schools and the segregation of children with disabilities, including girls, in special schools and/or in special classes.

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

**(a)Provide education on sexual and reproductive health and rights, which is age-appropriate and based on scientific evidence and international human rights standards, to girls and boys, as part of the regular school curricula, including with the use of digital technologies, and include information on responsible sexual behaviour and the prevention of early pregnancy and sexually transmitted infections in such curricula and build the capacity of teaching staff to deliver such education;**

**(b)Adopt measures, including temporary special measures, to eliminate gender segregation in education and promote non-traditional educational choices of women and girls in fields such as mathematics, science and technology and to consider introducing temporary special measures, such as statutory quotas, to ensure the equal representation of women and men in high-level academic positions;**

**(c)Strengthen its efforts to eliminate the segregation of Roma girls in the education system, provide them with equal access to high-quality education at all levels and take effective measures to increase their attendance at the primary and secondary levels through temporary special measures and support.**

## **Employment**

34.The Committee welcomes the introduction of the two-week paternity leave and notes the State party's efforts to increase the capacity to provide care for children under 3 years of age by 10 per cent and to accelerate mothers' access to employment after maternity leave. It also notes the development of materials to promote gender equality in the workplace as well as of the measures adopted to eliminate gender segregation in the labour market and to reduce the gender pay gap. However, the Committee notes with concern:

(c)The difficulties faced by Roma women, women with disabilities and migrant women, including refugees and asylum-seekers, in gaining access to secure and full-time work;

**35.Recalling its general recommendation No. 13 (1989) on equal remuneration for work of equal value and 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, the Committee recommends that the State party:**

**(c)Take all necessary measures, including temporary special measures, to combat the structural barriers faced by women from disadvantaged groups, in particular Roma women, women with disabilities and migrant women, including refugees and asylum-seekers, to secure full and productive employment, decent work and equal pay for work of equal value;**

## **SPAIN - CEDAW/C/ESP/CO/10**

### **Temporary special measures**

19. The Committee welcomes the series of laws on the rights of women, such as Organic Law No. 10/2022 on the comprehensive guarantee of sexual freedom, which is a comprehensive regulatory framework for the comprehensive protection of women against all forms of violence. It also notes the State party's intention to establish an observatory of equality. It notes with concern, however, that the implementation of these gender equality-based laws lacks an intersectional approach to adequately address the situation of Roma women, refugee and migrant women and other women affected by intersectional discrimination. It is further concerned about climate refugees in the State party, the majority of whom are women and children, and about the disproportionate impact of the climate crisis on women and girls, which requires specific and urgent measures.

20. The Committee recommends that the State party:

**(d) Ensure the effective application of Organic Law No. 1/2023 on sexual and reproductive health for vulnerable women, including women with disabilities**

## **TIMOR LESTE - CEDAW/C/TLS/CO/4**

### **Access to justice and traditional justice systems**

13. The Committee notes the provision of legal aid by the Public Defender's Office and the "access to justice" clinics programme piloted in two districts. However, it notes with concern the persistent barriers to women's and girls' access to justice, in particular:

(a) The mobile court system seeking to ensure women's access to formal justice in rural communities lacks funding and often operates in unsafe and inaccessible locations;

(b) The continued and almost exclusive resort to traditional courts in many parts of the State party, often resulting in decisions that discriminate against women and girls, and the fact that the draft traditional justice law regulating the relationship between the formal and traditional justice systems has not yet been adopted;

(c) Women's and girls' limited awareness of their rights under the Convention in the State party;

(d) The limited knowledge and capacity on the part of the judiciary and law enforcement officials to apply the Convention directly in legal proceedings or to interpret national legislation in conformity with the Convention.

**14. Recalling its general recommendation No. 33 (2015) on women's access to justice, the Committee recalls the State party's obligation to ensure that women's rights are protected against violations by all components of plural justice systems. It recommends that the State party:**

**(c) Enhance awareness among women and girls, in particular rural women and women and girls with disabilities, of their rights under the Convention and the remedies available to them to claim those rights, in cooperation with civil society organizations;**

### **Temporary special measures**

21. The Committee notes the State party's efforts to introduce temporary special measures to increase the representation of women in political and public life. However, it is concerned at the limited use of temporary special measures in other areas where women, including rural women and women with disabilities, are underrepresented and disadvantaged, such as representation in decision-making systems at all levels, education and employment.

**22. 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 where women, including rural women, lesbian, bisexual, transgender and intersex women and women with disabilities, are underrepresented or disadvantaged, such as in decision-making systems at all levels, education and employment;**

### **Gender-based violence against women**

25. The Committee notes the State party's efforts to combat gender-based violence against women, in particular the adoption of two national actions plans. However, it notes with concern:

(a) The high incidence of domestic violence in the State party, owing to discriminatory social norms legitimizing such violence, as well as underreporting and low prosecution and conviction rates in cases of domestic violence, including marital rape, due to women's fear of stigmatization and the lenient sentences on perpetrators;

(b) The lack of shelters and victim support services, including psychosocial counselling and rehabilitation services.

**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) Amend its legislation to ensure that all forms of gender-based violence against women are specifically criminalized and take into account the special protection needs of disadvantaged and marginalized groups of women, including rural women, women with disabilities, migrant women, older women, and lesbian, bisexual, transgender and intersex women;**

### **Education**

35. The Committee notes with concern:

(b) The high dropout rates among girls in secondary education, attributable to early pregnancies, child marriage, discrimination based on sex and/or disability, lack of



menstrual hygiene products and separate sanitary facilities in schools, in particular in rural areas;

**36. Recalling its general recommendation No. 36 (2017) on the right of girls and women to education and its previous recommendations ([CEDAW/C/TLS/CO/2-3](#), para. 27), the Committee recommends that the State party raise awareness of the importance of girls' education as a basis for their empowerment, and:**

**(a) Strengthen literacy campaigns and take other targeted measures to reduce the high illiteracy rates among women and girls, with a focus on girls living in poverty, rural girls, pregnant girls and young mothers, and girls with disabilities, such as scholarships for girls and free provision of school meals, to increase enrolment, retention and completion rates among girls in secondary education, and promote continuing education for women;**

**(b) Address the causes of school dropout among girls, including child and forced marriages and early pregnancies, as well as discrimination on the basis of gender and/or disability, and ensure that young mothers can return to school following childbirth, with a view to completing their education, obtaining diplomas and gaining access to higher education or employment;**

**(e) Allocate the necessary human, technical and financial resources for the education of girls with disabilities, including by increasing the number of schools offering inclusive education throughout the State party, and take measures to ensure accessibility and reasonable accommodation for girls with disabilities in schools;**

### **Employment**

37. The Committee notes with concern:

**(d) The barriers to women's access to management positions and higher-paid jobs in the formal economy, in particular for disadvantaged and marginalized groups of women, including migrant women and women with disabilities;**

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

**(d) Improve access to employment and training opportunities for disadvantaged and marginalized groups of women, such as women belonging to ethnic minorities, migrant women and women with disabilities;**

### **Health**

39. The Committee notes the measures taken by the State party to improve women's access to health-care services, including the deployment of mobile health-care units to rural and remote areas, as well as public awareness-raising campaigns on sexual and reproductive health and rights. However, the Committee notes with concern:

**(a) The persistently high rates of maternal mortality, early pregnancy and malnutrition among women, women's limited access to antenatal and postnatal health-care services and the low rate of births attended by skilled health personnel, particularly in rural areas;**

**(b) The lack of age-appropriate education on sexual and reproductive health and rights and family planning and the high level of unmet need for contraceptives, in particular among girls and unmarried women;**

(c)The criminalization of abortion in all cases except where the life of the pregnant woman is at risk and the high number of unsafe abortions;

(d)The disproportionately high prevalence of HIV/AIDS among women, stigmatization and social exclusion of women and girls living with HIV/AIDS, and women's limited access to HIV testing and treatment.

**40.The Committee recalls its general recommendation No. 24 (1999) on women and health and target 3.7 of the Sustainable Development Goals and recommends that the State party:**

**(b)Ensure that women and girls, including rural women and girls, unmarried women and women and girls with disabilities, have adequate access to sexual and reproductive health services and information, including family planning, modern forms of contraception, and safe abortion and post-abortion services;**

### **Economic and social benefits**

41.The Committee notes with appreciation the establishment in 2016 of the National Institute for Social Security to monitor the implementation of social security schemes, as well as the adoption of the Basic Law for Social Protection and the national strategy for social protection. It is, however, concerned:

(a)That the coronavirus disease (COVID-19) pandemic and natural disasters in 2020 and 2021 have accelerated the feminization of poverty and the marginalization of disadvantaged groups of women, in particular women heads of households in rural areas, women and girls with disabilities, pregnant women, women survivors of gender-based violence, women living in poverty and women in unpaid work, who often face challenges in accessing economic and social benefits;

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

**(a)Address the feminization of poverty by mainstreaming gender into the national strategy for social protection and ensure that women, especially those belonging to disadvantaged groups, participate meaningfully in the implementation, monitoring, evaluation and renewal of the Strategy and have access to adequate social and economic benefits;**

**(b)Ensure that women have equal access as men to land ownership, low-interest loans without collateral, entrepreneurship opportunities and information and communications technology, so that they may engage in e-commerce and cross-border trade with regard to their goods and products;**

**(c)Provide training to women artisans, such as weavers, and women entrepreneurs on business management, financial literacy and marketing;**

**(d)Provide information on the impact of the unique identification system for citizens on women's entrepreneurship and women's economic and social benefits in the next periodic report.**

### **Disaster risk reduction and climate change**

45.The Committee is concerned that women, in particular rural women, migrant women, women with disabilities and women living in poverty, are disproportionately affected by climate change, cyclones and loss of biodiversity, as they often live in

exposed areas and lack the necessary coping mechanisms to increase their climate change resilience.

**46. The Committee recommends that, in line with its general recommendation No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change, the State party review its climate change and disaster response strategies, taking into account the negative effects of climate change on the livelihoods of women, especially rural women, and ensure that women are meaningfully involved in the development, adoption and implementation of legislation, policies and programmes on climate change, disaster response and disaster risk reduction, by in particular:**

**(c) Increasing climate change and disaster risk management literacy and awareness among communities, women and girls, including rural women and women with disabilities to empower them with knowledge to demand their rights, and effectively participate in climate change-related decision-making and the development of adaptation and loss and damage strategies and actions that build women's and girls' resilience to impacts of climate change;**

#### **VENEZUELA (BOLIVIA REPUBLIC OF) - CEDAW/C/VEN/CO/9**

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

9. The Committee notes the high number of court decisions issued between 2020 and 2022 in which judges have referred to the Convention. It notes with concern, however, that the Convention and the Optional Protocol thereto 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 those rights.**

##### **Definition of equality and non-discrimination**

11. The Committee notes the annulment of article 565 of the Code on Military Justice, to decriminalize consensual same-sex relationships in the armed forces and that the draft law against all forms of discrimination was approved unanimously by the plenary of the National Assembly and is now subject to a national public consultation process. It notes with concern that there is limited implementation of the laws and policies in place to address intersecting forms of discrimination against women, in particular women living in poverty, lesbian, bisexual, transgender and intersex women, Indigenous women, women of African descent, women with disabilities, migrant women and rural women.

**12. The Committee recommends that the State party adopt the law against all forms of discrimination without delay and ensure the effective implementation of legislation**

**that prohibits discrimination against women, covering direct and indirect discrimination in the public and private spheres, as well as 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 State 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 that the Public Prosecutor's Office has established 73 offices across the country with competence to handle matters related to women's rights, including one office specialized in femicide. Nevertheless, the Committee notes with concern:

(b) Barriers to access to justice faced by Indigenous women, women of African descent, low-income 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, low-income women and women with disabilities, including through addressing linguistic barriers, making courts accessible and disseminating information about the legal remedies available to claim their rights;**

### **National machinery for the advancement of women and gender mainstreaming**

17. The Committee notes with appreciation the establishment of the State Council for Gender Equality and Equity in 2015 to ensure the integration of a gender perspective in public policies and promote the creation of gender focal points in all government departments as well as the network of gender contacts of State institutions. It notes with concern, however:

(a) That the National Commission to Guarantee Women's Right to a Life Free from Violence is not yet operational and its members have not been appointed;

(b) The lack of collaboration between entities of the national machinery for the advancement of women and women's civil society organizations of different political backgrounds.

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

**(b) Ensure meaningful cooperation between entities of the national machinery for the advancement of women and women's civil society organizations of different political backgrounds, including those representing Indigenous women, women of African descent and women with disabilities, in the adoption and implementation of legislation, policies and programmes for the advancement of women, and ensure that those policies integrate a human rights-based approach and an intersectional gender perspective.**

## Temporary special measures

21. The Committee notes with concern the lack of information on the use of temporary special measures by the State party to achieve substantive equality of women and men in all areas where women are underrepresented or disadvantaged, in particular temporary special measures relating to Indigenous women, migrant, refugee and asylum-seeking women, lesbian, bisexual, transgender and intersex women and women with disabilities.

**22. The Committee recalls its previous concluding observations ([CEDAW/C/VEN/CO/7-8](#), para. 15) and recommends that the State party 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, with special attention to Indigenous women, women of African descent migrant, refugee and asylum-seeking women, lesbian, bisexual, transgender and intersex women and women with disabilities.**

## Gender stereotypes

23. The Committee acknowledges the measures taken by the State party to eliminate gender stereotypes, such as the monitoring activities of the National Commission on Telecommunications; the issuance by the Supreme Court of Justice of rulings Nos. 359 and 884, which prohibit, respectively, the publishing of images that contain explicit or implicit sexual content promoting prostitution and the publishing of pornography that contains references to website addresses that can be freely accessed by children and adolescents; and the adoption in 2021 of the Act on the Promotion and Use of Gender-sensitive Language. However, the Committee notes with concern 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.

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

**(b) Ensure that all intervention measures to address gender stereotypes are conducted through an intersectional lens, with a particular focus on women of African descent, Indigenous, migrant, lesbian, bisexual, transgender, intersex and older women and women with disabilities;**

## Education

33. The Committee notes with concern:

(a) The so-called "education blackout" or technological gap and limited Internet access for women and girls, exacerbated by the coronavirus disease (COVID-19) pandemic, which intensified existing gender inequalities in the State party, particularly for rural and Indigenous girls, girls of African descent, low-income girls and women and girls with disabilities;

(d) The continuous discrimination faced by women and girls with disabilities in education institutions;

**34. 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) Take measures to remove barriers to women's access to the Internet and recognize their equal right to access information and telecommunications technologies in all parts of the State party and increase the number of community centres with training programmes on information and communications technologies and digital skills targeting rural, Indigenous girls, girls of African descent, low-income girls and women, and girls with disabilities;**

**(d) Ensure that all women and girls with disabilities are able to access inclusive quality education and develop a national anti-bullying policy to provide safe and inclusive educational environments to women and girls, including women and girls with disabilities, free from discrimination, harassment and violence;**

### **Employment**

35. The Committee notes the Act on the Promotion and Development of New Enterprises. However, it notes with concern:

**(b) The limited employment opportunities for rural women, women with disabilities, Indigenous, girls of African descent and migrant women, especially in coastal areas, as well as lesbian, bisexual, transgender and intersex women in the country;**

**36. The Committee recommends that the State party promote women's access to formal employment, including for rural women, women with disabilities, Indigenous, women, women of African descent, migrant and returnee women, and lesbian, bisexual, transgender and intersex women and ratify the Violence and Harassment Convention, 2019 (No. 190), of the International Labour Organization.**

### **Data collection and analysis**

**56. 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.**