



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

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**Committee on the Elimination of Discrimination
against Women
Fifty-third session**

Summary record of the 1078th meeting

Held at the Palais des Nations, Geneva, on Friday, 5 October 2012, at 3 p.m.

Chairperson: Ms. Pimentel

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The meeting was called to order at 3.05 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention (continued)

Sixth periodic report of Equatorial Guinea (continued) (CEDAW/C/GNQ/6; CEDAW/C/GNQ/Q/6 and Add.1; HRI/CORE/1/Add.126)

1. *At the invitation of the Chairperson, the delegation of Equatorial Guinea took places at the Committee table.*

Articles 10 to 14 (continued)

2. **The Chairperson** invited the Committee to resume its consideration of the sixth periodic report of Equatorial Guinea (CEDAW/C/GNQ/6).

3. **Ms. Zou Xiaojiao** asked what measures the Government planned to take in order to ensure that domestic legislation on the protection of vulnerable groups, such as persons with disabilities, female-headed households and persons infected with HIV/AIDS, was implemented in practice. Such measures should include the allocation of additional human and financial resources for improving the delivery of social services to those groups.

4. She requested detailed information on whether women were on an equal footing with men in terms of access to credit, including microcredit. Was microcredit widely used? She enquired whether women could apply directly for bank loans and whether such loans were subject to collateral requirements: the delegation should explain how the Government ensured women's rights in that regard. What publicly funded social and cultural activities were available to rural women?

5. The situation of extreme poverty in Equatorial Guinea was very worrying, and she reiterated the Committee's recommendation in its most recent concluding observations that the State party should make gender equality an explicit component of its national development plans and policies. It should also take the needs of rural women into account by striving to eliminate discrimination against them in such areas as land tenure and inheritance. She would welcome additional information on the poverty alleviation measures already taken by the Government, including a description of their short- and long-term goals, and on whether a gender perspective was incorporated in such measures. She asked whether there had been any change in the economic situation of rural women during the reporting period. It was regrettable that the replies to the list of issues did not contain any information on specific measures to counter discrimination against rural women; if it was not available now, the State party should include that information in its next periodic report. She asked whether any provisions in land tenure laws specifically addressed the rights of rural women. It was her understanding that traditional practices precluded women from inheriting land. If that was the case, she requested detailed information on the nature of those discriminatory practices and what steps the Government planned to take to eliminate them.

6. **Mr. Nsue Mokuy** (Equatorial Guinea), responding to an earlier question from Ms. Bailey, said that the two centres for girls who left school as a result of pregnancy were publicly, not privately, funded. The national education system did not impose restrictions on access to schooling based on gender. The Government was carrying out a programme to build vocational training centres in each of the seven provincial capitals, train teachers abroad and establish two new university campuses. According to data from the National University of Equatorial Guinea, the number of girls enrolled in secondary education had increased steadily since 2009 and, in the most recent academic year, female university graduates had accounted for 31 per cent of all graduates. The enrolment of girls in vocational training had also increased considerably in recent years.

7. In response to questions posed by Ms. Patten, he noted that there was a minimum inter-professional wage that applied to men and women equally but whose coefficients varied according to occupational sector. Labour inspectors ensured compliance with anti-discrimination laws and equal treatment of men and women in the workplace. Independently of the ordinary justice system, a labour tribunal had been established for the purpose of settling labour disputes. Data on the informal sector were not currently available but would be furnished in the next periodic report.
8. Equatorial Guinea had four banks, which granted loans to women and men on the condition that the loan was backed by collateral. Interest-free loans were granted by other financial institutions and were available to rural women.
9. The Government had updated and expanded the information contained in the report and written replies and would transmit that information to the Committee in due course. It was currently processing the results of its first demographic and health survey. Although to date no data were available on the maternal mortality rate, the number of women who died in childbirth was presumed to have decreased because of an increase in births attended by qualified medical staff and in contraceptive use. Owing to the Bantu origins of the people of Equatorial Guinea — the Bantu being a warrior people — the prevailing societal attitude had been that the more children one had, the better one's chances were of survival in a conflict. As a result, until recently, the use of contraceptives had been a taboo subject. However, thanks to an education and awareness-raising programme that had been in operation for several years, such attitudes had gradually evolved.
10. Steps had been taken to promote the use of health-care facilities for complications resulting from childbirth and to increase women's access to family planning services and prenatal check-ups. The Government provided free antimalarial drugs to pregnant women and had strengthened the prevention of mother-to-child transmission of HIV.
11. Health workers had been thoroughly trained in the treatment of obstetric fistula. Such training had been financed by the Government through the Social Development Fund, whose endowment was derived from aid provided by the Government of the United States of America. Three centres for repairing obstetric fistula had been set up in three provincial capitals. In addition, training had been provided to a large group of community health workers, including traditional midwives, so that the primary health-care programme could continue functioning. The Government periodically organized free breast cancer screening campaigns throughout the country.
12. In response to the questions raised by Ms. Zou Xiaoqiao, he noted that several public institutions provided direct assistance to persons with disabilities. In 2012, the Government had furnished mobility aids to persons with disabilities in the form of 500 tricycles. It had also provided specialized training to persons with intellectual disabilities, who were given priority for employment in certain public posts for which they had the requisite skills.
13. Since the conditions for obtaining a loan from a commercial bank were relatively stringent, the Government provided subsidies and loans to women's collectives, especially those devoted to farming. In order to address extreme poverty, occupational training centres had been set up to teach vulnerable persons the kinds of trades that, although they did not require high levels of skills, were necessary to the development of any country.
14. Efforts were under way to remedy the problem of inadequate access to information, for example by expanding television coverage to all regions of the country. The Ministry of Planning, Economic Development and Investment had launched a poverty reduction programme offering interest-free credit, but most of the loans issued had not been repaid because the recipients had not understood that they were loans and not grants. The

Government hoped to reopen that credit stream once people had been made aware of the nature of the programme.

15. The State acted as the guardian of all land in the country and prevented land grabbing by allowing purchases only if the land would be put to good use. It also supported the peaceful occupation of unclaimed land. Men and women, including women in rural areas, were equal before the law. In the past, traditional practices harmful to women had denied women in rural areas their inheritance rights, but attitudes about that issue had changed.

16. **Ms. Miko Mikue** (Equatorial Guinea) said that all persons with disabilities received financial subsidies every three months as well as free medical care. The Ministry of Social Affairs and the Advancement of Women ran homes for orphans and children in vulnerable situations. Any woman who wished to purchase land could do so. In rural areas, however, land was owned not by one individual but by an entire family. Women could accordingly work the land and benefit from it provided they respected the rights of other family members.

17. **Ms. Bailey** said that it would be useful to have in writing the statistics that had been provided orally. She wished to know if the education system, and secondary schools in particular, had the capacity to educate every child in the relevant age group, as the fact that the Government was building new schools and recruiting new teachers suggested otherwise. The State party's report referred to two private education centres for post-school-age students. She asked if tuition fees were charged at those centres, and if so what the implications were for girls who wished to return to school after pregnancy but could not afford to pay tuition fees.

18. **Ms. Bareiro-Bobadilla** said that a recent study had proven that in Latin America, for example, while the minimum wage was the same for both men and women, they did not receive equal pay for work of equal value in jobs at higher levels. It was important for the Government of Equatorial Guinea to keep its statistical data up to date and to make that data widely available in order to increase awareness of discrimination against women. Extreme poverty was defined on the basis of specific criteria, such as the inability to purchase sufficient food.

19. **Ms. Patten** said that she had not received an answer to the question she had asked at the previous meeting regarding the recognition of collective bargaining rights and the establishment of trade unions. Given that the State was responsible for eliminating discrimination against women in both the public and private sectors, she asked what was preventing the Government from collecting data on women's participation in the private sector. How could it monitor the situation without such data? She wished to know whether the State party had a labour code, a labour inspectorate or a ministry of labour.

20. Even in the public sector, although men and women received equal pay for equal work, they might not always receive equal pay for work of equal value. She therefore recommended that job evaluation schemes should be prepared based on gender-neutral criteria and that mechanisms should be established to adjudicate wage discrimination cases. It was the State's responsibility to address the problem of women being pushed into the informal sector because of limited job opportunities.

21. **Ms. Schulz** said that the delegation should clarify whether or not there were separate detention facilities for women detainees, both in prisons and in immigration centres. She asked what percentage of the national budget was spent on education and requested information about access to clean drinking water and to sewage and sanitation services.

22. **Ms. Rasekh** asked whether women as well as men viewed contraceptives as taboo, and if so why.

23. **Ms. Epam Biribe** (Equatorial Guinea) said that in the past, contraceptives had been taboo for cultural reasons, because having many children was a source of pride for families. Their use was now accepted, however, especially by women, who understood that having fewer pregnancies reduced their related health risks. While the prisons in the country held detainees of both sexes, within each prison compound there were separate wings for men and women.

24. Following a survey conducted by the Ministry of Education, Science and Sports, the Government had realized that there was a lack of school infrastructure in the country and had built more schools to remedy the situation. Consequently, every village now had a school. In addition, early childhood care and primary education were offered free of charge. The Government was digging wells across the country and had already made clean drinking water available in many districts and provinces.

25. **Mr. Nsue Mokuy** (Equatorial Guinea) said that, because of the expense involved in raising and educating a child, the people of Equatorial Guinea no longer deemed it desirable to have large families. The Government had been making efforts to reduce the school dropout rate and would provide statistics on that subject in writing. It aimed to ensure that, at a minimum, schoolchildren learned to read and write and went on to pursue vocational training.

26. It was very difficult to say how many people lived in extreme poverty, because some individuals could organize their lives better than others and were able to make do with less. No one went a day without eating, however, because under tribal custom one could not eat if it meant allowing a member of his or her tribe to go hungry.

27. Turning to the Committee's questions and comments on labour issues, he said that a minimum wage existed and that both the public and private sectors were bound by law to apply the principle of equal pay for work of equal value. There were no trade unions as yet and it was not the Government's responsibility to create them. Should any group of workers decide to form trade unions, however, the Government would be happy to engage in dialogue with them. Legislation existed to regulate labour issues and ensure equality.

28. With regard to women held in detention, he confirmed that there were prison inspectors and that women were separated from men in prisons.

29. Rural and urban populations faced different challenges. In rural areas, the lack of safe drinking water was a problem, and until recently none of the seven provinces had had running water. The Ministry of Health was spearheading a project to provide an independent water supply to each province and four or five provinces had been connected to fresh drinking water and irrigation supplies to date.

30. The lack of school places was partly due to a population imbalance in Equatorial Guinea, with a relatively low elderly population and large young population because of low life expectancy and a high birth rate.

31. **Ms. Miko Mikue** (Equatorial Guinea) said that, while no trade unions existed in Equatorial Guinea, there was a workers' association and an employers' federation representing all private employers. Women with skills enjoyed the same access to the labour market as men. It was true that most women worked in the informal sector, but the issue was not a paucity of employment opportunities for women; rather, they lacked the requisite technical skills, which pushed them towards self-employment.

Articles 15 and 16

32. **Ms. Schulz** regretted the lack of explicit information in the State party's report and in its responses to the list of issues and questions. She sought clarification on whether the draft personal and family code and the customary marriage bill had been enacted. If not,

what was the timetable for their adoption and entry into force? She asked whether judges had been instructed, in line with the relevant provision in the customary marriage bill, to cease sending women or their family members to prison for failing to adhere to the obligation to return the dowry. Under the customary marriage bill, would married women have the opportunity to bring cases before the civil courts? She expressed concern that, in seeking to protect the rights of women in the context of polygamy, the bill might give more legitimacy to polygamy than before, when it was governed only by customary law. She recalled that the Committee had joined other treaty bodies in calling upon all countries to forego retaining polygamy and similar forms of family structure. Would the definition of marriage, the minimum age for marriage, the consent of spouses and the requirements and formalities for entering into marriage be treated in the same way in both the customary marriage bill and the draft personal and family code? She requested further information on the legal effects and grounds for the dissolution of marriage – were they the same for men and women? Was domestic violence grounds for dissolving a marriage, and how were parental and succession rights determined?

33. **Mr. Nsue Mokuy** (Equatorial Guinea) said that the draft code and the customary marriage bill had been submitted to the competent bodies when the new Constitution had been adopted by referendum but would not enter into force until approved by those bodies. The law made no distinction between de jure and de facto marriages. All judges were aware that women and their family members could not be sued for failure to return the dowry.

34. Polygamy was an issue over which the Government had deliberated extensively. The resulting legislation obliged men to treat each wife equally; if a husband bought an apartment for one wife, he had to buy one for every wife. Therefore, only a man who could afford to keep several wives could enter into a polygamous marriage. The Government hoped that, given those requirements, polygamy would eventually be phased out. In the meantime, the draft code and the customary marriage bill were being put in place to regulate polygamous marriages.

35. With regard to the legal effects and grounds for the dissolution of marriage, a major cause of separation was infidelity, which triggered a series of negotiable rights, but in the case of separation due to incompatibility, compensation must be provided by the party wishing to dissolve the marriage. The draft code and the customary marriage bill had been based on studies. Before their submission to the competent bodies, the State party had decided to adopt a consensus approach, consulting with tribal elders and the population nationwide. Regulating family structures and marriage was all the more difficult because Equatorial Guinea was a tribal society with strong traditions, and each tribe was self-regulating.

36. Custody rights were decided taking into account the situation of both the father and the mother; of overriding importance was the well-being of the child, who had the right to feel wanted and grow up without trauma.

37. **Ms. Schulz** asked what proportion of the population was married under customary law or was in a polygamous marriage. She had been unable to find the text of the Civil Code, even on the Government's website, and requested the State party to include in its report details of where it could be accessed.

38. **Mr. Nsue Mokuy** (Equatorial Guinea) said that it was difficult to obtain statistics on how many people were married under customary law, but they were likely to be in the majority. As for access to legislative texts, until officially approved, no text would appear on any website. Once approved, however, legal texts were made available to the public.

39. **Ms. Schulz** said it was understandable that draft legislation would not be available on the Internet, but the Civil Code was already in force.

40. **Mr. Nsue Mokuy** (Equatorial Guinea), in his concluding remarks, thanked the Committee for its questions and said that in its next periodic report, the State party would provide specific statistical data to ensure that issues could be discussed in greater depth. The Government was not deliberately trying to hide figures; it wanted to do its best to meet the requirements not only of the Convention, but of all the international agreements ratified by Equatorial Guinea.

41. **The Chairperson** thanked the State party for the spirit of constructive dialogue which had prevailed during the discussions and acknowledged the progress that had been made. The Committee understood that Equatorial Guinea was a tribal community with an oral tradition, and it appreciated its ongoing efforts towards codifying legislation. It welcomed the new Constitution and stressed the importance of establishing the necessary legal framework as a vital step for the proper functioning of a State. The concluding observations would be drafted in the same spirit of wishing to contribute constructively to the development within Equatorial Guinea of a democratic society that treated men and women equally.

The meeting rose at 4.35 p.m.