



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

Distr.: General
1 February 2012

Original: English
English, French and Spanish only

**Committee on the Elimination of Discrimination
against Women**

Fifty-first session

13 February – 2 March 2012

Item 6 of the provisional agenda

**Implementation of articles 21 and 22 of the Convention on the
Elimination of All Forms of Discrimination against Women**

**Reports by specialized agencies on the implementation of
the Convention in areas falling within the scope of
their activities**

Report by the International Labour Office*

Summary

In accordance with article 22 of the Convention on the Elimination of All Forms of Discrimination against Women, the specialized agencies have been invited to submit to the Committee on the Elimination of Discrimination against Women, at its fifty-first session, reports on the implementation of the Convention in areas falling within the scope of their activities.

* Late submission.

Contents

	<i>Paragraphs</i>	<i>Page</i>
I. Introduction	1-5	3
II. Indications concerning the situation of individual countries	6-93	4
Algeria	6-20	4
Brazil	21-36	7
Congo	37-49	9
Grenada	50-55	11
Jordan	56-74	11
Norway	75-85	14
Zimbabwe	86-93	16

I. Introduction

1. The provisions of article 11 of the Convention on the Elimination of All Forms of Discrimination against Women are dealt with in a number of International Labour Organization (ILO) Conventions. Of the 189 Conventions adopted to date, the information in this report relates principally to the following:

- Equal Remuneration Convention, 1951 (No. 100), which has been ratified by 168 member States;
- Discrimination (Employment and Occupation) Convention, 1958 (No. 111), which has been ratified by 169 member States;
- Workers with Family Responsibilities Convention, 1981 (No. 156), which has been ratified by 41 member States.

2. Where applicable, reference is made to a number of other Conventions which are relevant to the employment of women:

Forced Labour

- Forced Labour Convention, 1930 (No. 29)
- Abolition of Forced Labour Convention, 1957 (No. 105)

Child Labour

- Minimum Age Convention, 1973 (No. 138)
- Worst Forms of Child Labour Convention, 1999 (No. 182)

Freedom of Association

- Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87)
- Right to Organize and Collective Bargaining Convention, 1949 (No. 98)

Employment Policy

- Employment Policy Convention, 1964 (No. 122)
- Human Resources Development Convention, 1975 (No. 142)

Maternity Protection

- Maternity Protection Convention, 1919 (No. 3)
- Maternity Protection Convention (Revised), 1952 (No. 103)
- Maternity Protection Convention, 2000 (No. 183)

Night Work

- Night Work (Women) Convention (Revised), 1948 (No. 89) [and Protocol]
- Night Work Convention, 1990 (No. 171)

Underground Work

- Underground Work Convention, 1935 (No. 45)

Migrant Workers

- Migration for Employment Convention (Revised), 1949 (No. 97)

- Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)

Part-time Work

- Part-Time Work Convention, 1994 (No. 175)

Home Work

- Home Work Convention, 1996 (No. 177)

Domestic Workers

- Domestic Workers Convention, 2011 (No. 189).

3. The application of ratified Conventions is supervised by the ILO Committee of Experts on the Application of Conventions and Recommendations (Committee of Experts), a body of independent experts from around the world, which meets annually. The information submitted in Part II of the present report consists of summaries of observations and direct requests made by the Committee. Observations are comments published in the Committee of Experts' annual report – produced in English, French and Spanish – which are submitted to the Committee on the Application of Standards of the International Labour Conference. Direct requests (produced in English and French – and in the case of Spanish-speaking countries, also in Spanish) are not published in book form, but are made public. At a later date, they are published on the ILO's database of supervisory activities, NORMLEX.

4. The information below sets out brief references to the much more detailed comments made by the ILO supervisory bodies. The relevant comments of the Committee of Experts referred to in Part II can be found at: <http://www.ilo.org/dyn/normlex/en/>.

5. It will be noted that the Committee of Experts in its own comments often includes references to the information submitted by governments to CEDAW or to the other United Nations Treaty Bodies, as well as to reports issued by these bodies.

II. Indications concerning the situation of individual countries

Algeria

6. Among the relevant ILO Conventions, Algeria has ratified Conventions Nos. 100 and 111. It has also ratified Conventions Nos. 3, 87, 89, 97, 98, 105, 122, 138, 142 and 182.

7. *Comments made by the ILO supervisory bodies.* The pending comments of the ILO Committee of Experts relevant to the provisions of the Convention on the Elimination of All Forms of Discrimination against Women relate to the following ILO Conventions.

Convention No. 100

8. In its 2010 observation, the Committee of Experts noted that the Government's report did not contain any information regarding the results of the survey which had commenced in March 2007 concerning levels of remuneration disaggregated by sex. The Committee reiterated once again the importance of having data concerning the remuneration of men and women, according to the posts occupied, in all categories of employment, both within the same branch of activity and between different branches.

9. In its 2010 direct request, regarding the application of section 84 of Act No. 90-11 of 21 April 1990 concerning labour relations, which established the principle of equal remuneration for work of equal value, the Committee of Experts repeated its request for information on the number and nature of infringements, the steps taken by the labour

inspectorate to detect any contraventions of the principle of equal remuneration for work of equal value, and the number, nature and outcome of equal remuneration cases dealt with by the judicial authorities. Having noted that the General Public Service Regulations (Act No. 06-03 of 16 July 2006) did not contain any provision requiring equal remuneration for men and women officials for work of equal value, the Committee asked the Government to indicate how the application of the principle of equal remuneration for men and women for work of equal value is ensured in the public service. Finally, the Committee noted the establishment of the National Council for the Family and Women by means of Executive Decree No. 06-421 of 22 November 2006, which replaced the National Council for Women.

Convention No. 111

10. In its 2010 observation, the Committee of Experts noted that the Government's report did not contain a reply to its previous comments. The Committee therefore repeated its previous observation. It noted that section 27 of the general conditions of service of the public service, enacted in 2006, prohibited any discrimination among public employees on the grounds of their opinions, sex, origin and any other personal or social condition. The Committee also noted that section 17 of Act No. 90-11 on labour relations prohibited any provision in an agreement, collective agreement or employment contract which gives rise to discrimination in employment, remuneration or working conditions on grounds of age, sex, social or marital situation, family relations, political convictions and membership or not of a trade union. Having been aware that the labour legislation was under revision, the Committee urged the Government to ensure that the new provisions of the Labour Code prohibit discrimination at all stages of employment and occupation, on all the grounds set out in the Convention.

11. With regard to sexual harassment, the Committee noted that section 341bis of the Penal Code only appeared to cover quid pro quo sexual harassment. The Committee reminded the Government that sexual harassment at work undermines the dignity and well-being of workers, as well as enterprise productivity and the basis of the working relationship. The Committee hoped the new Labour Code would ensure complete protection against sexual harassment by prohibiting quid pro quo sexual harassment and harassment due to a hostile work environment. The Committee also requested the Government to provide information on any education and awareness raising campaigns and the organization of activities in collaboration with employers' and workers' organizations.

12. In its previous comments, the Committee had expressed concern at the low participation of women in employment and the persistence of strongly stereotyped attitudes with respect to the roles and responsibilities of women and men in society and in the family. The Committee noted the Government's indication that the applicable training and qualification programmes were not restrictive or discriminatory on the ground of sex and that the choice of subjects for training was an individual matter. The Committee once again requested the Government to take urgent and proactive measures to further its national policy to promote equality of opportunity and treatment for women in respect of employment and occupation, including efforts to address stereotyped attitudes. It also requested the Government to provide information on the measures to facilitate and encourage the access of women and girls to more diversified vocational training opportunities, including those leading to traditionally male occupations, so as to afford them greater opportunities to enter the labour market.

13. With a view to revising the labour legislation with regard to night work by women and their assignment to hazardous, insalubrious or harmful types of work, the Committee requested the Government to ensure that, in the context of the new Labour Code, the

restrictions relating to the access of women to certain types of work are limited to maternity protection.

14. The Government's most recent report was received and will be examined by the Committee of Experts at its November-December 2012 session.

Convention No. 29

15. In its 2010 direct request, the Committee of Experts noted that the Government's report had not been received. It therefore repeated its previous direct request, noting the adoption of Act No. 09-01 of 25 February 2009 amending and supplementing Ordinance No. 66-156 of 8 June 1966 issuing the Penal Code. The Committee noted that this Act added a section 5bis to Title 2, Chapter 1 in Volume 3 of Part Two of the Penal Code, concerning the trafficking in persons. It noted that the provisions of this section criminalize trafficking for the purposes of exploitation.

16. The Government's most recent report was examined by the Committee of Experts at its November-December 2011 session.

Convention No. 89

17. In its 2008 observation, the Committee of Experts noted with regret that the Government's report did not reply to the points that the Committee has been raising for many years. In addition, recalling that the Protocol of 1990 to Convention No. 89 had been drafted with a view to offering greater flexibility in terms of variations in the duration of the night period and broader exemptions from the prohibition of night work, the Committee invited the Government to give favourable consideration to the ratification of the 1990 Protocol to Convention No. 89.

Convention No. 142

18. In its 2008 observation, the Committee of Experts noted the Government's indication that the provision of training of particular categories was a statutory mission of the vocational training and education sector. This training concerned persons with disabilities (1,587 trainees are receiving residential training, including 618 girls), young people whose morals are at risk (1,693 young people have received training in special centres, including 65 girls) and persons in detention in rehabilitation centres (6,123 beneficiaries, including 287 girls). Other training was also provided targeting young people and housewives. The Committee requested the Government to provide further information on how these categories have been defined and on the effective contribution of the different measures to the lasting integration in employment of the persons concerned.

Convention No. 182

19. In its 2010 direct request, with regard to the draft Labour Code, the Committee of Experts hoped that it would include specific provisions prohibiting the sale and trafficking of children under 18 years of age with penal sanctions, as well as prohibiting and penalizing the use, procuring or offering of a child under 18 years of age for the production of pornography or for pornographic performances. In addition, with regard to sections 343 and 344 of the Penal Code, which prohibit the trafficking of persons, including children under 18 years of age, for the purposes of prostitution, and sections 342 and 343 of the Penal Code, which prohibit and punish the procuring or offering of persons, particularly children, for prostitution, the Committee once again requested the Government to ensure that all cases of sexual exploitation of children under 18 years of age for commercial purposes are investigated and that the perpetrators are charged, convicted and punished.

20. The Government's most recent report was examined by the Committee of Experts at its November-December 2011 session.

Brazil

21. Among the relevant ILO Conventions, Brazil has ratified Conventions Nos. 100 and 111. It has also ratified Conventions Nos. 29, 45, 89, 97, 98, 103, 105, 122, 138, 142, 171 and 182.

22. *Comments made by the ILO supervisory bodies.* The pending comments of the ILO Committee of Experts relevant to the provisions of the Convention on the Elimination of All Forms of Discrimination against Women relate to the following Conventions.

Convention No. 100

23. In its 2009 direct request, the Committee of Experts noted that in 2008 the average wage for women was 82.7 per cent of the wage for men. The wage gap is even greater with respect to women of African extraction. If men and women who have completed higher education are taken into account, the wage gap is more than 40 per cent. The Committee also noted that, the action undertaken in the context of Brazil's Decent Work Country Programme, did not make any reference to specific measures to promote the principle of equal remuneration for men and women for work of equal value or to reduce the existing gender pay gap. The Committee therefore urged the Government to supply information on the following: (a) relevant measures adopted under the second National Plan for policies for women; (b) measures taken by the Tripartite Committee on equality of opportunity and treatment of gender and race at work and examples of collective agreements which incorporate the principle of equal remuneration for work of equal value; (c) action taken by the Committee on equality of opportunity of gender, etc and combating discrimination; and (d) measures taken in the context of the Ministry of Employment's programme entitled "Promoting equal opportunities for all".

Convention No. 111

24. In its 2009 observation, the Committee of Experts noted that the population of African descent continued to be at a disadvantage in education and the labour market. It further noted that, stereotypes relating to gender and race continue to give rise to the segregation of workers of African descent, indigenous workers and women workers into lower quality jobs. The Committee noted in particular that women were over-represented in domestic work, production for family consumption and unpaid work. According to the Government's report, the unemployment rates of women, workers of African descent and indigenous workers were higher than average, and that the situation of women of African descent and indigenous women was even more precarious.

25. The Committee noted the educational measures and awareness-raising activities envisaged under the II National Plan for Policies for Women, as well as those carried out by the regional commissions for equality of opportunities on the basis of gender, etc. It further noted the training programme for men and women domestic workers (National Domestic Work Programme/PLANSEQ) and the plans to review the national legislation with a view to extending all labour rights to this category of workers. The Committee requested the Government to continue making efforts to ensure full equality of opportunity and treatment for women, persons of African descent and indigenous persons.

26. In its 2009 direct request, the Committee of Experts noted that, pursuant to Order No. 219 of 7 May 2008, the Commission for Equal Opportunities on the basis of Gender, Race, Ethnic Origin and for Persons with Disabilities and to Combat Discrimination had

been established under the Ministry of Labour and Employment. The thematic subcommittees are responsible for affirmative action in the fields of gender, etc. Furthermore, the Committee noted that the themes of gender and race had been included as cross-cutting issues in the Government's multi-year plan (2008–11), which is devoted to "development with social inclusion and high-quality education". On this basis, the Special Secretariat for Policies for Women and the Special Secretariat for Policies to Promote Racial Equality had been established. The Committee also noted that the Ministry of Labour and Employment has a National Coordinating Unit for the Promotion of Equal Opportunities and the Elimination of Discrimination at Work.

27. With reference to the Territorial/Sectoral Training Plans (PLANTEQs), the Committee noted that 61.40 per cent of the participants in the vocational training courses had been women in 2007, and that 62.85 per cent had been indigenous or of African descent. In 2008, these rates were 54 and 67.11 per cent, respectively. The Committee requested the Government to provide information on the participation rates of women in the PLANTEQs, and also asked the Government to provide information on the progress achieved through the "Brazil, Gender and Race" Programme.

28. The Committee noted that the National Plan for Policies for Women II envisaged, among other objectives, to give priority to employment placement for women taken in the framework of the National Employment System. The Committee requested the Government to provide information on the implementation of the National Plan for Policies for Women II, as well as the results achieved through National Plan I, and the implementation of the Gender Pro-equity Programme (2009–10). The Committee also asked the information on the number of women workers who were in receipt of the maternity benefits under Decree No. 6122/2007.

29. With regard to sexual harassment, the Committee noted action to build the capacities of the regional labour authorities to address sexual harassment, and the preparation of a booklet to raise awareness and facilitate the identification of cases of sexual harassment in the working environment. The Committee also noted that the National Plan for Policies for Women II encompassed action to combat all forms of violence against women. Recalling that, according to a report of the Ministry of Agrarian Development and the National Institute of Colonization and Agrarian Reform, 52 per cent of working women had suffered some kind of sexual harassment, the Committee urged the Government to provide information on complaints made to the competent bodies concerning sexual harassment and their outcome, including under the terms of section 216-A of the Penal Code. The Committee also invited the Government to ensure that the new Act on equality and the elimination of discrimination would contain provisions on sexual harassment.

Convention No. 29

30. In its 2009 direct request, the Committee of Experts requested the Government to provide detailed information on the national policy on combating trafficking in persons and the national plan to combat trafficking in persons (PNETP). The Committee hoped that the Government would indicate the measures taken or envisaged to sensitize the population about trafficking in persons, particularly those persons most vulnerable to this type of exploitation.

31. The Government's most recent report was examined by the Committee of Experts at its November-December 2011 session.

Convention No. 89

32. In its 2008 direct request, the Committee of Experts drew the Government's attention to the possibility of denouncing the Convention for a period of one year from 27 February 2011.

Convention No. 97

33. In its 2008 direct request, the Committee of Experts noted that, although the country had traditionally been a country of immigration, since 1980 there had been an increase in emigration flows, principally to the United States, Paraguay, Japan, Portugal and the United Kingdom, and that an increasing number of women were emigrating to seek employment. The Committee also noted with interest the programme "Brazil, Gender and Race" which sought to combat discrimination against women and black persons in access to employment. The Committee further noted with interest that a specific programme was being carried out in collaboration with the ILO on domestic workers which also covered migrant women, and that a national policy had been formulated to combat the trafficking of persons, with both initiatives targeting women in particular. The Committee asked the Government to indicate the specific activities carried out in the context of the initiatives on migrant women workers and the trafficking of persons.

Convention No. 182

34. In its 2009 observation, the Committee of Experts requested the Government to intensify its efforts to ensure the protection in practice of young persons under 18 years of age against the sale and trafficking of children for sexual and economic exploitation. The Committee noted with interest that, according to the 2008 ILO-IPEC report on the Time-bound Programme, a total of 723 children (54 boys and 669 girls) had either been prevented from engaging in commercial sexual exploitation or been removed from this worst form of child labour. It also noted that the Sentinel programme which provided psychological and social support to children and young persons, who have been the victims of sexual exploitation, was then operating in more than 885 municipalities in the country. The Committee requested the Government to continue to adopt the necessary time-bound measures, in the context of the National Plan and National Policy for combating the trafficking of persons.

35. With regard to child domestic workers, the Committee had previously noted the indication from the International Trade Union Confederation (ITUC) that, according to the 2004 ILO-IPEC study, there were over 500,000 child domestic workers in Brazil. These children, particularly the girls, did not attend school, and the school attendance rate for girls in general was very low. Over 88 per cent of child domestic workers began working before the minimum age for admission to employment, normally at five or six years of age. The Committee also noted that, according to the 2008 ILO-IPEC report on the Time-bound Programme, a sectoral plan on domestic workers (Planseq) had been implemented to support this category of workers and inform them of their rights. The Committee requested the Government to supply information on the time-bound measures taken to implement Decree No. 6.481 of 12 June 2008, which prohibited the employment of young persons under 18 years of age as domestic workers, and in particular to prevent and remove children from the worst forms of child labour and to provide assistance for their rehabilitation and social integration.

36. The Government's most recent report was examined by the Committee of Experts at its November-December 2011 session.

Congo

37. Among the relevant ILO Conventions, Congo has ratified Conventions Nos. 100 and 111. It has also ratified Conventions Nos. 29, 87, 89, 98, 105, 138, and 182.

38. *Comments made by the ILO supervisory bodies.* The pending comments of the ILO Committee of Experts relevant to the provisions of the Convention on the Elimination of All Forms of Discrimination against Women relate to the following:

Convention No. 100

39. In its 2010 direct request, the Committee of Experts noted with regret that the Government's report had not been received. Therefore the Committee repeated its previous request, asking the Government to bring section 80 of the Labour Code, which appears to limit the possibility of comparing remuneration received by men and women to situation where they are engaged in the same type of work, into conformity with the Convention.

40. The Government's most recent report was examined by the Committee of Experts at its November-December 2011 session.

Convention No. 111

41. In its 2010 direct request, the Committee of Experts noted that the Government's report had not been received. Therefore the Committee repeated its previous request, noting that the General Public Service Statute outlawed sex discrimination in the application of its provisions and that an individual's family situation could not be used discriminatorily against someone seeking employment in the public service (sections 200 and 201 of the Labour Code).

42. The Committee noted the Government's report, according to which with the support of the United Nations Population Fund, a revision of the country's legislative texts had been undertaken to identify discriminatory provisions with respect to the status of women. The Committee requested the Government to indicate the provisions having been identified as discriminatory and whether such provisions had been repealed.

43. The Government's most recent report was examined by the Committee of Experts at its November-December 2011 session.

Convention No. 89

44. In its 2010 direct request, the Committee of Experts noted with regret that the Government's report had not been received. Therefore the Committee repeated its previous request, inviting the Government to give favourable consideration to the ratification of the 1990 Protocol which affords greater flexibility in the application of the Convention while remaining focused on the protection of female workers.

45. The Government's most recent report was examined by the Committee of Experts at its November-December 2011 session.

Convention No. 138

46. In its 2010 direct request, the Committee of Experts, while noting that some progress was made as concerns the gross primary school enrolment rates, it nevertheless observed that these ratios remain low. In this regard, the Committee requested the Government to provide information on the measures taken to increase school attendance, at both primary and secondary levels, and reduce school drop-out rates and repetition rates, by paying special attention to inequalities in access to education based on gender or ethnic and

socio-economic criteria. [The Committee made a similar comment under Convention No. 182, direct request of 2010].

47. The Government's most recent report was examined by the Committee of Experts at its November-December 2011 session.

Convention No. 182

48. In its 2010 observation, the Committee of Experts noted the Government's acknowledgement that the trafficking of children between Benin and the Congo for the purpose of forcing children to work in Pointe-Noire in trading and domestic work is contrary to human rights. While noting that the Government had taken certain measures to curb child trafficking, the Committee asked the Government to provide information on the rehabilitation and social integration of children following their withdrawal from labour.

49. The Government's most recent report was examined by the Committee of Experts at its November-December 2011 session.

Grenada

50. Among the relevant ILO Conventions, Grenada has ratified Conventions Nos. 100 and 111. It has also ratified Conventions Nos. 29, 87, 97, 98, 105, 138 and 182.

51. *Comments made by the ILO supervisory bodies.* The pending comments of the ILO Committee of Experts relevant to the provisions of the Convention on the Elimination of All Forms of Discrimination against Women relate to the following:

Convention No. 100

52. In its 2009 observation, the Committee of Experts regretted that the Government had not replied to the Committee's previous observation regarding the discriminatory nature of the Minimum Wage Order SRO 11 (2002), which provided different wages for female and male agricultural workers. Therefore the Committee urged the Government to take steps, without further delay, to ensure that the Minimum Wage Order no longer provides different wages for male and female workers.

53. In its 2009 direct request, the Committee of Experts noted that the job evaluation process in the public sector was under review. The Government stated, however, that there was no pay discrimination in the public service, and that women held the majority of managerial positions. It noted further that the Ministry of Labour encouraged job evaluation in the private sector. The Committee hoped that ensuring equal remuneration for women and men for work of equal value, as set out in the Convention and section 27 of the Employment Act, 1999, would be an explicit objective of the review process.

Convention No. 111

54. In its 2009 direct request, the Committee of Experts recalled that the Employment Act excluded from its scope of application, and thus from the non-discrimination provisions in section 26, members of the police force, armed forces, prison guards or officers (section 4). The Committee noted the Government's reply that there was no discrimination in the public sector. The Committee requested specific information on any laws or regulations in force providing protection to these workers against discrimination, and on how in practice non-discrimination of these workers was ensured.

55. With regard to sexual harassment, the Committee again asked the Government to provide information on the measures taken to prevent and prohibit sexual harassment at the workplace.

Jordan

56. Among the relevant ILO Conventions, Jordan has ratified Conventions Nos. 100 and 111. It has also ratified Conventions Nos. 29, 98, 105, 122, 138, 142, and 182.

57. *Comments made by the ILO supervisory bodies.* The pending comments of the ILO Committee of Experts relevant to the provisions of the Convention on the Elimination of All Forms of Discrimination against Women relate to the following:

Convention No. 100

58. In its 2010 observation, the Committee of Experts recalled that article 23(ii)(a) of the Constitution provided that all workers shall receive wages appropriate to the quantity and quality of the work, which is more restrictive than the principle contained in the Convention. While noting that the Labour Code had been amended in 2008 (Act No. 48/2008), the Committee also recalled that the Labour Code still did not include a provision expressly providing for equal remuneration for men and women for work of equal value. The Committee once again referred to its general observation of 2006 and urged the Government to take immediate steps to give full legislative expression to the principle of equal remuneration for men and women for work of equal value.

59. In its 2010 direct request, the Committee of Experts noted the policy brief on pay equity in Jordan prepared by the ILO, in partnership with the Jordanian National Commission for Women in 2010, and the policy paper on “Female labour force participation in Jordan”, submitted to the Economic and Social Council. Both documents confirmed a continuing gender pay gap at all skills levels, especially in the private sector where the gender pay gap for professionals is as high as 44 per cent compared to 24 per cent in the public sector. In 2009, female professionals in the education sector earned one-third less than male professionals; in the health/social work sector they earned 38 per cent less than male professionals, while in manufacturing, female professionals earned 24 per cent less than male professionals. Gender inequalities also appeared to exist with respect to non-wage benefits. The Committee noted with interest that a tripartite policy round table on pay equity had been held in March 2010 which had endorsed a number of recommendations, including the establishment of a national tripartite committee on pay equity charged with the development of a national action plan, and asked the Government to provide information in this regard.

60. With regard to section 25(b) of the Civil Service Regulations No. 30 of 2007, pursuant to which a female employee shall only be entitled to a family allowance if she is the “breadwinner” or if her husband is deceased or has a disability, the Committee noted the Government’s explanation that the rationale behind section 25(b) is related to the specific duties and responsibilities imposed on the husband in Jordanian society. It also noted that the status of breadwinner is given by the religious courts in accordance with Islamic law and traditions governing Jordanian society. The Committee again expressed its concern that under the legislation, female public servants would in practice be disadvantaged with respect to their entitlement to family allowances. The Committee asked the Government to indicate the measures taken or envisaged to review the provisions of the civil service regulations of 2007, so as to ensure that female public officials are treated on an equal basis with male public officials with regard to family allowances.

61. The Committee recalled that despite an increase in the recruitment of women, occupational segregation of women in lower-paying occupations in the public service remained an issue. The Committee noted the lack of information demonstrating how the principle of equal remuneration for men and women for work of equal value is ensured in the public service in practice, as well as any steps taken to determine the reasons for the occupational segregation of women into lower-paying occupations and positions without

promotion opportunities leading to higher pay. The Committee asked the Government to provide up-to-date information in this regard.

62. The Committee noted the Government's decision of 2008 to increase the minimum wage from 110 Jordanian dinars (JOD) to JOD150 per month, which had come into effect in January 2009. However, the Committee understood that garment workers in the Qualifying Industrial Zone (QIZ) and domestic workers, a large majority of whom are women, were excluded from the new minimum wage. The Committee, recalling that the minimum wage is an important means of promoting the application of the principle of the Convention, asked the Government to indicate the reasons for excluding domestic workers and QIZ workers from the minimum wage, and to indicate the measures to ensure the application of the principle of equal remuneration for men and women for work of equal value to these categories of workers.

63. The Government's most recent report was examined by the Committee of Experts at its November-December 2011 session.

Convention No. 111

64. In its 2010 observation, the Committee of Experts recalled the persistent occupational segregation of women in the lower categories of the civil service and the slow progress in achieving an equitable balance between men and women, particularly in higher level posts. The Committee had pointed out that where seniority is a determining factor for purposes of promotion into higher level posts, the equitable application of this criterion should not lead to indirect discrimination against female civil servants. The Committee noted with regret that the Government continued to affirm that the Civil Service Statute provides women and men with equal opportunities to access all posts without restrictions, without providing further details on any measures taken to review whether the application of the criterion of accumulated years of experience and knowledge is not leading, in practice, to indirect discrimination against women. Recalling that under the Convention, the Government has the obligation to address both direct and indirect discrimination based on sex, with respect to employment and occupation in the public service, the Committee urged the Government to take effective steps to address the occupational gender segregation within the civil service.

65. In its 2010 direct request, the Committee noted Regulation No. 90/2009 of 1 October 2009 regarding domestic workers, cooks, gardeners and similar workers, issued pursuant to section 3(b) of Labour Code No. 8/1996, as amended by Act No. 48/2008. The Committee noted that section 5(a)(5) required the worker to refrain from leaving the house without permission of the householder, while section 5(c) provided that if the worker "runs away without good cause attributable to the householder", the worker should cover all financial obligations set forth under the signed contract of employment, in addition to the repatriation costs. The Committee considered that such provisions placed the workers concerned in a situation of increased vulnerability to discrimination and abuse, as a result of disproportionate power exercised by the employer over the worker. The Committee requested the Government to provide information on the practical application of Regulation No. 90/2009, including statistics disaggregated by sex and origin, the number and nature of any complaints by workers and householders addressed to the Ministry of Labour, any labour inspection visits carried out, sanctions and fines imposed on employers and workers for non-compliance, and remedies provided. It also asked the Government to indicate how the concern of reducing the migrant workers' dependency on the employer was effectively addressed.

66. The Committee also noted the amendments to the Labour Code (Act No. 48 of 2008), in particular section 29 (providing for sanctions in the case of sexual assault by the employer), and the new Civil Service Statute No. 30/2007, in particular section 171(a).

According to the Government, sexual harassment in the public service is deemed to be one of the crimes constituting an offence against honour (and punishable under section 171(a)). Chapter XVII of the new Civil Service Statute entitles an employee to file an administrative grievance if she/he is subjected to any act violating the ethics of public office, or breaching the principles of justice and fairness, or is subjected to pressure or coercion or unlawful demand by any employee, whether a chief, colleague or subordinate, or any action which would constitute a violation of the employee's integrity, thus Chapter XVII would allow an employee who is subject to sexual harassment to file a grievance with the administration. While noting these explanations, the Committee strongly encouraged the Government to include a clear definition of sexual harassment (quid pro quo and hostile environment) in the Labour Code and the Civil Service Statute in order to effectively address all forms of sexual harassment. It also asked the Government to take appropriate measures to raise awareness of and prevent and protect against sexual harassment in the workplace.

67. Recalling the Ordinance of 1997 issued under section 69 of the Labour Code concerning restrictions on women's employment, the Committee noted that the Committee established to amend the Ordinance was still meeting. The Committee asked the Government to ensure that protective measures are strictly limited to protecting maternity, and asked the Government to provide information of any progress in this regard.

68. With regard to the National Project on the Employment of Women, the Committee noted the information about the employment opportunities being created in remote areas. The Committee asked the Government to continue to provide information on the practical measures taken to encourage women from remote areas to participate in vocational training programmes, and its results in terms of obtaining and remaining in employment, including in the production branches created in the remote areas. The Committee also asked information on any measures to address stereotypical attitudes pervasive in the labour market and in society more generally, and outcome of such measures.

69. The Government's most recent report was examined by the Committee of Experts at its November-December 2011 session.

Convention No. 122

70. In its 2010 observation, the Committee of Experts noted the information provided by the Government in July 2009, that the Vocational Training Institute implemented a programme intended to increase the participation rate of women in training programmes. According to the data contained in the national employment policy document of October 2008, the unemployment rate of women amounted to 26.1 per cent of the active population in 2007, and graduates of higher education were those most affected by unemployment. The Committee requested the Government to provide detailed information on the measures to improve and facilitate the integration of women into the labour market.

71. The Government's most recent report has been received and will be examined by the Committee of Experts at its November-December 2012 session.

Convention No. 182

72. In its 2010 observation, the Committee of Experts noted with satisfaction that sections 3(2) and 9 of the Prevention of the Trafficking in Persons Law (Act No. 9 of 2009) prohibited the trafficking of persons under 18, and set forth penalties of ten years' hard labour for the commission of this offence and/or a fine of between 5,000 and 20,000 dinars (between approximately US \$7,042 and \$28,169).

73. The Committee observed that the Penal Code provisions did not appear to prohibit the use, procuring or offering of a boy under 18 for the purpose of prostitution. Therefore, the Committee once again strongly requested the Government to take immediate measures

to ensure that the use, procuring or offering of both boys and girls under 18 years of age for the purpose of prostitution is prohibited, as a matter of urgency.

74. The Committee also noted that section 306 of the Penal Code, which prohibited subjecting a boy or girl to an act that is contrary to morals, as well as prohibiting the utterance of indecent words to them, appeared to only provide protection to persons under 15 years of age. The Committee urged the Government to take immediate and effective measures to prohibit the use, procuring or offering of all persons under 18 for the production of pornography and pornographic performances.

Norway

75. Among the relevant ILO Conventions, Norway has ratified Conventions Nos. 100, 111 and 156. It has also ratified Conventions Nos. 29, 87, 97, 98, 105, 122, 138, 142, 143 and 182.

76. *Comments made by the ILO supervisory bodies.* The pending comments of the ILO Committee of Experts relevant to the provisions of the Convention on the Elimination of All Forms of Discrimination against Women relate to the following:

Convention No. 100

77. In its 2010 direct request, the Committee of Experts noted that the Equal Pay Commission appointed by the Government in 2008 had issued its report and recommendations in February 2008. In particular, the Committee asked the Government to provide follow-up measures on the seven specific recommendations made with a view to promoting equal remuneration for women and men: (1) strengthen the enforcement of the duty to promote gender equality under the Gender Equality Act; (b) implement pay increases for selected female-dominated occupations in the public sector; (c) social partners involved in private sector collective bargaining are to allocate funds to “combined low wage and women’s posts”; (d) amend the National Insurance Act to ensure that mothers and fathers divide parental leave more equally between them; (e) introduce through collective agreements a right of employees to at least average pay increase upon return from parental leave; (f) launch a project to support enterprises in implementing measures to increase women’s recruitment to management positions; and (g) increase use of local negotiations in public sector collective bargaining in areas with a large proportion of female-dominated occupational groups.

78. The Committee noted that the summary of the Equal Pay Commission’s report stated that job evaluation as a method to promote equal pay had not had much impact in Norway, since, though it was not difficult to measure the value of work, problems occurred with regard to pay adjustments to be made accordingly. Further, job evaluation within enterprises was believed to have little effect on the pay gap, because the greatest pay differences resulted from the gender-based labour market, with women and men divided between different industries, sectors and workplaces. The Committee asked the Government to provide information on any measures taken to promote the use of objective job evaluation by companies and public employers, and to overcome the obstacles identified by the Equal Pay Commission. In particular, the Committee asked the Government to provide information on the measures to address pay differences between men and women beyond the enterprise level, examining the remuneration levels in female-dominated and male-dominated occupations where the work is of equal value.

Convention No. 111

79. In its 2010 direct request, the Committee of Experts noted that the amendments to the Anti-Discrimination Act which had entered into force on 1 January 2009 provide for an obligation to make active, targeted and systematic efforts to prevent discrimination and ensure equal opportunities, and to report thereon.

80. The Committee noted with interest that the requirement for public limited companies to ensure balanced representation of men and women on their boards, introduced in 2004, resulted in achieving a 40 per cent share of women on the boards of these companies, compared to 7 per cent representation in 2003. The Committee asked the Government to provide information on the equal representation of men and women on company boards, as well as in management positions in the private and public sectors, more generally.

81. The Committee noted the information with regard to the specific measures taken under the Plan of Action for Equality (2009–10) with a view to reaching the target of 20 per cent male employees in Norwegian kindergartens. The Committee asked the Government to provide information on the measures taken or envisaged aimed at the reduction of horizontal segregation of the labour market by gender and on the results achieved by such action.

Convention No. 156

82. In its 2006 direct request, the Committee of Experts noted with interest the revision of the Working Environment Act (WEA) that employees are entitled to flexible working hours (section 10-2(3)) as well as a partial leave of absence for three years to care for a child (section 12-6). The WEA also extended the leave of absence for fathers to two weeks following the birth or adoption of a child (section 12-3) and gives greater rights to employees to take leave in case of a child's illness or injury (section 12-9(4)). The Committee further noted the amendments to the National Insurance Act of 28 February 1997 concerning benefits in cases of maternity/paternity and adoption whereby fathers can receive parental and adoption benefits based on their own eligibility. It noted that in 2005, about 90 per cent of eligible fathers had made use of their right to such benefits. Furthermore, the Committee noted that the amended Gender Equality Act of 2002 explicitly prohibited differential treatment that would place a woman or man in a weaker position than they would otherwise be as a result of pregnancy, childbirth or leave of absence (section 3(2)).

83. With regard to the communication made by the Norwegian Confederation of Trade Unions dated 25 September 2006 concerning insufficient number of available childcare centres, or pre-school places, the Committee asked the Government to indicate whether any measures were planned or in place to improve the availability of childcare services for workers with family responsibilities.

84. The Government's most recent report has been received and will be examined by the Committee of Experts at its November-December 2012 session.

Convention No. 182

85. In its 2010 observation, the Committee of Experts noted that the follow-up plan on commercial sexual exploitation had expired in 2001. Noting that a number of youths in upper secondary school are engaged in the selling or exchange of sexual services, the Committee requested the Government to continue to take the necessary measures to prevent this worst form of child labour, and to provide for the removal, rehabilitation and social re-integration of children.

Zimbabwe

86. Among the relevant ILO Conventions, Zimbabwe has ratified Conventions Nos. 100 and 111. It has also ratified Conventions Nos. 29, 87, 98, 105, 138 and 182.

87. *Comments made by the ILO supervisory bodies.* The pending comments of the ILO Committee of Experts relevant to the provisions of the Convention on the Elimination of All Forms of Discrimination against Women relate to the following:

Convention No. 100

88. In its 2010 direct request, the Committee of Experts referred to its previous comments that the definition of “work of equal value” provided for in section 2(a) of the Labour Act as meaning “work that involves similar or substantially similar skills, duties, responsibilities and conditions” could unduly restrict the scope of comparison of jobs performed by men and women and had therefore requested the Government to amend the provision. In this regard, the Committee noted the Government’s indication that the Labour Act was in the process of being amended, and thus the amendment of section 2(a) would be considered in that context.

Convention No. 111

89. In its 2010 direct request, the Committee of Experts recalled that section 5(1) and (2) of the Labour Act prohibited discrimination on the grounds of race, tribe, place of origin, political opinion, colour, creed, gender, pregnancy, HIV/AIDS status and disability in all aspects of employment and occupation. Noting the Government’s indication that the Labour Act was in the process of amendment, the Committee requested the Government to provide information on any developments in this regard.

90. The Committee noted that, as a result of the National Gender Policy, job advertisements specifically encouraged women to apply. The Committee requested the Government to provide information on any other measures taken or envisaged to promote and ensure equality of opportunity and treatment of men and women in employment and occupation, including awareness-raising and promotional activities.

91. With regard to the public service, the Committee once again requested the Government to provide detailed information on the introduction of non-discrimination provisions in accordance with the Convention, as well as proactive measures to ensure access of women to public service employment at all levels.

Convention No. 182

92. In its 2010 observation, the Committee of Experts noted the 2009 UNODC Global Report on Trafficking in Persons, which indicated that internal trafficking had increased during the previous year (largely due to the closure of schools, worsening political violence and a faltering economy). Recalling that Article 1 of the Convention requires member States to take immediate measures to prohibit the worst forms of child labour as a matter of urgency, the Committee urged the Government to take the necessary measures to ensure that legislation prohibiting the sale and trafficking of children (including internal trafficking) for both labour and sexual exploitation would be adopted in the very near future.

93. The Government’s most recent report was examined by the Committee of Experts at its November-December 2011 session.