



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

Distr.: General  
30 July 2019

Original: English

---

## Committee on the Elimination of Discrimination against Women

### Concluding observations on the fourth periodic report of Côte d'Ivoire\*

1. The Committee considered the fourth periodic report of Côte d'Ivoire (CEDAW/C/CIV/4) at its 1696th and 1697th meetings (see CEDAW/C/SR.1696 and 1697), held on 5 July 2019. The Committee's list of issues and questions is contained in CEDAW/C/CIV/Q/4 and the responses of the State party are contained in CEDAW/C/CIV/Q/4/Add.1.

#### A. Introduction

2. The Committee appreciates the submission by the State party of its fourth periodic report. It also appreciates the State party's written replies to the list of issues and questions raised by the pre-sessional working group, 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 high-level delegation, which was headed by the Minister for Women, the Family and Children, Ms. Ramata Ly-Bakayoko. The delegation also included representatives of the Ministry of Justice and Human Rights, the Ministry for the Advancement of Women and the Family and the Protection of Children and the Permanent Mission of Côte d'Ivoire to the United Nations and other international organizations in Geneva.

#### B. Positive aspects

4. The Committee welcomes the progress achieved since the consideration in 2011 of the State party's combined initial to third periodic reports (CEDAW/C/CIV/CO/I-3) in undertaking legislative reforms, in particular the adoption of the following:

(a) Law No. 2016-886 of 8 November 2016 establishing the Constitution of the Republic of Côte d'Ivoire that promotes and protects women's rights;

(b) Law No. 2016-1111 of 8 December 2016 on the suppression of trafficking in persons;

---

\* Adopted by the Committee at its seventy-third session (1–19 July 2019).



(c) Decree No. 2016-781 of 12 October 2016 that decentralizes legal aid and increases access of women in rural areas to justice;

(d) Law No. 2015-653 of 17 September 2015 on compulsory schooling for both girls and boys;

(e) Law No. 2014-388 of 20 June 2014 on the promotion and protection of human rights defenders, including women human rights defenders.

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, including the following:

(a) The establishment by decree No. 2016-590 of 9 August 2016 of the Rural Land Agency, which has issued land certificates to 277 women ([CEDAW/C/CIV/4](#), para. 14);

(b) Interministerial circular No. 016/MJ/MEMIS/MPRD of 4 August 2016 and circular No. 005 of 18 March 2014 of the Minister of Justice and Human Rights concerning the reporting of cases of gender-based violence;

(c) The creation of a national committee to combat sexual violence related to the conflict by decree No. 2016-373 of 3 June 2016;

(d) The adoption in 2015 of a national programme for maternal and child health;

(e) The establishment of the National Observatory for Equality and Gender by decree No. 2014-842 of 17 December 2014;

(f) The establishment of 32 gender desks at police stations by decree No. 1651/MEME/CAB of 5 June 2012.

6. The Committee welcomes the fact that, in the period since the consideration of the previous report, the State party has ratified or acceded to the following international and regional instruments:

(a) The Convention on the Rights of Persons with Disabilities, in 2014;

(b) The Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, in 2012;

(c) The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, in 2012;

(d) The United Nations Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (the Palermo Protocol), in 2012;

(e) The Rome Statute of the International Criminal Court, in 2013.

### **C. Sustainable Development Goals**

**7. The Committee welcomes the international support for the Sustainable Development Goals and calls for the realization of de jure (legal) and de facto (substantive) gender equality, in accordance with the provisions of the Convention, throughout the process of implementing the 2030 Agenda for Sustainable Development. The Committee recalls the importance of Goal 5 and of the mainstreaming of the principles of equality and non-discrimination throughout all 17 Goals. It urges the State party to recognize women as the driving force of the sustainable development of the State party and to adopt relevant policies and strategies to that effect.**

## D. Parliament

8. The Committee stresses the crucial role of the legislative power in ensuring the full implementation of the Convention (see [A/65/38](#), part two, annex VI). It invites the National Assembly, in line with its mandate, to take necessary steps regarding the implementation of the present concluding observations between now and the submission of the next periodic report under the Convention.

## E. Principal areas of concern and recommendations

### General context and conflict-related sexual violence against women

9. The Committee acknowledges the progress achieved by the State party in the fields of peace, security and justice following the post-electoral crisis of 2010–11, including through the establishment of national institutions with judicial and non-judicial mandates to seek truth and to investigate violations of international human rights law and international humanitarian law. It also notes the measures taken by the State party to prevent conflict-related sexual violence and to combat impunity for such crimes, such as the establishment in 2016 of a national committee to combat sexual violence related to the conflict, the adoption in July 2017 of an action plan against sexual violence by the armed forces of the State party, and awareness-raising initiatives and training for the military and the police on the prevention of sexual violence. Furthermore, the Committee notes the adoption of Presidential Ordinance 2018-669 of 8 August 2018 on amnesty and the formal engagement made by the delegation during the constructive dialogue that the amnesty is intended to address charges of treason and other offence against the security of the State and does not apply to perpetrators of sexual violence. The Committee is, however, seriously concerned about the following:

(a) Impunity in cases of conflict-related violence against women and girls, including cases of sexual violence and potentially amounting to war crimes and crimes against humanity ([CEDAW/C/CIV/4](#), para. 122), allegedly committed by defence and security forces and their allies (militias and mercenaries), the Republican Forces (Forces Républicaines de Côte d'Ivoire) and private actors in the context of the post-electoral crisis;

(b) The fact that Presidential Ordinance 2018-669 does not explicitly exclude perpetrators of serious human rights violations, including sexual violence and crimes against humanity or war crimes;

(c) Reports on the negative impact of Presidential Ordinance 2018-669 on ongoing investigations and judicial proceedings that reportedly have been halted owing to a lack of clarity on the scope of the amnesty, and on cases in which article 1 of the Ordinance served as a basis for releasing individuals accused of acts that could amount to serious human rights violations;

(d) The absence of information on the medical and psychological support and legal aid provided to women and girls who are victims of conflict-related violence, particularly sexual violence ([CEDAW/C/CIV/4](#), paras. 130–131 and 133–135);

(e) The lack of information on the inclusion of women and girls who are victims of sexual violence in the list of victims of the crises between 1990 and 2012 by the National Commission on Reconciliation and Reparations of Victims and on whether all women and girls who are victims of violence received financial support from the Ministry for the Advancement of Women and the Family and the Protection of Children ([CEDAW/C/CIV/4](#), para. 143);

(f) The risk of sexual violence in the context of the presidential elections in 2020 and the insufficient funding of the national committee to combat sexual violence related to the conflict.

10. With reference to its general recommendation No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations, Security Council resolution 1325 (2000) on women, peace and security and subsequent resolutions on the subject, the Committee recommends that the State party:

(a) Ensure that all human rights violations are investigated effectively and perpetrators identified, prosecuted and punished in a manner commensurate with the gravity of the crimes committed, and that redress is provided to the victims, including by allocating adequate human, technical and financial resources to the special investigation unit established by decree No. 2013-93 of 30 December 2013, and by facilitating cooperation with the International Criminal Court;

(b) Ensure that Presidential Ordinance 2018-669 on amnesty does not apply to persons suspected, accused or convicted of war crimes, crimes against humanity or gross violations of human rights, including conflict-related sexual violence, recalling that amnesties are impermissible if they interfere with victims' right to an effective remedy, including reparation, or if they restrict victims' and societies' right to know the truth about violations of international human rights law and international humanitarian law, and must be in line with the international obligations of the State party, including those emanating from Security Council resolutions 1820 (2008), 2106 (2013) and 2467 (2019), in which the Council explicitly stresses the need for exclusion of sexual violence crimes from amnesty provisions in the context of conflict resolution processes;

(c) Disseminate the Presidential Ordinance and information on its scope of application to relevant national stakeholders and the general public, continue investigations and judicial proceedings that address alleged war crimes, crimes against humanity or gross violations of human rights, including conflict-related sexual violence, and ensure that individuals accused of such crimes are not released on the basis of the Presidential Ordinance;

(d) Evaluate and consider the needs of women and girls who are victims of conflict-related violence to access justice, health care and psychosocial services, and provide such access;

(e) Ensure that women and girls who are victims of violence have the formal status of victims and that they obtain appropriate reparations;

(f) Take the measures necessary to prevent gender-based violence against women and girls during the 2020 presidential elections, particularly sexual violence, including by allocating adequate human, technical and financial resources to the national committee to combat sexual violence related to the conflict and by establishing an early warning mechanism;

(g) Avail itself of international assistance, including continued technical assistance from the Team of Experts on the Rule of Law and Sexual Violence in Conflict and other technical assistance, and continue its cooperation with specialized agencies, the human rights treaty bodies, in particular the Committee on the Elimination of Discrimination against Women and programmes of the United Nations system.

### Women, peace and security

11. The Committee notes the launch of the database on women, peace and security in February 2014 (CEDAW/C/CIV/4, para. 148). It is, however, concerned that the representation of women in transitional justice and post-conflict reconstruction processes and institutions is low and that the State party has not renewed its national action plan for the implementation of Security Council resolution 1325 (2000) for the period 2008–2012.

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

(a) **Accelerate the adoption of its revised national action plan for the concrete and full implementation of Security Council resolution 1325 (2000) and ensure that it establishes a road map with a clear time frame, benchmarks, a gender-responsive budget to implement the action plan and indicators for regularly monitoring such implementation, as well as a mechanism for the meaningful participation of civil society, including women affected by conflict;**

(b) **Ensure gender parity in transitional justice mechanisms and women's equal participation in post-conflict reconstruction processes.**

### Visibility of the Convention

13. The Committee notes with concern the lack of cases where the Convention was directly applied, invoked and/or referred to in national courts.

14. **The Committee recommends that the State party further strengthen the capacities of legal professionals on the Convention, and encourage them to apply or invoke the provisions of the Convention in court and administrative proceedings and to take into consideration its jurisprudence.**

### Definition of discrimination against women

15. The Committee notes that articles 4, 36 and 37 of the 2016 Constitution of the State party prohibit discrimination and promote equality of women and men in political and public life and in the labour market. It is concerned, however, that the Constitution of the State party does not comprise a comprehensive definition of discrimination in line with article 1 of the Convention.

16. **Recalling its previous concluding observations (CEDAW/C/CIV/CO/1-3, para. 17) and its general recommendation No. 28 (2010) on the core obligations of States parties under article 2 of the Convention, and in line with target 5.1 of the Sustainable Development Goals, to end all forms of discrimination against all women and girls everywhere, the Committee recommends that the State party adopt a comprehensive definition of discrimination against women, in line with article 1 of the Convention.**

### Harmonization of legislation

17. The Committee notes that the Convention takes precedence over national legislation, according to article 123 of the 2016 Constitution. It also notes the efforts made by the State party to strengthen its legislative framework to promote and protect the rights of women and girls, including its ongoing legislative review (CEDAW/C/CIV/Q/4/Add.1, paras. 1–4). However, it remains concerned about the delay in finalizing that review. It also notes with concern that not all national laws have been brought into line with the Convention.

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

- (a) **Expedite the ongoing legislative review, ensuring the meaningful participation of civil society organizations;**
- (b) **Bring all domestic laws into line with the Convention without further delay and ensure their implementation;**
- (c) **Adopt a framework law on the protection and promotion of women's rights.**

**Access to justice**

19. The Committee commends the measures taken by the State party to increase access of women to justice, including the adoption of decree No. 2016-781, circular No. 005 and inter-ministerial circular No. 016/MJ/MEMIS/MPRD. It also notes that article 6 of the Constitution guarantees the right of women and men to equal access to justice ([CEDAW/C/CIV/Q/4/Add.1](#), para. 9). The Committee is nevertheless concerned about the following:

- (a) The lack of implementation of the above-mentioned legislative measures and of regular impact assessments;
- (b) The absence of information on the impact of decree No. 2016-781, which decentralizes legal aid, and of decree No. 2014-259, which establishes the costs of court proceedings, on the access of women to justice;
- (c) The lack of measures taken to ensure that women are aware of relevant legislation and processes, including their right to legal aid.

**20. In line with its general recommendation No. 33 (2015) on women's access to justice and recalling its previous concluding observations ([CEDAW/C/CIV/CO/1-3](#), para. 21 (c)–(d)), the Committee recommends that the State party:**

- (a) **Monitor and evaluate the impact of decree No. 2016-781, circular No. 005 and interministerial circular No. 016/MJ/MEMIS/MPRD on women's access to justice, in particular women who are victims of gender-based violence, women who have little or no income and women with disabilities;**
- (b) **Ensure that legal aid is affordable, available and accessible to all women and girls, in particular those who have little or no income, and guarantee the provision of procedural and age-appropriate accommodation;**
- (c) **Intensify efforts to encourage and enable women to have access to justice by increasing their awareness of their right to legal aid.**

**National machinery for the advancement of women**

21. The Committee takes note of the creation in 2014 of the National Observatory for Equality and Gender and the adoption of the action plan for the period 2012–2017 on the implementation of the Convention. It is concerned, however, about:

- (a) The insufficient allocation of resources to the Ministry for the Advancement of Women and the Family and the Protection of Children ([CEDAW/C/CIV/Q/4/Add.1](#), para. 21);
- (b) The lack of information on the coordination between the National Women's Council, the National Commission for the Family and the gender units in the line ministries, including the technical gender units and gender focal points ([CEDAW/C/CIV/4](#), paras. 9, 15 and 79);

(c) The lack of implementation of gender-sensitive planning and budgeting by ministries and other government bodies.

**22. The Committee recommends that the State party, in line with its general recommendation No. 28 and target 5.c of the Sustainable Development Goals:**

(a) **Provide the Ministry for the Advancement of Women and the Family and the Protection of Children with suitable human, technical and financial resources to enable it to carry out its mandate effectively as the national machinery for the advancement of women, including by implementing gender-related policies and programmes;**

(b) **Ensure effective coordination and collaboration among the various government bodies in the implementation of the Convention, by clearly defining their responsibilities and cooperation mechanisms and by adopting a mainstreaming approach to the Sustainable Development Goals with a perspective on women's rights;**

(c) **Build the capacity of civil servants in relevant ministries to implement gender-sensitive planning and budgeting, taking into account the audits carried out in 2016 (CEDAW/C/CIV/4, para. 75).**

#### **National human rights institution**

23. The Committee takes note of the establishment of the National Human Rights Council by Law No. 2018-900 of 30 November 2018. It notes with concern, however, the lack of information on the mandate and activities of the Council in relation to women's rights and gender equality, its independence and financial autonomy and the steps taken to bring the Council into compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), despite the State party's commitment in that regard (CEDAW/C/CIV/Q/4/Add.1, para. 22).

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

(a) **Provide the National Human Rights Council with a broad mandate and sufficient resources to promote and protect women's rights, and ensure its independence and financial autonomy;**

(b) **Encourage it to apply for accreditation by the Global Alliance of National Human Rights Institutions.**

#### **Temporary special measures**

25. The Committee notes with concern the absence of temporary special measures in the State party apart from electoral quotas.

**26. The Committee recommends that the State party adopt across all relevant sectors temporary special measures, such as quotas and other proactive measures, accompanied by sanctions for non-compliance, in accordance with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, and in order to reach de facto equality between women and men.**

#### **Harmful practices**

27. The Committee welcomes the legislative and policy measures taken by the State party, including awareness-raising initiatives, to address harmful practices (CEDAW/C/CIV/4, paras. 92–93; and CEDAW/C/CIV/Q/4/Add.1, paras. 26–28). It is nevertheless concerned about:

(a) The prevalence of child marriages resulting in early pregnancies and maternal mortality, the absence of regular assessments of national policies and plans to combat harmful practices, including the plan to accelerate the fight against child marriage and early pregnancy for the period 2013–2015, and the lack of information on efforts by the State party to collaborate with religious and traditional leaders;

(b) The limited number of investigations, prosecutions, convictions and the lenient sentences imposed under Law No. 98-757 of 23 December 1998 criminalizing female genital mutilation ([CEDAW/C/CIV/Q/4/Add.1](#), para. 28);

(c) The lack of rehabilitation services for victims of female genital mutilation.

**28. In line 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 (2014) on harmful practices, as well as target 5.3 of the Sustainable Development Goals, the Committee recommends that the State party:**

**(a) Monitor and review on a regular basis the measures taken to eliminate harmful practices and reinforce engagement with relevant actors, including religious and traditional leaders, on the negative impact of harmful practices on the enjoyment by women of their rights;**

**(b) Enforce Law No. 98-757 of 23 December 1998 criminalizing female genital mutilation by investigating, prosecuting and punishing perpetrators, including those who regularly move between the State party and neighbouring countries;**

**(c) Ensure that suitable medical treatment, psychosocial rehabilitation and legal assistance are provided to victims of female genital mutilation.**

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

29. The Committee notes that the Code of Criminal Procedure has been adopted and that the Criminal Code is being revised. It notes with concern, however:

(a) The absence of a definition of rape and the failure to criminalize marital rape and domestic violence in the Criminal Code (Law No. 1981-640 of 31 July 1981, as amended by Law No. 1995-522 of 6 July 1995, and Law No. 2015-134 of 9 March 2015);

(b) The lack of a comprehensive law covering all forms of gender-based violence against women;

(c) The costs for victims of gender-based violence against women associated with obtaining a medical certificate ([CEDAW/C/CIV/Q/4/Add.1](#), para. 31);

(d) The lack of coordination among the different actors intervening in the sphere of gender-based violence against women, such as the judiciary, relevant ministries, the national coordination group on the fight against gender-based violence, gender desks at police stations and decentralized platforms against gender-based violence.

**30. The Committee recommends that the State party, in line with its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19:**

**(a) Expedite the revision of the Criminal Code, ensuring that it is in conformity with international standards, and include a definition of rape and other forms of sexual violence, and specifically criminalize marital rape and domestic violence;**



(b) **Adopt a comprehensive law to prevent, combat and punish all forms of gender-based violence against women;**

(c) **Ensure that medical certificates are available free of charge for victims of gender-based violence for use as forensic evidence, and accelerate the adoption of the law stipulating the coverage of all costs for victims of gender-based violence;**

(d) **Ensure that all actors respond to gender-based violence work in a coordinated manner.**

#### **Trafficking and exploitation of prostitution**

31. The Committee welcomes the adoption of Law No. 2016-1111 of 8 December 2016 on the suppression of trafficking in persons and the ongoing development on a national action plan for the period 2016–2020. It notes with concern, however, the high number of women and girls who are victims of trafficking and of exploitation of prostitution in the State party. The Committee is further concerned about the following:

(a) The lack of information on the enforcement of Law No. 2016-1111 and on the implementation of the national strategy to combat trafficking in persons and its action plan for the period 2016–2020, and the multitude of actors intervening in cases of trafficking;

(b) The absence of a standardized early identification and referral system for women and girl victims of trafficking and the lack of protection of victims and witnesses;

(c) The lack of measures to protect women and girls in prostitution and the absence of policies and exit programmes for women who wish to leave prostitution.

**32. The Committee recommends that the State party, in line with target 5.2 of the Sustainable Development Goals:**

(a) **Enact and enforce its anti-trafficking legislation, implement the national strategy to combat trafficking in persons and its action plan, and ensure effective coordination of anti-trafficking measures through the establishment of an interministerial committee that cooperates with civil society;**

(b) **Build the capacity of the judiciary, law enforcement officers, border police, social workers and health-care professionals for early identification of women and girls who are victims of trafficking and for referral to appropriate services;**

(c) **Strengthen the implementation of the Law of 2016 on the protection of victims and witnesses of exploitation in prostitution (CEDAW/C/CIV/Q/4/Add.1, para. 38).**

#### **Participation in political and public life**

33. The Committee notes that a draft law will be presented to the National Assembly on 17 July 2019 that would provide for a minimum of 30 per cent representation of women on the electoral lists of political parties. It is, however, concerned about the following:

(a) The underrepresentation of women in decision-making positions in the State party, in particular in executive and legislative bodies at the national, regional and municipal levels, in the civil service, the foreign services, the judiciary and the police service (CEDAW/C/CIV/4, figure 1);

(b) The limited scope of the draft quota, and the fact that it would apply to candidates and not elected positions, that it is limited to 30 per cent and that it provides incentives rather than sanctions;

(c) The limited impact of awareness-raising campaigns and the lack of information on existing capacity-building programmes for women electoral candidates.

**34. The Committee recalls its previous concluding observations (CEDAW/C/CIV/CO/1-3, para. 35) and recommends that the State party:**

(a) **Adopt a law on gender parity, with a view to ensuring equal representation of women in all areas of political and public life;**

(b) **Expedite, as an interim measure, the adoption of the draft law on a minimum quota of 30 per cent for women on electoral lists and undertake measures aimed at ensuring the election of as many women as possible;**

(c) **Strengthen awareness-raising campaigns on the importance of women's participation in political life, especially in decision-making positions (CEDAW/C/CIV/Q/4/Add.1, para. 42), and of leadership training for women who wish to stand for election or hold public office.**

#### **Women human rights defenders**

35. The Committee welcomes the adoption of Law No. 2014-388 of 20 June 2014 on the protection of human rights defenders and decree No. 2017-121 on its implementation. It is concerned, however, that women human rights defenders, in particular those protecting the environment and combating female genital mutilation and child marriage, are often subjected to intimidation, harassment and threats.

**36. The Committee calls upon the State party to adopt and implement effective measures to protect women human rights defenders, in particular those advocating against female genital mutilation, child marriage and environmental depletion, and ensure the effective implementation of article 9 of Law No. 2014-388, including by establishing an independent reporting and follow-up mechanism for violations of the law.**

#### **Nationality**

37. The Committee notes the adoption of Law No. 2013-654 of 13 September 2013 amending articles 12, 13, 14 and 16 of Law No. 61-415 of 14 December 1961 on the Nationality Code, which guarantees equal treatment of women and men in the acquisition of nationality. It is concerned, however, that certain provisions of the Nationality Code discriminate against women, for example, on the transfer of nationality to spouses or children in certain cases.

**38. The Committee recommends that the State party amend or repeal all remaining provisions of the Nationality Code that discriminate against women.**

#### **Education**

39. The Committee notes the adoption of Law No. 2015-635 of 17 September 2015 on compulsory schooling, as well as the admission of women and girls to the Technical Military Preparatory School and to the National Gendarmerie since 2013 and 2014, respectively (CEDAW/C/CIV/4, para. 10). It further notes the establishment of six secondary schools for girls and the increased number of scholarships for girls studying in traditionally male-dominated areas, such as science, technology, engineering and mathematics (CEDAW/C/CIV/Q/4/Add.1, para. 47). The Committee nevertheless notes with concern:

(a) The disproportionately high levels of illiteracy among women and girls, in particular those living in rural areas and among women and girls with disabilities;

(b) The low school attendance of girls, notably at the secondary and tertiary levels, the harmful effect of direct and indirect costs of education on girls' access to education and the insufficient resources allocated to measures aimed at increasing school enrolment, attendance, retention and reintegration of girls after dropout;

(c) The limited information on the measures in place to protect women and girls from sexual violence and harassment in educational settings and on the number of complaints brought and investigations of such cases and the sanctions imposed;

(d) The low percentage of female teachers, which only amounted to 28 per cent at the primary level and 14 per cent at the secondary level in 2015/16 (CEDAW/C/CIV/4, table 6);

(e) The underrepresentation of women and girls in non-traditional fields.

40. **Recalling its previous concluding observations (CEDAW/C/CIV/CO/1-3, para. 37 (a)–(c) and (f)) and its general recommendation No. 36 on the right of girls and women to education, the Committee recommends that the State party promote girls' access to education at all levels as a basis for their empowerment, and:**

**(a) Strengthen inclusive and targeted adult literacy programmes for women, in particular those living in rural areas, ensuring that programmes are accessible free of charge and that their impact is monitored regularly;**

**(b) Strengthen and monitor measures to encourage girls' enrolment, attendance and retention in schools and the reintegration of girls after dropout, particularly at the secondary and tertiary levels and with regard to girls living in poverty, girls living in rural areas, pregnant girls and adolescent mothers, including by enforcing Law No. 2015-635, by eliminating the direct costs and reducing the indirect costs of education, for example for the Comité de gestion des établissements scolaires, and by allocating sufficient resources to school watch committees (CEDAW/C/CIV/4, para. 188);**

**(c) Adopt a policy of zero-tolerance on sexual violence and harassment against women and girls in schools, ensure that perpetrators are prosecuted and suitably punished, and provide psychological, medical and legal assistance to victims;**

**(d) Increase the number of female teachers in schools, particularly at the primary and secondary level;**

**(e) Strengthen existing programmes, including special scholarships for girls, to encourage women and girls to choose non-traditional fields of education and career paths, and ensure that they have equal access to technical and vocational education and training, including in non-traditional fields.**

### **Employment**

41. The Committee notes the adoption of Law No. 2015-532 of 20 July 2015 on the Labour Code and other measures taken by the State party to increase gender equality in employment. It is concerned, however, about the following:

(a) The prevalence of violations against women and girls working in the informal sector and in domestic work, particularly with regard to sexual harassment in the workplace and violations of the principle of equal remuneration for work of equal value, the guarantee of the minimum salary, paid leave, maternity and paternity leave and the respect of maximum working hours (for domestic workers), the lack of

implementation of relevant national legislation, and the concentration of women in the informal labour market and their exclusion from labour and social protection;

(b) The absence of information on the number of labour inspections, the nature of the violations recorded and the penalties imposed.

**42. The Committee recalls its previous concluding observations (CEDAW/C/CIV/CO/1-3, para. 39) and recommends that the State party, in line with target 8.5 of the Sustainable Development Goals:**

(a) **Enforce articles 5, 21.2, 23.6, 23.11, 25.1, 31.1 and 31.2 of Law No. 2015-532, consider ratifying the Domestic Workers Convention, 2011 (No. 189) and the Violence and Harassment Convention, 2019 (No. 190) of the International Labour Organization, promote the transition of women in the informal sector to the formal sector, and ensure that women employed in the informal sector are effectively covered by social and labour protection, including by the planned pension scheme and the universal health insurance system (CEDAW/C/CIV/4, para. 222);**

(b) **Conduct regular labour inspections in all employment sectors and impose adequate sanctions for non-compliance.**

### **Health**

43. The Committee welcomes the adoption of Law No. 2014-131 of 24 March 2014 on universal health care. It is nevertheless concerned about:

(a) The information provided by the delegation of the State party that only about 10 per cent of the population currently benefit from health insurance schemes;

(b) The high maternal mortality and female malnutrition rates in the State party;

(c) The prohibition of abortion except on grounds of a grave threat to the life and health of the pregnant woman (articles 366 and 367 of Law No. 1981-640 of 31 July 1981 on the Criminal Code);

(d) The increase in the rate of clandestine abortions from 31 per cent in 1994 to 42.5 per cent in 2012 (CEDAW/C/CIV/4, para. 233), the high rate of early pregnancies and the low contraceptive use.

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

(a) **Accelerate the implementation of Law No. 2014-131, ensuring that the mandatory health insurance is accessible and affordable to all women and girls;**

(b) **Continue increasing the budget allocated to health care and regularly monitor the impact of the State party's measures to improve women's access to inclusive basic health services and to reduce maternal mortality and malnutrition rates;**

(c) **Amend articles 366 and 367 of the Criminal Code, with a view to legalizing abortion in cases of rape, incest or severe foetal impairment, in addition to threats to the life and health of the pregnant woman (which is already legalized) and to decriminalize abortion in all other cases;**

(d) **Ensure that all women and girls, in particular those in rural areas, have access to affordable and modern forms of contraception, intensify efforts by the Ministry of Education to raise awareness of contraceptives and sexual and reproductive health and rights by introducing age-appropriate sexuality**

education in school curricula (*ibid.*, para. 236), and strengthen measures to ensure access to high-quality post-abortion care, in particular in cases in which complications arise from unsafe abortion (*ibid.*, para. 234).

#### **Economic empowerment of women**

45. The Committee notes with appreciation the various initiatives aimed at promoting the economic empowerment of women. It is concerned, however, about:

(a) The insufficient information on the impact of the plan to implement the National Policy on Equal Opportunity, Equity and Gender (2014–2016) and of the National Agricultural Investment Plan (2012–2015) on the economic empowerment of women (CEDAW/C/CIV/4, para. 208);

(b) The lack of information on legislative and other measures to increase access of women to new technologies, land and credits;

(c) The disproportionate burden of unpaid work carried by women, limiting their professional opportunities.

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

(a) **Ensure the necessary human, technical and financial resources to implement existing plans aimed at promoting entrepreneurial activities among women, particularly women living in rural areas, and regularly monitor the impact of these plans on the economic empowerment of women;**

(b) **Adopt a gender-sensitive and adequately resourced economic empowerment policy that increases access of women to training, land and credit;**

(c) **Ensure that unpaid work of women is recognized, reduced and redistributed, including through investment in infrastructure and social services, such as child care, and by promoting the participation of men in domestic and family responsibilities.**

#### **Rural women and climate change**

47. The Committee notes the issuance of land certificates to 277 women and the allocation of 30 per cent of developed land for use by women (CEDAW/C/CIV/4, paras. 14 and 212). It is concerned, however, about the following:

(a) The limited access of rural women to basic services;

(b) The underrepresentation of women among landowners and the challenges women face in obtaining land certificates;

(c) The disproportionate effect of climate change on women and girls due to pre-existing inequalities, both inland and on the coastline due to deforestation and coastal erosion, respectively.

48. **The Committee recommends that the State party, in line with its general recommendation No. 34 (2016) on the rights of rural women:**

(a) **Intensify efforts to ensure that rural women have effective access to health care, education, employment, credit, justice, social protection, housing, safe water, sanitation and production means;**

(b) **Ensure that the equal rights of women and men to own, acquire and inherit property, including land, under article 1123 of the Civil Code and article 1 of the Rural Land Act of 23 December 1998 (No. 98-750) are enforced, facilitate access of women and girls to land certificates and strengthen**

awareness-raising campaigns on equality between women and men on access to land ([CEDAW/C/CIV/Q/4/Add.1](#), para. 64);

(c) **Ensure the equal participation of rural women and girls in policymaking processes on disaster mitigation and climate change, in line with general recommendation No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change, and build on traditional, indigenous and local knowledge systems, as appropriate.**

#### **Women with disabilities**

49. The Committee is concerned about the lack of access of women and girls with disabilities to justice, inclusive education, employment and appropriate health services and the participation of those women and girls in political and public life.

50. **Recalling its general recommendation No. 18 (1991) on disabled women, the Committee recommends that the State party:**

(a) **Allocate the resources necessary to implement Law No. 98-594 of 10 November 1998 on persons with disabilities and the provisions on non-discrimination and inclusive education of Law No. 95-696 on education;**

(b) **Ensure that women and girls with disabilities are included in all policies and programmes on gender, and that it report on such measures in its next period report.**

#### **Marriage and family relations**

51. The Committee appreciates the efforts made by the State party to amend discriminatory provisions of the Criminal Code and of the Marriage Act ([CEDAW/C/CIV/4](#), para. 30). The Committee nevertheless notes with concern that:

(a) A high percentage of marriages are not formally registered, leaving women without economic protection upon dissolution of the union;

(b) Marriage of girls below the age of 18 years is permitted on an exceptional basis under article 22 of Law No. 64-375 of 7 October 1964 on marriage and that the prohibition of customary and religious child marriages in article 378 of Law No. 98-756 of 23 December 1998 is not being enforced;

(c) The high prevalence of child marriage in the State party and the lack of implementation of the national action plan on child marriage;

(d) The absence of an explicit prohibition of polygamous, levirate and sororate marriages in the legislation of the State party and the insufficient protection of women's rights in such marriages;

(e) Discriminatory provisions on inheritance rights, such as articles 22, 23 and 25 of the Law No. 64-379 of 7 October 1964 on succession that discriminate against widows compared to the children, parents and siblings of the deceased husband.

52. **The Committee recalls its previous concluding observations ([CEDAW/C/CIV/CO/1-3](#), para. 43 (a)–(c)), as well as its general recommendation No. 21 (1994) on equality in marriage and family relations, and recommends that the State party:**

(a) **Enforce article 20 of Law No. 64-375 and ensure that all customary and religious marriages are legally registered and have legal effect, so that all married women enjoy the same rights under the Convention;**

(b) **Expedite the adoption of the revised Marriage Act and remove the exception to the minimum age of marriage, enforce article 378 of Law No. 98-756,**

and raise awareness on the detrimental effects of child marriage on girls' enjoyment of their rights under the Convention;

(c) Allocate sufficient resources to implement measures to prevent child marriage and to protect victims;

(d) Include in the revised Criminal Code provisions explicitly prohibiting polygamous, levirate and sororate marriages, provide for adequate sanctions and protect the economic rights of women and girls in such marriages and upon their dissolution;

(e) Eliminate discrimination against women in relation to inheritance, including by amending or repealing articles 22, 23 and 25 of the Law No. 64-379.

#### **Data collection and analysis**

53. The Committee welcomes the establishment of the Directorate for Information Systems, pursuant to decree No. 2018-950. It is concerned, however, that disaggregated data covering all areas of relevance to the realization of the rights of women is not yet available.

54. The Committee recommends that the State party strengthen its efforts to improve and centralize the collection of data related to women's rights, disaggregated by sex, age, race, ethnicity, geographical location, disability and socioeconomic context, in all spheres.

#### **Amendment to article 20 (1) of the Convention**

55. The Committee encourages the State party to accept the amendment to article 20 (1) of the Convention concerning the meeting time of the Committee.

#### **Beijing Declaration and Platform for Action**

56. The Committee calls upon the State party to use the Beijing Declaration and Platform for Action and to further evaluate the realization of the rights enshrined in the Convention in the context of the 25-year review of the implementation of the Declaration and Platform in order to achieve substantive equality of women and men.

#### **Dissemination**

57. The Committee requests the State party to ensure the timely dissemination of the present concluding observations, in the official language of the State party, to the relevant State institutions at all levels (national, regional and local), in particular to the Government, the National Assembly and the judiciary, to enable their full implementation.

#### **Technical assistance**

58. 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 this respect.

**Ratification of other treaties**

59. **The Committee notes that the adherence of the State party to the nine major international human rights instruments<sup>1</sup> 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 ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Convention for the Protection of All Persons from Enforced Disappearance, to which it is not yet a party.**

**Follow-up to concluding observations**

60. **The Committee regrets the State party's failure to submit information on the measures taken to implement the specific recommendations identified for immediate action in its previous concluding observations and requests the State party to provide written information on the steps taken to implement recommendations contained in paragraphs 10 (b), 10 (e), 30 (b) and 34 (a) above within two years.**

**Preparation of the next report**

61. **The Committee requests the State party to submit its fifth periodic report, which is due in July 2023. The report should be submitted on time and cover the entire period up to the time of its submission.**

62. **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).**

---

<sup>1</sup> 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.