



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Concluding observations on the combined second and third periodic reports of Timor-Leste*

1. The Committee considered the combined second and third periodic reports of Timor-Leste ([CEDAW/C/TLS/2-3](#)) at its 1357th and 1358th meetings, on 11 November 2015 (see [CEDAW/C/SR.1357](#) and 1358). The Committee's list of issues and questions is contained in [CEDAW/C/TLS/Q/2-3](#) and the responses of Timor-Leste are contained in [CEDAW/C/TLS/Q/2-3/Add.1](#).

A. Introduction

2. The Committee appreciates the submission by the State party of its combined second and third periodic reports. It also appreciates the State party's written replies to the list of issues and questions raised by the pre-sessional working group and welcomes the oral presentation by the delegation and the further clarifications provided in response to the questions posed orally by the Committee during the dialogue.

3. The Committee commends the State party on its delegation, which was headed by the Secretary of State for the Support and Socioeconomic Promotion of Women, Veneranda Lemos, and included representatives of the Ministry of Education, the Ministry of Health, the Ministry of Social Solidarity, the Ministry of the Interior, the Ministry of Justice, the Ministry of State Administration, the Ministry of Agriculture and Fisheries, the Secretariat of State for the Socioeconomic Promotion of Women, the Secretariat of State for Employment Policy and Vocational Training, the Court of Appeal and the Permanent Mission of Timor-Leste to the United Nations Office and other international organizations in Geneva. The Committee appreciates the fact that the delegation also included parliamentarians. The Committee appreciates the constructive dialogue that took place between the delegation and the Committee, while noting that some questions were not fully answered.

* Adopted by the Committee at its sixty-second session (26 October-20 November 2015).



B. Positive aspects

4. The Committee welcomes the progress achieved since the consideration in 2009 of the State party's initial report (CEDAW/C/TLS/1) in undertaking legislative reforms, in particular the adoption of the following legislation:

(a) Labour Code (Law No. 4/2012) of 21 February 2012 guaranteeing equality of opportunity and treatment in employment and prohibiting verbal, non-verbal and physical sexual harassment;

(b) Civil Code (Law No. 10/2011) of 14 September 2011 providing for equal rights of women and men in marriage;

(c) Law No. 7/2011 of 22 June 2011 amending the parliamentary electoral law and establishing electoral lists of standing and alternate candidates, which must include at least one woman in each group of three candidates;

(d) Law against Domestic Violence (Law No. 7/2010) of 3 May 2010 which criminalizes domestic violence, including sexual violence, "even within a marriage".

5. The Committee welcomes the State party's efforts to improve its institutional and policy framework aimed at accelerating the elimination of discrimination against women and promoting gender equality, such as the adoption of the following:

(a) 2014-2017 national strategy and action plan for gender and the private sector, in 2014;

(b) 2012-2014 national action plan on gender-based violence, in 2012;

(c) Parliamentary resolution No. 27/2011 establishing a gender working group as an intersectoral cooperation and coordination mechanism, in 2011;

(d) Parliamentary resolution No. 12/2010 on gender-responsive budgeting, in 2011.

6. The Committee welcomes the fact that, in 2009, in the period since the consideration of its previous report, the State party acceded to the United Nations Convention against Transnational Organized Crime and its Protocols to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and against the Smuggling of Migrants by Land, Sea and Air.

C. Principal areas of concern and recommendations

Parliament

7. The Committee stresses the crucial role of the legislative power in ensuring the full implementation of the Convention (see the statement by the Committee on its relationship with parliamentarians, adopted at the forty-fifth session, in 2010). It invites the National Parliament, in line with its mandate, to take the necessary steps regarding the implementation of the present concluding observations between now and the next reporting period under the Convention.

Definition of discrimination and legislative framework

8. The Committee remains concerned that neither the Constitution of the State party nor its ordinary legislation include a definition of discrimination against women in accordance with article 1 of the Convention. It is also concerned about the decision not to adopt a specific gender equality law and about the absence of legislation regulating the relationship between the ordinary and traditional legal systems. The Committee is further concerned about the delays in the adoption of several bills that have an impact on the enjoyment of women's rights, such as the trafficking, land, expropriation, real estate financial fund and civil registration bills.

9. The Committee calls upon the State party:

(a) **To enact and implement a comprehensive law on gender equality and include in the Constitution or other appropriate legislation a definition of discrimination against women that encompasses both direct and indirect discrimination in the public and private spheres, in line with article 1 of the Convention;**

(b) **To accelerate the adoption, within a clear time frame, of the trafficking, land, expropriation, real estate financial fund and civil registration bills;**

(c) **To enact legislation to regulate the relationship between the ordinary and traditional legal systems in the State party, after an open dialogue with civil society, including women's organizations, on the impact of such legislation on the enjoyment of women's rights.**

Access to justice

10. The Committee notes that a non-governmental organization, Asistensia Legal ba Feto no Labarik, provides free legal assistance to women and girls in criminal, civil and family law matters and that the State party has deployed four mobile courts to reach out to remote areas in 13 districts. The Committee is nevertheless concerned about:

(a) The fact that women largely continue to use the traditional rather than the formal justice system, which limits the enjoyment of their rights by perpetuating and reinforcing discriminatory social norms;

(b) The absence of an effective system of legal aid in the State party;

(c) The delays in adjudicating cases of gender-based violence and the violation of women's rights as a result of a 13 per cent decrease in the human resources of the judiciary, pursuant to parliamentary resolution No. 11/2014 and government resolutions Nos. 29/2014 and 32/2014;

(d) The very low percentage of women seeking legal aid owing to, among other things, low legal literacy, language barriers and the small number of district courts;

(e) The lack of gender sensitivity among the members of the judiciary and the lack of regular capacity-building programmes on women's rights and gender equality for them, as well as the lack of information about the ways in which the Convention has been invoked by national courts.

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

(a) **Establish clear procedures for filing complaints about discrimination against women, ensure that effective remedies are available to women whose rights have been violated and impose adequate sanctions for such violations;**

(b) **Establish an effective system of legal aid to eliminate the economic barriers faced by women in gaining access to justice, including by ensuring that fees for issuing and filing documents and court costs are reduced for women with low incomes and waived for women living in poverty;**

(c) **Review parliamentary resolution No. 11/2014 and government resolutions Nos. 29/2014 and 32/2014 to mitigate the negative consequences of those resolutions on the handling of cases of gender-based violence and other violations of women's rights, to ensure the continuity of court proceedings and to prevent delays in handling cases, including by ensuring that local judges have the capacity and mandate to hear such cases in a gender-sensitive manner;**

(d) **Enhance women's awareness of their rights and their legal literacy in all areas covered by the Convention and allocate further resources to enhancing the infrastructure, quality and accessibility of the formal justice system, especially in rural areas, including by providing assistance for illiterate women;**

(e) **Ensure, including through the provision of legal education and regular capacity-building, that the Convention, the Optional Protocol thereto and the Committee's general recommendations are sufficiently known and applied by all branches of government and the judiciary as a framework for laws, court decisions and policies on gender equality and the advancement of women.**

National machinery for the advancement of women

12. The Committee notes the State party's efforts to institutionalize gender-responsive budgeting and improve coordination through the establishment of an interministerial working group on gender mainstreaming, the coordination entity for implementing the national action plan on gender-based violence and national and district gender working groups. The Committee is, however, concerned:

(a) That the existing coordination mechanisms are affected by the limited authority, budget and capacity of the Secretariat of State for the Support and Socioeconomic Promotion of Women and by the weakness of the gender working groups in the various ministries;

(b) That there is a lack of information on the specific budget lines and an absence of monitoring mechanisms in place to regularly assess progress in the implementation of the State party's strategic plans on women's rights and gender equality;

(c) That there is a lack of the disaggregated data necessary to assess the impact and effectiveness of gender-responsive budget policies and programmes aimed at promoting women's enjoyment of their human rights on an equal basis with men.

13. The Committee recommends that the State party:

(a) **Strengthen the human, technical and financial resources and the decision-making power of the national machinery for the advancement of women and the gender working groups, throughout all governmental bodies;**

(b) **Put in place monitoring mechanisms under the auspices of the Ministry of Finance to regularly assess progress in the implementation of the State party's strategic plans on women's rights and gender equality;**

(c) **Develop a comprehensive system to improve the collection of data disaggregated by gender, to assess the impact and effectiveness of gender-responsive budget policies and programmes aimed at promoting women's enjoyment of their human rights on an equal basis with men.**

Stereotypes and harmful practices

14. The Committee notes the State party's awareness-raising activities aimed at eliminating discriminatory stereotypes and harmful practices, but is concerned that gender stereotypes and adverse cultural norms, as well as harmful practices such as bride price (*barlake*), child and/or forced marriage and polygamy, are still prevalent in the State party.

15. The Committee calls upon the State party:

(a) **To expeditiously adopt a comprehensive strategy, including clear goals and timetables, to eliminate discriminatory stereotypes and harmful practices such as bride price (*barlake*), child and/or forced marriage and polygamy;**

(b) **To reinforce awareness-raising programmes targeting the judiciary, law enforcement personnel, teachers, parents and community leaders, as well as women and men and girls and boys, especially in rural areas, on the negative effects of discriminatory stereotypes and harmful practices on women's enjoyment of their human rights.**

Violence against women

16. The Committee notes the measures taken by the State party to raise awareness of the law against domestic violence adopted in 2010. The Committee is, however, concerned about:

(a) The insufficient implementation of the national action plan on gender-based violence owing to the lack of resources;

(b) The prevalence of domestic violence, including incest and sexual abuse of girls, the low reporting rate stemming from victims' fear of stigmatization or revictimization and the general lack of awareness among women and men, including community leaders, of the criminal nature of domestic violence;

(c) The failure to act with due diligence to prevent and provide redress for all crimes committed against women and girls;

(d) The low number of investigations, prosecutions and convictions in cases of alleged rape and sexual abuse, the long delays for cases of domestic violence to reach the courts and their frequent suspension, the lenient sentences in domestic

violence cases, the failure to issue protection orders and the excessive use of mediation under the informal justice system in cases of domestic violence;

(e) The absence of legal provisions specifically criminalizing marital rape and qualifying rape as a serious crime;

(f) The failure to implement the witness protection law adopted in 2009 for lack of resources and the limited protection afforded to witnesses to acts of violence against women;

(g) The limited medical, psychological and legal assistance provided to women who are victims of violence and the lack of adequate shelters;

(h) The inadequate training for judges, prosecutors, lawyers, police officers and health and social workers on the strict application of the legislation criminalizing violence against women and on gender-sensitive treatment of victims;

(i) The absence of reliable data on the prosecution and conviction rates in relation to violence against women.

17. Recalling its general recommendations No. 19 (1992) on violence against women and No. 33, the Committee calls upon the State party:

(a) To ensure that the national action plan on gender-based violence (2015-2019) is adopted expeditiously and is adequately monitored and resourced;

(b) To raise awareness of the criminal nature of domestic violence and ensure that victims have effective access to remedies, their social and economic dependence on their husbands notwithstanding;

(c) To exercise due diligence to prevent, investigate, punish and provide redress for all crimes committed against women and girls, whether by State or non-State actors;

(d) To ensure that cases of domestic violence are prosecuted and perpetrators adequately punished, that women who are victims of domestic violence are encouraged to report such cases to the police and that they are not directed to mediation by the formal or informal justice system, reduce the delays in prosecuting cases of domestic violence, ensure the safety of victims in cases in which suspension is necessary, issue and enforce protection orders whenever necessary and award adequate compensation to victims;

(e) To review the Penal Code and the law against domestic violence so as to qualify rape as a serious crime, introduce adequate sanctions for cases of rape and specifically criminalize marital rape in civil, religious and customary marriages, as well as rape in de facto unions;

(f) To accord priority, without further delay, to the full implementation of the witness protection law adopted in 2009, so that witnesses to acts of violence against women enjoy adequate protection;

(g) To strengthen the assistance to and rehabilitation of women who are victims of violence, including women in rural areas and women with disabilities, through the establishment of a comprehensive care system for them and take measures to ensure their access to legal aid, medical and psychological support, shelters, counselling and rehabilitation services;

(h) **To strengthen awareness-raising and educational activities, targeted at men and women, traditional leaders and health-care and social workers, with support from civil society, to eliminate prejudices relating to violence against women, as well as training for judges, prosecutors, police officers and other law enforcement officials on the strict application of criminal law provisions punishing violence against women;**

(i) **To establish a unified system of data collection and reporting on gender-based violence.**

Violence against women during conflict situations and their access to justice

18. The Committee notes that the Government of Indonesia and the State party are working together to establish a survivor healing programme, in particular for survivors of rape, sexual slavery and other forms of sexual violence committed during the Indonesian occupation in 1999. The Committee is, however, concerned that survivors of that sexual violence continue to experience social stigma and ostracism, resulting in feelings of shame, and have limited access to medical, psychological, reproductive and mental health services or treatment. The Committee is further concerned that the bills to establish a national reparation programme and a public memory institute, which were submitted to the National Parliament in July 2010, have still not been adopted.

19. The Committee urges the State party:

(a) **To ensure there will be no impunity for rape, sexual slavery and other forms of sexual violence committed during the Indonesian occupation in 1999;**

(b) **To implement the recommendations in the reports of the Commission for Reception, Truth and Reconciliation and the Commission on Truth and Friendship relating to redress for women and girls who were victims of violations during that period;**

(c) **To expeditiously adopt the proposed laws concerning the national reparation programme and the public memory institute and ensure that they are in conformity with the Convention and other international standards and provide for a comprehensive programme of transformative reparation to address discrimination and violence against women and girls.**

Trafficking and exploitation of prostitution

20. The Committee is concerned:

(a) That the bill to prevent, suppress and punish trafficking in persons, which has been under consideration since 2009, and the draft national plan of action to combat human trafficking (2010-2013), developed by the Inter-Agency Trafficking Working Group, have not yet been adopted;

(b) That there is a lack of data on the scale of trafficking and exploitation of prostitution, in particular on the number of cases involving women and girls, and that comprehensive research on the phenomenon of trafficking into the sex industry in the State party has been limited to date;

(c) That there were no convictions in the State party for the crime of trafficking in 2013-2014 and only one conviction to date in 2015, that victim identification efforts remain inadequate and that the support services made available are underutilized owing to a lack of victim identification;

(d) That sanctions for pimping and forced prostitution are not effectively and adequately imposed;

(e) That there is a low level of knowledge, skills and gender sensitivity on the part of the judiciary and law enforcement officials in handling trafficking cases.

21. The Committee recommends that the State party:

(a) Adopt, without further delay, the proposed law to prevent, suppress and punish trafficking in persons and update and adopt the proposed national plan of action to combat human trafficking;

(b) Carry out a study on the prevalence of trafficking in women and girls and the exploitation of prostitution in the State party and continue to update the data;

(c) Strengthen the mechanisms for the investigation, prosecution and punishment of traffickers and programmes for identification, prevention, protection, assistance and legal support for victims of trafficking and sexual exploitation, targeting in particular female migrant workers, including by providing them with access to shelters, legal, medical and psychosocial assistance and alternative income-generating opportunities;

(d) Ensure the effective prosecution and conviction of perpetrators of exploitation of the prostitution of women and girls;

(e) Provide effective gender-sensitive capacity-building for law enforcement personnel and legal practitioners on issues relating to trafficking in persons.

Participation in political and public life

22. The Committee welcomes the special measures introduced at the national and local levels to increase the representation of women in the National Parliament and in the village and subvillage councils through the quotas set by Law No. 7/2011 of June 2011 and Law No. 3/2009 of June 2009, respectively. The Committee is, however, concerned:

(a) That women in the State party continue to face persistent barriers to gain access to decision-making positions, including discrimination in recruitment, discriminatory stereotypes and attitudes towards women's participation in political and public life, little support from political parties and families and low levels of confidence;

(b) That women's representation in government decision-making positions remains low at 20 per cent and the proportion of female village chiefs is extremely low at 2 per cent.

23. The Committee recommends that the State party:

(a) Adopt measures, including temporary special measures, and provide support services to promote the equal representation of women in political and

public life at all levels, especially in decision-making positions, including specific measures to eliminate stereotypes and discrimination against such participation;

(b) Adopt measures, including temporary special measures, to increase the percentage of female village chiefs through the new village election law, which is to be discussed by the National Parliament in 2016, and develop targeted training and mentoring programmes on political campaigning, leadership and negotiation skills for current and potential women candidates and women holding public office.

Women and peace and security

24. The Committee notes that in 2013 the State party began to formulate a national action plan to implement Security Council resolution No. 1325 (2000) on women and peace and security.

25. The Committee calls upon the State party to expedite the adoption of the national action plan to implement Security Council resolution 1325 (2000) on women and peace and security, in cooperation with women's organizations, and ensure that it takes into consideration the full spectrum of the agenda of the Council on women and peace and security, as reflected in Council resolutions 1820 (2008), 1888 (2009), 1889 (2009), 2122 (2013) and 2242 (2015), as well as the Committee's general comment No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations.

Education

26. The Committee welcomes the fact that the State party is taking steps to ensure equal access to education for girls. The Committee also welcomes the zero-tolerance policy initiated by the Ministry of Education in 2011 against administrative malpractice in the education sector, covering sexual violence, corporal punishment and other forms of violence in schools, but it regrets that it has not been effectively implemented. The Committee is further concerned:

(a) That the rate of school dropout among girls remains very high at almost 50 per cent between the primary and secondary levels, owing to early pregnancy, gender-based violence and the lack of adequate sanitation in schools, especially in rural areas;

(b) That the efforts to eradicate the high percentage of female illiteracy have not been sufficient;

(c) That a re-entry policy enabling young women to return to school after pregnancy, the necessity of which has been under discussion since 2010, has still not been developed;

(d) That the sexual and reproductive health and rights curriculum is narrow in scope, is treated mainly from a biological perspective and does not adopt a gender perspective;

(e) That the sanctions for sexual harassment and abuse in schools are lenient and teachers working in the education system who are perpetrators of sexual violence are merely transferred to other schools;

(f) That there is a lack of disaggregated data on the number of reported cases of sexual violence in schools and on the sanctions imposed on perpetrators.

27. The Committee recommends that the State party:

(a) **Increase its efforts to retain girls and young women at all levels of education, including by providing adequate and gender-sensitive sanitation facilities and safe transportation to and from schools, as well as safe educational environments free from discrimination and violence, strengthening incentives for parents to send their daughters to school, eliminating child, early and forced marriage, and raising awareness among communities, families, pupils, teachers and community leaders, especially men, of the importance of education for girls and women;**

(b) **Strengthen its efforts to eradicate illiteracy, in particular among rural women, by conducting literacy programmes in local languages and Portuguese;**

(c) **Adopt and implement without further delay an official re-entry policy for young women and girls who have dropped out of school owing to early pregnancy and prohibit disciplinary action against pregnant girls in public and private schools;**

(d) **Develop comprehensive programmes on sexual and reproductive health and rights as a regular part of the school curriculum at all levels, providing girls and boys with adequate, age-appropriate information that includes a gender perspective and addresses issues of gender relations, unequal power in those relations, responsible sexual behaviour and the prevention of early pregnancy and sexually transmitted diseases;**

(e) **Take measures to encourage women and girls to report sexual violence in educational institutions to the police, effectively implement the zero-tolerance policy with respect to sexual violence and sexual harassment at school and ensure that perpetrators, including teachers, are adequately punished;**

(f) **Provide in its next periodic report disaggregated data on the number of reported cases of sexual violence in schools and the sanctions imposed on perpetrators.**

Employment

28. The Committee notes with concern:

(a) That, although the process of ratification has reportedly advanced, the State party is not yet party to the Equal Remuneration Convention, 1951 (No. 100), and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), of the International Labour Organization;

(b) Discrimination in recruitment and promotion, given that women need higher qualifications to attain the same decision-making positions as men;

(c) That most women do not participate at all in the labour force: 78 per cent of those who do participate are engaged in the informal sector without appropriate social security coverage and 86 per cent of women and girls with disabilities have no access to vocational training;

(d) The lack of information on the number of complaints received by the Labour Relations Board and the Labour Arbitration Council from female workers since the adoption of the Labour Code in 2012, their nature and the sanctions imposed on employers where violations were found.

29. The Committee recommends that the State party:

(a) Expeditiously deposit its instruments of ratification of the Equal Remuneration Convention, 1951 (No. 100), and the and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), of the International Labour Organization;

(b) Adopt measures to eliminate discrimination in recruitment and promotion against women, including effective mechanisms to ensure and monitor compliance with existing legislation in both the public and private sectors;

(c) Strengthen programmes aimed at reducing women's unemployment and promoting their access to employment in the formal sector and social security coverage, adopt a gender-sensitive employment policy, which includes a focus on women with disabilities, and monitor the working conditions of women in the informal economy, in particular in agriculture, to ensure that they have access to social protection, including with regard to maternity protection;

(d) Provide in its next periodic report information on the implementation of the non-discrimination provisions of the Labour Code, on the average gender wage gap and on the number of complaints received by the Labour Relations Board and the Labour Arbitration Council from female workers in recent years, their nature and the sanctions imposed on employers where violations were found.

Health

30. The Committee notes that the national health sector strategic plan 2011-2030 identifies maternal health and child health as the two highest priorities of the national health programmes. It also notes that the State party has established a medical protocol of options for abortion. The Committee is, however, concerned:

(a) That the amendment on 15 July 2009 to article 141 of the Penal Code (Decree-Law No. 19/2009) has further restricted women's access to safe and legal abortions by stipulating that abortion is legal only when necessary to protect the life of the mother and that, in such cases, it must be authorized by a panel of three doctors, and by allowing other health professionals to lodge an objection to the proposed abortion;

(b) That there is severe underreporting of maternal deaths through the routine health management information system and that the maternal mortality ratio in the State party remains the highest in East Asia;

(c) That women suffer from undernutrition and micronutrient deficiency;

(d) That women and girls, especially in remote and rural areas, face significant challenges in gaining access to sexual and reproductive health services,

in particular skilled care at birth, antenatal and postnatal care and family planning, and that emergency health care remains extremely limited in rural areas.

31. The Committee recommends that the State party:

(a) **Review article 141 of the Penal Code to legalize abortion in cases of rape, incest, threat to the health of the pregnant woman and serious impairment of the foetus, and remove the requirement of authorization by a panel of three doctors;**

(b) **Consider the technical guidance on the application of a human rights-based approach to the implementation of policies and programmes to reduce preventable maternal morbidity and mortality, drawn up by the Office of the United Nations High Commissioner for Human Rights (A/HRC/21/22 and Corr.1 and 2), and increase efforts to reduce maternal mortality by ensuring adequate sexual and reproductive health services, including access to antenatal, delivery and postnatal services and prevention and treatment of anaemia, and by establishing maternal death as a notifiable event, institutionalizing a mandatory review of such deaths and creating a high-level interministerial committee to monitor the maternal death review and the response system;**

(c) **Strengthen measures to reduce malnutrition and micronutrient deficiencies, targeting adolescent girls, pregnant women and children, and establish mechanisms to track financial allocations and actual expenditure by the line ministries and other State institutions;**

(d) **Strengthen measures to ensure that all young women, adolescent girls and rural women have access to sexual and reproductive health services and emergency health care, and improve the quality of family planning services, awareness-raising and counselling services, especially in rural areas, as well as access to confidential, age-appropriate, youth-friendly and youth-sensitive sexual and reproductive health information for all women and girls, irrespective of marital status.**

Economic and social benefits and the economic empowerment of women

32. The Committee welcomes the commitment of the State party to according priority to the economic empowerment of women, including access to credit, involvement in investment programmes and participation in the productive sectors of the economy. The Committee is, however, concerned:

(a) That the very low investment in social welfare programmes for the poorest households and for the care work for persons with disabilities within the family has a disproportionate impact on women;

(b) That the *bolsa da mãe* programme is increasingly marginalized in comparison with the veterans' pension scheme, which receives the highest budgetary allocations;

(c) That women's economic empowerment has not been sufficiently mainstreamed within the overall poverty reduction and development strategies of the State party and that women's access to credit, including microcredit, remains insufficient.

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

(a) **Continue its efforts to transform the transitional regime for social security into a universal social security system and adopt specific measures to guarantee adequate social welfare for all women, in particular women and girls who take care of persons with disabilities within the family and who have been displaced by domestic violence;**

(b) **Increase the investment from the national budget for the *bolsa da mãe* programme in order to redress the imbalance with other, male-focused programmes and increase the monthly fee for female-headed households;**

(c) **Adopt a coherent strategy on women's economic empowerment that feeds into the overall development strategies of the State party, is accompanied by adequate indicators and a monitoring mechanism and includes as key elements access to credit, markets, land and other productive resources on an equal basis with men.**

Rural women

34. The Committee is concerned:

(a) That the package of the three land laws — the expropriation law, the real estate financial fund and the special regime for the definition of ownership of immovable property — has remained pending since 2014 and that any additional delay in the adoption of those laws may cause further deepening of inequality in the State party and lead to new violations of women's rights;

(b) That rural women have limited access to land and other resources owing to legal and sociocultural barriers as regards their right to inheritance, and limited access to decision-making processes concerning the use of land;

(c) That large-scale rural infrastructure projects that involve forced eviction, acquisition and relocation violate the rights of rural women to fair compensation and reallocation of land;

(d) That women in rural areas continue to have limited or no access to skilled care at birth, to antenatal care, postnatal care and family planning or to justice, education, clean water, electricity, land and income-generating projects.

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

(a) **Adopt, without further delay, the three land laws and ensure that rural women have equal access to land with men, including by raising awareness of the importance of women's equal access to land as a factor for development and for achieving substantive equality of women with men, as well as by promoting joint land titles and/or women's land titles;**

(b) **Ensure that the new legal framework governing land ownership is fully compliant with the international human rights legal framework relevant to evictions and that women enjoy fair and equitable compensation, including land reallocation, on an equal footing with men;**

(c) **Ensure that the interests of local communities, including rural women, are protected when developing land policies and allocating land, including through a meaningful consultation process;**

(d) Ensure that rural women have access to basic services and infrastructure, such as adequate health care, education, public transportation, food, water and sanitation, income-generating opportunities and social protection, as well as agricultural resources and technology, on an equal basis with men and also with their urban counterparts.

Women with disabilities

36. The Committee notes that the State party has a national policy on the rights of people with disabilities, but notes with concern that it is neither effectively implemented nor monitored. The Committee is also concerned that the adoption of the national action plan for people with disabilities remains pending. It is further concerned that women and girls with disabilities continue to experience social exclusion, stigma, violence and multiple discrimination on the basis of their gender and disability, especially as regards access to education, employment, health care and justice.

37. The Committee recommends that the State party:

(a) Take effective measures to eliminate discrimination against women with disabilities, including nationwide awareness-raising campaigns and capacity-building programmes for professionals working with them, including teachers, health-care providers, social workers, police officers and the judiciary, in order to prevent discrimination against girls and women with disabilities;

(b) Take measures, including temporary special measures, to ensure access to inclusive education and vocational training for women and girls with disabilities and to prevent discrimination in recruitment against women with disabilities;

(c) Improve access to all existing health-care facilities and services, including sexual and reproductive services, and expand the coverage of specialized health services for women and girls with disabilities;

(d) Adopt measures to address the heightened risk that women and girls with disabilities will become victims of violence and ensure that victims have adequate access to medical, psychosocial and legal assistance, to shelters and to victim and witness protection programmes and compensation.

Marriage and family relations

38. The Committee notes with concern:

(a) The delay in adopting the draft civil registration code;

(b) That the minimum age for marriage is set at 17 years for both boys and girls and that, at 16 years of age, girls and boys can enter into marriage with the consent of their parents;

(c) That the fault-based divorce system enshrined in the Civil Code puts women, including women who are victims of domestic violence, at a disadvantage;

(d) That article 1494 of the Civil Code stipulates that a man can remarry 180 days after divorce or the death of a spouse, while a woman who is divorced or widowed has to wait 300 days;

(e) That the Civil Code does not recognize de facto heterosexual relationships, while the vast majority of women in the State party are in de facto unions;

(f) That traditional inheritance systems continue to exclude women from land ownership;

(g) That traditional or church marriages are rarely registered with the Civil Registry office, which means that women's right to inheritance or property upon separation or as a result of bereavement are negatively affected by the lack of civil registration.

39. The Committee recommends that the State party:

(a) **Adopt, without further delay, the civil registration code and ensure that it is in full conformity with the Convention;**

(b) **Raise the minimum age of marriage to 18 years for girls and boys, in accordance with joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child on harmful practices (2014);**

(c) **Adopt a no-fault-based divorce system and amend the Civil Code accordingly;**

(d) **Review, as matter of priority and within a clear time frame, existing discriminatory provisions relating to marriage and family relations in order to bring them fully into conformity with articles 2 and 16 of the Convention and to that effect remove the stipulation in article 1494 of the Civil Code of a waiting period for remarriage after divorce or the death of a spouse, or ensure that the period is identical for men and women;**

(e) **Amend the Civil Code to recognize de facto unions and to safeguard the rights to land and property of women in de facto partnerships;**

(f) **Ensure that national land laws and policies do not defer to traditional systems for the practical administration of land;**

(g) **Take measures to ensure that all traditional and church marriages are registered by Civil Registry offices.**

Amendment to article 20 (1) of the Convention

40. The Committee encourages the State party to accept, as soon as possible, the amendment to article 20 (1) of the Convention concerning the meeting time of the Committee.

Beijing Declaration and Platform for Action

41. The Committee calls upon the State party to use the Beijing Declaration and Platform for Action in its efforts to implement the provisions of the Convention.

2030 Agenda for Sustainable Development

42. The Committee calls for the realization of substantive gender equality, in accordance with the provisions of the Convention, throughout the process of implementation of the 2030 Agenda for Sustainable Development.

Dissemination

43. The Committee recalls the obligation of the State party to systematically and continuously implement the provisions of the Convention. It urges the State party to give priority attention to the implementation of the present concluding observations and recommendations between now and the submission of the next periodic report. The Committee therefore that the present concluding observations be disseminated in a timely manner, in the official languages of the State party, to the relevant State institutions at all levels (national, regional and local), in particular to the Government, the ministries, the National Parliament and the judiciary, to enable their full implementation. It encourages the State party to collaborate with all stakeholders concerned, such as employers' associations, trade unions, human rights and women's organizations, universities, research institutions and the media. It recommends that the present concluding observations be disseminated in an appropriate form at the local community level to enable their implementation. In addition, the Committee requests the State party to continue to disseminate the Convention, the Optional Protocol thereto and relevant jurisprudence, in addition to the Committee's general recommendations, to all stakeholders.

Technical assistance

44. The Committee recommends that the State party link the implementation of the Convention to its development efforts and that it avail itself of regional or international technical assistance in that respect.

Ratification of other treaties

45. The Committee notes that the adherence of the State party to the nine major international human rights instruments¹ would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the State party to consider ratifying the International Convention for the Protection of All Persons from Enforced Disappearance and the Convention on the Rights of Persons with Disabilities, to which it is not yet a party.

¹ The International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Rights of the Child; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Convention on the Rights of Persons with Disabilities.

Follow-up to the concluding observations

46. The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 13 (a) and (b) and 35 (a), (b) and (c) above.

Preparation of the next report

47. The Committee invites the State party to submit its fourth periodic report in November 2019.

48. The Committee requests the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents ([HRI/GEN/2/Rev.6](#), chap. I).
