

**EQUALITY AND DISCRIMINATION -
GENDER DISCRIMINATION - Violence Against Women**

III. CONCLUDING OBSERVATIONS, CONTINUED

CERD

- New Zealand, CERD, A/57/18 (2002) 69 at para. 423.

423. The Committee continues to be concerned at the low representation of Maori women in a number of key sectors and their particular vulnerability to domestic violence. It encourages the State party to work towards reducing existing disparities through appropriate strategies.

- Argentina, CERD, A/59/18 (2004) 45 at para. 244.

244. The Committee is disturbed by reports of trafficking of migrants, particularly migrant women exploited as sexual workers.

The Committee urges the State party to develop comprehensive policies and allocate adequate resources to prevent, investigate and punish these crimes, as well as to provide assistance and support to victims...

- Belarus, CERD, A/59/18 (2004) 50 at para. 265.

265. While acknowledging the awareness-raising efforts made by the State party, the Committee notes with concern that Belarus is a country of transit for the trafficking of women and girls for the purpose of sexual exploitation.

The Committee recommends to the State party that it reinforce ongoing efforts to prevent and combat trafficking and provide support and assistance to victims, wherever possible in their own language. Furthermore, the Committee urges the State party to make determined efforts to prosecute the perpetrators and underlines the paramount importance of prompt and impartial investigations.

- Bahrain, CERD, A/60/18 (2005) 22 at para. 85.

85. The Committee is concerned about allegations of substantial prejudice against women migrant domestic workers, in particular those coming from Asia, especially as regards their working conditions, and about the fact that these women do not benefit from the protection of the Labour Code.

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In light of its general recommendation XXX and of its general recommendation XXV on gender-related dimensions of racial discrimination, the Committee requests the State party to take effective measures to prevent and redress the serious problems commonly faced by female domestic workers, including debt bondage, passport retention, illegal confinement, rape and physical assault, and to report on measures taken for the protection of their rights.

- United Republic of Tanzania, CERD, A/60/18 (2005) 67 at para. 353.

353. The Committee is concerned about allegations of arbitrary arrests and detention, excessive use of force and ill-treatment of refugees, in particular women, by law enforcement officials, and about the lack of investigation of those cases (arts. 5 and 6).

The Committee recommends that the State party take appropriate measures to eradicate all forms of ill-treatment by law enforcement officials of refugees, in particular women, and ensure prompt, thorough, independent and impartial investigations into all allegations of ill-treatment of refugees. The Committee further recommends that the persons responsible for the ill-treatment be prosecuted and punished, and victims granted compensation.

ICCPR

- Ukraine, ICCPR, A/57/40 vol. I (2002) 32 at para. 74(10).

(10) The Committee notes with concern that domestic violence against women remains a problem in Ukraine.

The State party should take positive measures, including through enactment and implementation of adequate legislation and training of police officers and sensitization of the population, to protect women from domestic violence.

- United Kingdom of Great Britain and Northern Ireland (Overseas Territories), ICCPR, A/57/40 vol. I (2002) 36 at para. 75(31).

(31) The Committee appreciates the Domestic Violence and Matrimonial Proceedings Act 1998 and the Maintenance (Amendment) Ordinance 1998, which provide protection orders and exclusion orders for vulnerable parties in matrimonial relationships.

- Azerbaijan, ICCPR, A/57/40 vol. I (2002) 47 at para. 77(17).

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(17) With regard to articles 3, 9 and 26 of the Covenant, the Committee is concerned at the incidence of violence against women, including rape and domestic violence. The Committee takes note with concern that domestic violence is apparently not acknowledged to be a problem. The Committee notes as well that information on these matters is not systematically maintained, that women have a low level of awareness of their rights and the remedies available to them, and that complaints are not being adequately dealt with.

The State party should take effective measures to combat violence against women, including marital rape. The State party should also organize an effective information campaign to address all forms of violence against women. The Committee urges that reliable data be systematically collected and maintained on the incidence of violence and discrimination against women in all their forms.

- Georgia, ICCPR, A/57/40 vol. I (2002) 53 at para. 78(14).

(14) The Committee notes with concern that domestic violence against women remains a problem in Georgia.

The State party should take effective measures, including the enactment and implementation of appropriate legislation, training of police officers, promotion of public awareness and, in more concrete terms, human rights training to protect women against domestic violence, in accordance with article 9 of the Covenant...

- Sweden, ICCPR, A/57/40 vol. I (2002) 57 at paras. 79(7) and 79(8).

(7) The Committee notes with concern the persistence of domestic violence despite legislation adopted by the State party (articles 3 and 7 of the Covenant).

The State party should pursue its policy against domestic violence and, in this framework, should take more effective measures to prevent it and assist the victims of such violence.

(8) The Committee notes with concern cases of female genital mutilation and "honour crimes" involving girls and women of foreign extraction (articles 3, 6 and 7 of the Covenant).

The State party should continue its efforts to prevent and eradicate such practices. In particular, it should ensure that offenders are prosecuted, while promoting a human rights culture in the society at large, especially among the most vulnerable sectors of immigrant

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communities.

- Hungary, ICCPR, A/57/40 vol. I (2002) 60 at para. 80(10).

(10) The Committee regrets continuing reports of violence against women, including rape and sexual harassment.

The State party should take more vigorous measures to encourage the development of a culture of human rights and to ban violence against women; in this context, training and education in human rights are essential at all levels and in all sectors of society. In particular, the State party should take measures to encourage women to report domestic violence to the authorities, and to make police officers more sensitive in their handling of allegations of rape and its psychological effects on the victim. It should also consider enacting further legislation to deal with domestic violence, including the introduction of restraining orders as a means of separating women from violent male family members; and it should provide shelters and other support for victims of domestic violence (articles 3, 7 and 9 of the Covenant).

- Viet Nam, ICCPR, A/57/40 vol. I (2002) 67 at para. 82(14).

(14) The Committee is concerned that the State party asserts that domestic violence against women is a new phenomenon and that, although some efforts have been made, there is no comprehensive approach to preventing and eliminating it and punishing the perpetrator (arts. 3, 7, 9 and 26).

The State party should assess the impact of measures already taken to address the incidence of domestic violence against women. It should strengthen and improve the effectiveness of legislation, policies and programmes aimed at combating such violence. The State party should further implement training and sensitization programmes for the judiciary, law enforcement officials and members of the legal profession, as well as awareness-raising measures, to ensure zero tolerance in society of violence against women.

- Yemen, ICCPR, A/57/40 vol. I (2002) 72 at para. 83(6).

(6) The Committee notes with concern the continued practice of female genital mutilation (articles 3, 6 and 7 of the Covenant). It is also concerned at the persistence of domestic violence despite the legislation passed by the State party (articles 3 and 7 of the Covenant).

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The State party must pursue its efforts to eradicate such practices. It should in particular ensure that proceedings are instituted against the perpetrators and promote a human rights culture within society along with greater awareness of the rights of women, especially the right to physical integrity. It must also take more efficient action to prevent and punish domestic violence and aid the victims.

- Estonia, ICCPR, A/58/40 vol. I (2003) 41 at para. 79(6).

(6) The Committee welcomes the measures and legislation adopted by the State party to improve the status of women in Estonian society and to prevent gender discrimination. It particularly notes article 5 of the Wages Act, which now prohibits the establishment of different wage conditions on the basis of gender, and articles 120 to 122 and article 141 of the new Penal Code, which make domestic violence and marital rape specific criminal offences.

- Mali, ICCPR, A/58/40 vol. I (2003) 47 at paras. 81(12) and 81(18).

(12) The Committee is concerned about reports of domestic violence in Mali and the failure by the authorities to prosecute the perpetrators of these acts and to take care of the victims. Bearing in mind the delegation's reply, to the effect that domestic violence is punishable under the current provisions of the Penal Code, the Committee stresses the need for special legislation to deal with such violence, given its specific nature (articles 3 and 7 of the Covenant).

The State party should adopt specific legislation expressly prohibiting and punishing domestic violence. Victims should be properly protected. The State party should adopt a policy of prosecuting and punishing such violence, including by issuing clear directives to that effect to its police and through appropriate awareness-raising and training measures for its officials.

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(18) While welcoming the various programmes adopted by the State party, the Committee is very concerned about the situation of migrant girls leaving the countryside for the towns to work as domestic servants and who, according to some reports, work an average of 16 hours a day for very low or non-existent wages, are often the victims of rape and ill-treatment, and may be forced into prostitution (article 8).

The State party should intensify its efforts to punish those responsible for the exploitation of these migrant girls. The State party should adopt and develop appropriate complaint and protection mechanisms...

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- Slovakia, ICCPR, A/58/40 vol. I (2003) 52 at paras. 82(9) and 82(12).

(9) The Committee is concerned at reports of high rates of domestic violence and regrets that the statistics provided by the State party were inconclusive. While noting some positive steps taken by the State party in the area of legislation, the Committee regrets that the adoption of the National Strategy for the Prevention and Elimination of Violence Committed against Women and in Families has been delayed (arts. 3, 9, 26).

The State party should adopt the necessary policy and legal framework to combat domestic violence; specifically, it should provide a framework for the protection of a spouse who is subjected to violence or threats of violence. The Committee recommends that the Government of Slovakia establish crisis centre hotlines and victim support centres equipped with medical, psychological, legal and emotional support services; in order to raise public awareness, it should disseminate information on this issue through the media.

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(12) Despite the oral and written answers provided by the delegation, the Committee remains concerned at reports of forced or coerced sterilization of Roma women. In particular, the Committee regrets that in its written answers submitted after the oral consideration of the report, the State party did not clearly deny or admit breaches of the principle of full and informed consent but asserted that an investigation of maternity wards and gynaecology departments of 12 hospitals did not reveal infringements of “medical indication” of sterilization. The reference made, in the same submission, to “the fact that not all administrative acts were fulfilled in every case” appears to amount to an implicit admission of breaches of the requirement of informed consent (arts. 7, 26).

The State party should adopt all necessary measures to investigate all alleged cases of coerced or forced sterilization, publicize the findings, provide effective remedies to victims and prevent any future instances of sterilization without full and informed consent.

- El Salvador, ICCPR, A/58/40 vol. I (2003) 61 at para. 84(15).

(15) While noting the efforts made by the State party to combat domestic violence, the Committee notes with concern that violence against women persists: this raises questions under article 9 of the Covenant. The Committee is also concerned at the high proportion of women within the National Civil Police [PNC] who have been subjected to violence.

The State party should take steps to ensure compliance with the Domestic Violence Act. The Committee also trusts that the institutional plan to incorporate the gender perspective within PNC will be put into effect.

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- Russian Federation, ICCPR, A/59/40 vol. I (2003) 20 at para. 64(9).

(9) The Committee reiterates its concern regarding persistent inequality in the enjoyment of Covenant rights by women. In particular, the Committee notes with concern the high level of poverty among women, the prevalence of domestic violence against women, and a marked difference in the wages of men and women for equal work.

The State party should ensure that effective measures are taken to improve the situation of women as to their full enjoyment of Covenant rights (art. 3).

- Latvia, ICCPR, A/59/40 vol. I (2003) 25 at para. 65(13).

(13) While noting the efforts made by the State party to combat domestic violence, particularly in the area of legislative reform, the Committee regrets the lack of detailed information on the nature of the problem. The Committee is concerned at reports that domestic violence persists (arts. 3, 9 and 26).

The State party should adopt the necessary policy and legal framework to combat domestic violence, as envisaged, *inter alia*, by the draft programme on the implementation of gender equality. Furthermore, the Committee recommends that the State party establish crisis-centre hotlines and victim-support centres offering medical, psychological, legal and emotional support. In order to raise public awareness, it should disseminate information on this issue through the media.

- Sri Lanka, ICCPR, A/59/40 vol. I (2003) 30 at para. 66(20).

(20) The Committee deplores the high incidence of violence against women, including domestic violence. It regrets that specific legislation to combat domestic violence still awaits adoption and notes with concern that marital rape is criminalized only in the case of judicial separation (art. 7).

The State party is urged to enact appropriate legislation in conformity with the Covenant without delay. It should criminalize marital rape in all circumstances. The State party is also urged to initiate awareness-raising campaigns about violence against women.

- Colombia, ICCPR, A/59/40 vol. I (2004) 35 at paras. 67(13) and 67(14).

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(13) The Committee notes with concern that the criminalization of all abortions can lead to situations in which women are obliged to undergo high-risk clandestine abortions. It is especially concerned that women who have been victims of rape or incest or whose lives are in danger as a result of their pregnancy may be prosecuted for resorting to such measures (art. 6).

The State party should ensure that the legislation applicable to abortion is revised so that no criminal offences are involved in the cases described above.

(14) The Committee reiterates its concern about the high levels of violence to which women are subjected. The Committee is particularly disturbed about the limited number of investigations into cases of domestic violence and sexual violence experienced by women during the internal armed conflict and by internally displaced women. The Committee also continues to be concerned about the current rules for prosecuting cases of rape, which require the consent of the victim in order to proceed further.

The State party should strengthen existing measures aimed at protecting women against all types of violence, especially domestic violence. Furthermore, it is recommended that the State party should periodically monitor the number of investigations and convictions for such crimes compared to the number of complaints received. The State party should also revise its legislation on investigations into cases of rape with respect to the role of consent of the victim in the proceedings (arts. 3, 7 and 26).

- Germany, ICCPR, A/59/40 vol. I (2004) 39 at para. 68(14).

(14) The Committee notes with concern the persistence of domestic violence despite legislation adopted by the State party (arts. 3 and 7).

The State party should reinforce its policy against domestic violence and, in this framework, should take more effective measures to prevent it and assist the victims

- Suriname, ICCPR, A/59/40 vol. I (2004) 43 at para. 69(12).

(12) The Committee notes with concern the high incidence of domestic violence and the absence of appropriate legislation to protect women against such violence. It notes the delegation's additional information that acts of domestic violence may be prosecuted under

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alternative provisions of the Criminal Code (arts. 3 and 7).

The State party should take legal and educational measures to combat domestic violence. It is invited to educate the population at large about the need to respect women's rights and dignity.

- Uganda, ICCPR, A/59/40 vol. I (2004) 47 at para. 70(11).

(11) The Committee is concerned about the persistence of domestic violence and the lack of investigation, prosecution and punishment of perpetrators (arts. 3, 7 and 26).

The State party should adopt effective measures to prevent domestic violence, punish offenders and provide material and psychological relief to the victims. It should also train law enforcement officials, in particular police officers, to deal with cases of domestic violence.

- Lithuania, ICCPR, A/59/40 vol. I (2004) 52 at para. 71(9).

(9) The Committee is concerned that incidents of domestic violence against women and children are rising. While noting the efforts made by the State party to combat domestic violence, including the National Equal Opportunities Programme and the Action Plan on Violence against Children, the Committee notes that there is no special legislation relating to domestic violence within the legal system (arts. 3 and 7).

The State party should take all necessary measures, including the enactment of appropriate legislation, to deal with domestic violence. New legislation should include the introduction of restraining orders as a means of protecting women and children from violent family members. The State party should continue its efforts to provide shelters and other support for victims of domestic violence and take measures to encourage women to report domestic violence to the authorities, and to make police officers more sensitive in their handling of allegations of domestic violence, including rape and its psychological impact on the victim.

- Liechtenstein, ICCPR, A/59/40 vol. I (2004) 61 at para. 73(8).

(8) The Committee regrets the persistence of domestic violence against women and children in the State party (arts. 3 and 7).

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The State party should take all necessary measures to combat domestic violence, punish offenders and provide material and psychological relief to the victims.

- Namibia, ICCPR, A/59/40 vol. I (2004) 64 at para. 74(20).

(20) While the Committee commends the State party for the enactment of the Combating Domestic Violence Act, which criminalizes domestic violence, the Committee regrets that, despite the wide prevalence of domestic violence, so far only 62 persons have been prosecuted and no victims have been compensated.

The State party should encourage further use of this Act, especially by training the police force and sensitizing it to the needs of victims. Additional special shelters for those suffering from domestic violence should be created.

- Serbia and Montenegro, ICCPR, A/59/40 vol. I (2004) 68 at para. 75(17).

(17) The Committee is concerned at reports of high rates of domestic violence. While noting the efforts made by the State party to combat domestic violence, particularly in the area of legislative reform, the Committee regrets the lack of statistics and detailed information provided on the nature and extent of the problem (arts. 3, 7, 26).

The State party should adopt the necessary policy and legal framework to effectively combat domestic violence. The Committee recommends in particular that the State party establish crisis-centre hotlines and victim support centres equipped with medical, psychological and legal support, including shelters for battered spouses and children. In order to raise public awareness, it should disseminate information on this issue through the media.

- Albania, ICCPR, A/60/40 vol. I (2004) 25 at para. 82(10).

(10) The Committee is concerned that women continue to face discrimination under customary law and traditional codes (*Kanun*), as well as about reports of high rates of domestic violence, and regrets the lack of detailed information provided on the nature and extent of those problems (arts. 2, 3 and 26).

The State party should adopt and implement appropriate policies to combat effectively and prevent the application of discriminatory customary law, to reinforce its policies against domestic violence and to assist its victims. The Committee recommends in particular that the State party establish crisis-centre hotlines and victim support centres equipped with

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medical, psychological and legal facilities, including shelters for battered spouses and children. In order to raise public awareness, it should disseminate information on those issues through the media.

- Benin, ICCPR, A/60/40 vol. I (2004) 30 at para. 83(9).

(9) The Committee is disturbed by reports that domestic violence against women is a common practice (articles 3 and 7 of the Covenant).

The State party should adopt effective and concrete measures to combat this phenomenon. It should sensitize society as a whole to this matter, ensure that the perpetrators of such violence are criminally prosecuted and provide assistance and protection to victims.

- Morocco, ICCPR, A/60/40 vol. I (2004) 35 at para. 84(28).

(28) The Committee is...concerned about the high level of domestic violence against women.

The State party should take suitable practical measures to combat this phenomenon (Covenant, arts. 3 and 7).

- Poland, ICCPR, A/60/40 vol. I (2004) 40 at para. 85(11).

(11) Notwithstanding a variety of programmes intended to deal with domestic violence, the Committee regrets that the number of cases of domestic violence remains high. It is also concerned that measures such as restraining orders and temporary arrests are not widely used, that appropriate protection is not afforded to victims, that shelters do not exist in many places, and that training for law enforcement officers is inadequate (arts. 3 and 7).

The State party should ensure that law enforcement officers are properly trained and that appropriate measures to address domestic violence cases, including restraining orders, are available as required. The State party should also increase the number of shelters and other means of protection for victims throughout the country.

- Kenya, ICCPR, A/60/40 vol. I (2005) 44 at para. 86(11).

(11) The Committee is disturbed by the fact, acknowledged by the delegation, that domestic

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violence against women remains a recurrent practice in Kenya and that women do not benefit from adequate legal protection against acts of sexual violence - another widespread phenomenon (articles 7 and 10 of the Covenant).

The State party should adopt effective and concrete measures to combat these phenomena. It should sensitize society as a whole to this matter, ensure that the perpetrators of such violence are prosecuted and provide assistance and protection to victims. The draft Family Protection (Domestic Violence) Bill should be enacted as soon as possible.

- Iceland, ICCPR, A/60/40 vol. I (2005) 50 at paras. 87(11) and 87(12).

(11) The Committee notes with concern the high number of reported rapes in the State party, in comparison with the number of prosecutions undertaken on this ground. The Committee recalls that doubt is an obstacle to conviction, but not to prosecution, and that it is in the province of the courts to determine whether a charge is proven or not (articles 3, 7 and 26 of the Covenant).

The Committee recommends that the State party ensure that rape does not go unpunished.

(12) While the Committee welcomes the measures taken to provide support to victims of domestic violence, it expresses its concern about the efficacy of restraining orders (articles 3, 7 and 26 of the Covenant).

The State party is invited to take all necessary steps to ensure appropriate protection of women from domestic violence.

- Mauritius, ICCPR, A/60/40 vol. I (2005) 52 at para. 88(10).

(10) While taking note of the new Protection from Domestic Violence Act 1997 and its amendment in 2004, the establishment of support structures for victims and awareness-raising programmes, including training for police officers and prosecutors to ensure that cases of violence are not considered as private matters, the Committee regrets that the number of domestic violence cases reported by concurring non-governmental sources remains high (Covenant, arts. 3 and 7).

The State party should strengthen its measures aimed at preventing and reducing cases of domestic violence against women and children and address obstacles such as economic dependence on their partners that prevent women from reporting such violence.

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- Uzbekistan, ICCPR, A/60/40 vol. I (2005) 56 at para. 89(23).

(23) While noting with interest information provided by the delegation that a system of compensation for women who are victims of domestic violence is already in place in parts of the State party, the Committee remains concerned about the prevalence of domestic violence in Uzbekistan (Covenant, articles 3, 7 and 26; see also paragraph 19 of the Committee's concluding observations on the initial report).

The State party should take suitable practical measures to combat this phenomenon, including through public awareness and education campaigns.

- Greece, ICCPR, A/60/40 vol. I (2005) 60 at para. 90(7).

(7) Notwithstanding a variety of programmes intended to deal with domestic violence, the Committee regrets the prevalence of domestic violence against women and the lack of specific provisions on domestic violence, including marital rape, in the current Criminal Code (Covenant, arts. 3 and 7).

The Committee recommends that the State party take measures to raise awareness of the problem of domestic violence and to protect the victims and include specific provisions on domestic violence in its penal legislation.

- Yemen, ICCPR, A/60/40 vol. I (2005) 65 at para. 91(12).

(12) The Committee notes with concern that domestic violence remains persistent in Yemen and that the law provides for lower sentences for husbands who have murdered their wives caught in the act of adultery than is generally provided for in cases of murder (arts. 3, 6 and 7).

The State party should actively combat domestic violence through awareness-raising campaigns as well as the enactment of appropriate penal legislation...The State party should abolish legislation providing for lower sentences in case of "honour killings".

- Tajikistan, ICCPR, A/60/40 vol. I (2005) 70 at para. 92(6).

(6) The Committee notes with concern that domestic violence against women remains a problem in Tajikistan (articles 3 and 7 of the Covenant).

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The State party should take effective measures, including training of police officers, promotion of public awareness and, in more concrete terms, human rights training to protect women against domestic violence.

- Slovenia, ICCPR, A/60/40 vol. I (2005) 74 at para. 93(7).

(7) The Committee is concerned about the high rate of domestic violence and regrets the lack of specific legal provisions and governmental programmes to prevent, combat and eliminate domestic violence (article 3 of the Covenant).

The State party should adopt and implement appropriate laws and policies to prevent and effectively combat violence against women, especially domestic violence, and programmes to assist the victims. In order to raise public awareness, it should initiate the necessary media campaigns and educational programmes.

- Syrian Arab Republic, ICCPR, A/60/40 vol. I (2005) 78 at para. 94(16).

(16) The Committee reiterates its previous concern that, despite article 25 of the Constitution, discrimination against women continues to exist in law and practice in matters related to marriage, divorce and inheritance, and that the Penal Code contains provisions discriminating against women, including providing lesser penalties for crimes committed by men in the name of honour. It notes the statement by the delegation that a commission is currently considering amendments to the personal status laws and that the provisions of the Penal Code with regard to honour crimes are currently being revised (arts. 3, 6 and 26).

The State party should review its laws in order to ensure equality between men and women in matters of personal status, and to eliminate any discrimination against women in the Penal Code.

- Thailand, ICCPR, A/60/40 vol. I (2005) 83 at para. 95(12).

(12) Notwithstanding the pending enactment of the Prevention of Domestic Violence Bill and the measures taken by the State party, including the “white ribbons” campaign, the Committee is concerned at reports that domestic violence is prevalent and that specific legal provisions on domestic violence, including marital rape, are lacking in the State party’s legislation (arts. 3, 7, 26).

The State party should adopt the necessary policy and legal frameworks to effectively

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combat domestic violence. It should establish crisis-centre hotlines and victim support centres equipped with medical, psychological and legal support, including shelters. Law enforcement officials, in particular police officers, should also be provided with appropriate training to deal with cases of domestic violence, and awareness-raising efforts should be continued to widely sensitize members of the public.

ICESCR

- Sweden, ICESCR, E/2002/22 (2001) 106 at para. 717.

717. The Committee notes with satisfaction the State party's efforts to combat domestic violence. The Committee particularly welcomes the introduction of the offence of "gross violation of the woman's integrity" in chapter 4, section 4 (a) of the Swedish Penal Code, as well its support of men's organizations dedicated to combating violence against women.

- Algeria, ICESCR, E/2002/22 (2001) 116 at paras. 820 and 836.

820. The Committee notes with concern the extent of violence in the family, of which women are the principal victims, and the insufficient attention that is devoted by the authorities to this problem in terms either of prevention or of punishment.

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836. The Committee recommends that the State party adopt a national strategy to combat family violence, including awareness-raising campaigns geared towards the public at large, data collection, enactment of relevant legislation, and training courses for the police forces and the judiciary.

- Croatia, ICESCR, E/2002/22 (2001) 125 at paras. 888 and 896.

888. The Committee notes with satisfaction that many of the pre-independence laws and post-independence transitional measures are being amended or superseded by new laws that better conform to international human rights principles. Laws have been enacted or amended to make a number of specific types of violence against women an offence prosecutable by the public prosecutor *ex officio*, and the National Policy for the Promotion of Gender Equality 2001-2005 and the proposed amendments to the laws governing elections have among their aims the promotion of political participation by women...

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896. ...Despite the welcome inclusion of offences of sexual violence in the reformed Criminal Code (1999) and the offences of marital rape and domestic violence in the new Family Law (1999), the lack of sensitization concerning such crimes among the police and the lack of effective procedures to deal with those crimes leaves women with little practical protection against violence in the home.

- Slovakia, ICESCR, E/2003/22 (2002) 50 at paras. 320 and 334.

320. The Committee notes with concern that, despite the State party's adoption of legislative measures on domestic violence, the problem persists and is widespread.

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334. The Committee calls upon the State party to enforce its legislation on domestic violence and to take appropriate preventive measures in order to give the required assistance to victims of domestic violence.

- Poland, ICESCR, E/2003/22 (2002) 54 at paras. 366 and 388.

366. The Committee is...concerned about the high number of reported cases of domestic violence...

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388. The Committee recommends that the State party strengthen programmes and increase budget allocations for combatting domestic violence, ensuring, among other things, the availability and accessibility of crisis centres where victims of domestic violence can find safe accommodation and counselling.

- Georgia, ICESCR, E/2003/22 (2002) 60 at paras. 417 and 435.

417. The Committee expresses serious concern about the inadequacy or even lack of legislation and policies on domestic violence, rape, or sexual harassment, as well as about the *de facto* impunity with which such acts are committed. The Committee is also concerned that domestic violence is not criminalized as a specific offence.

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435. The Committee recommends that the State party implement its National Plan of Action for the Advancement of Women for 1998-200 and its national plan of action for combating

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violence against women, and that it adopt adequate legislation and policies to address and to ensure access to effective remedies concerning domestic violence, rape and sexual harassment. The Committee encourages the State party to develop programmes aimed at raising awareness of, and educating law enforcement officials, the judiciary and the general public on, these problems.

- Solomon Islands, ICESCR, E/2003/22 (2002) 65 at paras. 458 and 471.

458. The Committee is alarmed at the high incidence of domestic violence against women and children in the State party.

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471. The Committee urges the State party to adopt and implement effective legislative and administrative measures to protect members of the family, particularly women and children, from domestic violence. The Committee recommends that the State party establish support services for victims of domestic violence and take steps to sensitize law enforcement officials and the general public to the gravity of this issue.

- Estonia, ICESCR, E/2003/22 (2002) 68 at paras. 501 and 524.

501. The Committee...expresses its concern that recent studies suggest that many cases of domestic violence still go unreported.

...

524. The Committee recommends that the State party intensify its efforts to combat domestic violence, including through ensuring the availability and accessibility of crisis centres where victims of domestic violence can find safe lodging and counselling.

- Luxembourg, ICESCR, E/2004/22 (2003) 24 at para. 97.

97. The Committee recommends that the State party enact as soon as possible the draft law on domestic violence introduced in May 2001, by which a violent spouse may be forced to leave the family home.

- Brazil, ICESCR, E/2004/22 (2003) 28 at paras. 135, 136, 159 and 160.

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135. The Committee is concerned that some articles of the Penal Code discriminate against women. In particular, it is concerned that article 215 of the Code requires the victim of a minor sexual assault to be an “honest woman” in order to prosecute the offence.

136. The Committee notes with concern that sexual and domestic violence is widespread and not being sufficiently denounced in Brazil.

...

159. The Committee calls upon the State party to repeal all discriminatory provisions contained in the Penal Code, in particular article 215.

160. The Committee calls upon the State party to take all effective measures, including the enforcement of existing legislation and the extension of national awareness campaigns, to eliminate all forms of violence against women. The Committee also recommends that the State party ensure that in addition to the “*delegacias da mulher*” the police are trained to handle violence against women in all parts of the country.

- New Zealand, ICESCR, E/2004/22 (2003) 35 at para. 188.

188. While taking note of the measures taken by the State party to confront domestic violence under the Ministry of Health Family Violence Project, the Committee is concerned about the persistence of the phenomenon among all socio-economic groups and especially among the indigenous Maori people.

- Iceland, ICESCR, E/2004/22 (2003) 39 at paras. 226 and 236.

226. The Committee is concerned about the persistent problem of domestic violence in the State party and that it has not adopted specific legislation on this issue.

...

236. The Committee urges the State party to adopt specific legislation on domestic violence.

- Republic of Moldova, ICESCR, E/2004/22 (2003) 49 at paras. 310 and 332.

310. The Committee is concerned that violence against women remains widespread. The Committee notes with regret that existing legislation does not define domestic violence as a specific offence. Lack of crisis centres for victims of domestic violence is also a cause for concern.

...

332. The Committee encourages the State party to consider defining domestic violence as

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a specific offence under the Penal Code. It also encourages the State party to give effect to the planned amendments of the Civil Procedure Code, which aim to protect victims of domestic violence. The Committee also recommends that the State party increase the number of crisis centres where victims of domestic violence could find safe lodging and counselling.

- Yemen, ICESCR, E/2004/22 (2003) 55 at paras. 357 and 376.

357. The Committee is concerned about the lack of measures to combat sexual and domestic violence as well as the lack of legislation to criminalize such violence.

...

376. The Committee calls upon the State party to adopt and implement the necessary measures to combat domestic and sexual violence and to provide adequate protection for victims of such practices.

- Guatemala, ICESCR, E/2004/22 (2003) 59 at paras. 413 and 431.

413. The Committee is concerned about the extent of the problem of violence against women in Guatemalan society, both within and outside the family, and its implication for both the physical and mental health of women and children. The Committee is also concerned that the Penal Code does not consider domestic violence as a crime.

...

431. The Committee urges the State party to combat violence against women, including through the effective application of the Act on the Prevention, Punishment and Eradication of Domestic Violence and awareness-raising campaigns designed to combat negative traditional practices and prejudices and their effects and consequences. In this regard, the Committee urges the State party to amend the Penal Code by including domestic violence as a crime...

- Russian Federation, ICESCR, E/2004/22 (2003) 64 at paras. 466 and 494.

466. The Committee remains concerned about the high incidence of domestic violence and the fact that victims of domestic violence are not adequately protected under existing legislation.

...

494. The Committee calls upon the State party to intensify its efforts to combat domestic violence by enacting specific legislation criminalizing it and providing training for law

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enforcement personnel and judges regarding the serious and criminal nature of domestic violence. Moreover, the Committee urges the State party to ensure the availability and accessibility of crisis centres where victims of domestic violence can find safe lodging and counselling.

- Democratic People's Republic of Korea, ICESCR, E/2004/22 (2003) 71 at paras. 528 and 548.

528. The Committee notes with concern that there is no specific provision in the legislation of the State party that criminalizes and punishes domestic violence.

...

548. The Committee recommends that the State party amend its legislation in order to include specific provisions that can be used as grounds to fight domestic violence.

- Lithuania, ICESCR, E/2005/22 (2004) 18 at paras. 87 and 109.

87. The Committee is concerned about the high incidence of domestic violence and the lack of shelters for battered women. The Committee is also concerned that victims of domestic violence are not adequately protected under existing legislation.

...

109. The Committee calls upon the State party to intensify its efforts to combat domestic violence. In particular, the Committee encourages the State party to consider enacting specific legislation criminalizing domestic violence and affording effective protection to victims. The State party should also take effective measures to provide training for law enforcement personnel and judges regarding the criminal nature of domestic violence. Moreover, the Committee urges the State party to ensure the availability and accessibility of crisis centres where victims of domestic violence can find safe lodging and counselling.

- Greece, ICESCR, E/2005/22 (2004) 23 at paras. 136 and 157.

136. While noting that the State party has established the National Observatory on Violence Against Women, as well as two reception centres for victims of domestic violence in Athens and Piraeus, the Committee expresses its concern about the high incidence of domestic violence and marital rape, which often remain unreported for cultural reasons and the economic dependency of wives on their husbands.

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...

157. The Committee urges the State party to proceed with the adoption of its draft legislation criminalizing domestic violence and marital rape by introducing specific provisions into the criminal code, to strengthen its assistance to victims of domestic violence and marital rape, for example, by creating more guest houses and reception centres, to sensitize law enforcement and medical personnel, as well as the public at large, to the criminal nature of such acts...

- Spain, ICESCR, E/2005/22 (2004) 34 at paras. 228, 240 and 257.

228. The Committee notes with appreciation the measures taken to combat domestic violence. In particular, it welcomes the enactment of Act No. 27/2003 of 31 July 2003, regulating protection orders and providing for various forms of assistance to victims of domestic violence, and the setting up of a committee to monitor the implementation of the Act.

...

240. While recognizing the measures taken to combat domestic violence in the State party, the Committee expresses its concern about the rising number of fatal cases of domestic violence and of the persistent high number of complaints lodged by women for ill-treatment at the hands of their spouses or partners.

...

257. The Committee recommends that the State party intensify its efforts to combat domestic violence...

- Ecuador, ICESCR, E/2005/22 (2004) 39 at paras. 291 and 316.

291. The Committee is concerned that domestic violence is widespread and does not constitute a criminal offence in the State party. The Committee is also concerned by the narrow definition of rape as a criminal offence in the Ecuadorian Criminal Code.

...

316. The Committee urges the State party to take effective measures to combat domestic violence, including through the effective application of the existing laws and awareness-raising campaigns. It also strongly urges the State party to amend its Criminal Code with the view to redefining the crime of rape to reflect international standards and to protect women and children.

- Malta, ICESCR, E/2005/22 (2004) 45 at paras. 348, 352, 366 and 370.

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348. While noting that various forms of assistance are provided to victims of domestic violence, the Committee is concerned that domestic violence is currently not defined in law as a specific crime, which makes it more difficult for victims of violence to claim their rights.

...

352. The Committee observes with concern that abortion is illegal in all cases under the law of the State party.

...

366. The Committee encourages the State party to expedite the adoption of the Domestic Violence Bill currently under consideration.

...

370. The Committee urges the State party to review its legislation on abortion and consider exceptions to the general prohibition of abortion for cases of therapeutic abortion and when the pregnancy is the result of rape or incest.

- Denmark, ICESCR, E/2005/22 (2004) 49 at paras. 391, 392, 404 and 405.

391. The Committee regrets that there is no legal provision in the State party's domestic legal order specifically criminalizing domestic violence, particularly against women.

392. The Committee is also concerned at the reports of cases of ill-treatment, particularly of migrant women, at the hands of their spouses or partners, which often remain unreported for reasons of economic dependency and fear of deportation. The Committee notes that the situation has been exacerbated by the 2002 amendment to the Aliens Act, which increased the required number of years of residence to seven before a permanent residence permit may be obtained by migrant women married to Danish citizens.

...

404. The Committee...encourages the State party to consider enacting specific legislation to criminalize domestic violence and to provide training for law enforcement personnel and judges regarding the criminal nature of domestic violence.

405. The Committee recommends that effective measures be taken to ensure that victims of domestic violence receive appropriate care and support for their rehabilitation and that appropriate mechanisms be enforced so that victims are not prevented from seeking assistance for fear of deportation or expulsion from Denmark.

- Italy, ICESCR, E/2005/22 (2004) 54 at paras. 433 and 454.

433. Despite the relevant measures taken to combat domestic violence, including the

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adoption of Law No. 154 of 4 April 2001 on measures against violence in family relations, the Committee expresses its concern about the small number of complaints lodged, especially by women.

...

454. The Committee recommends that the State party intensify its efforts to combat domestic violence, especially against women, and undertake information campaigns to educate the population regarding the consequences of domestic violence...

- Azerbaijan, ICESCR, E/2005/22 (2004) 59 at paras. 488 and 514.

488. The Committee expresses serious concern at the lack of legal or policy mechanisms in the State party which specifically address domestic violence, in particular, violence against women...

...

514. ...The Committee urges that training be provided to law enforcement officials and judges on the serious and criminal nature of domestic violence, in particular, violence against women. The Committee further recommends that the State party allocate resources to ensure that crisis centres are available where victims of domestic violence can obtain safe lodging and necessary assistance.

- Chile, ICESCR, E/2005/22 (2004) 67 at paras. 547, 571 and 579.

547. The Committee is concerned that the legislative progress started 10 years ago to include sexual harassment as a specific punishable offence has still not been completed.

...

571. The Committee recommends that the State party accelerate the adoption of the draft bill making sexual harassment a punishable offence.

...

579. The Committee recommends that the State party revise its legislation and decriminalize abortion in cases of therapeutic abortions and when the pregnancy is the result of rape or incest.

- Zambia, ICESCR, E/2006/22 (2005) 19 at para. 76.

76. The Committee welcomes the establishment in 2003 of the Zambia police service sex crimes unit to deal with cases of sexual violence, spouse battery and sexual abuse.

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- China, ICESCR, E/2006/22 (2005) 25 at paras. 157, 165, 186 and 194.

157. The Committee regrets that, in the absence of reliable data, it could not assess the nature and extent of the reportedly high incidence of domestic violence in the State party and the degree of enforcement of existing legislation for the protection of victims of domestic violence.

...

165. The Committee is deeply concerned about reports of forced abortions and forced sterilizations imposed on women, including those belonging to ethnic minority groups, by local officials in the context of the one-child policy, and about the high maternal mortality rate as a result of unsafe abortions.

...

186. ...The Committee urges the State party to provide training to law enforcement officials and judges regarding the serious and criminal nature of domestic violence, in particular violence against women.

...

194. The Committee urges the State party to undertake effective measures to ensure that abortions are carried out voluntarily and under adequate medical and sanitary conditions and to ensure that the existing legislation governing the one-child policy does not violate the rights enshrined in article 10 of the Covenant...

- China (Macao Special Administrative Region), ICESCR, E/2006/22 (2005) 38 at paras. 234, 241 and 251.

234. The Committee commends the Macao Special Administrative Region for the establishment of a special unit within the Social Welfare Institute offering assistance to victims of domestic violence.

...

241. The Committee is concerned about the increasing incidence of domestic violence in the Macao Special Administrative Region and the irregular protection given to victims of domestic violence under existing legislation.

...

251. The Committee calls upon the Macao Special Administrative Region to intensify its efforts to combat domestic violence. In particular, the Committee encourages the Macao Special Administrative Region to consider enacting specific legislation criminalizing domestic violence and affording effective protection to victims. The Committee also urges the Macao Special Administrative Region to take effective measures to provide training for law enforcement personnel and judges regarding the criminal nature of domestic violence. Moreover, the Committee urges the Macao Special Administrative Region to ensure the availability and accessibility of crisis centres where victims of domestic violence can find

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safe lodging and counselling.

- Serbia and Montenegro, ICESCR, E/2006/22 (2005) 41 at paras. 283, 296, 310 and 323.

283. The Committee expresses its deep concern about the high incidence of domestic violence, often resulting from psychological distress caused by unemployment and traumatic disorders related to armed conflict.

...

296. The Committee regrets the absence of information on mental health services in the State party's report, including provision of psychological rehabilitation to victims of physical and sexual violence and other traumatizing experiences related to armed conflict.

...

310. The Committee urges the State party to take effective measures to combat domestic violence, to provide counselling to victims and perpetrators, including those suffering from traumatic disorders related to armed conflict...

...

323. The Committee requests the State party to ensure the provision of adequate counselling and other assistance to victims of physical and sexual violence and other traumatizing experiences related to armed conflict, in particular women and children...

- Norway, ICESCR, E/2006/22 (2005) 48 at paras. 342 and 361.

342. The Committee is concerned that domestic violence is still a widespread problem in the State party and notes the lack of specific legislation on domestic violence.

...

361. The Committee urges the State party to continue and strengthen social, psychological and legal measures taken within the framework of the Action Plan to Combat Domestic Violence (2004-2007) and to consider adopting specific legislation on domestic violence...

CEDAW

- Fiji, CEDAW, A/57/38 part I (2002) 9 at paras. 58 and 59.

58. The Committee notes with concern the high incidence of ethnic and gender-based violence against women in periods of civil unrest. It is concerned that, despite the State party's positive initiatives to address gender-based violence, there are high levels of domestic violence and sexual abuse of girls and women. The Committee is also concerned that the social customs on the husband's right of chastisement, and "bulu bulu", gives social

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legitimacy to violence. The Committee also notes that the Evidence Bill, which introduces reforms in procedures with respect to sexual offences, has not yet been adopted.

59. The Committee requests the State party to strengthen its initiatives to combat gender-based violence and adopt the proposed laws on domestic violence and sexual offences very early, prohibiting practices that legalize violence against women. In particular, it calls on the State party to reinforce its "no drop" policy by prohibiting the reconciliation of cases of rape and sexual assault on the basis of the "bulu bulu" custom. The Committee recommends the early passage and entry into force of the Evidence Bill.

- Estonia, CEDAW, A/57/38 part I (2002) 13 at paras. 97 and 98.

97. While recognizing the efforts made by the State party to combat violence against women, especially domestic violence and the creation, with the collaboration of non-governmental organizations, of a database on the scope and scale of violence in Estonia, as well as the training of police officials and medical workers and specialists engaged in the victim support system, the Committee expresses its concern about the high incidence violence against women and girls, including domestic violence.

98. The Committee urges the State party to place high priority on comprehensive measures to address violence against women in the family and in society, and to recognize that such violence, including domestic violence, constitutes a violation of the human rights of women under the Convention. In the light of its general recommendation 19 on violence against women, the Committee calls upon the State party to ensure that such violence constitutes a crime punishable under criminal law, that it is prosecuted and punished with the required severity and speed, and that women victims of violence have immediate means of redress and protection. It recommends that measures be taken to ensure that public officials, especially law enforcement officials, the judiciary, the medical professions and social workers, are fully sensitized to all forms of violence against women. The Committee invites the State party to undertake awareness-raising measures, including a campaign of zero tolerance, to make such violence socially and morally unacceptable. It recommends the introduction of a specific law prohibiting domestic violence against women, which would provide for protection and exclusion orders and access to legal aid. The Committee also urges the State party to amend the Criminal Code in order explicitly to define the offence of rape as sexual intercourse without consent.

- Trinidad and Tobago, CEDAW, A/57/38 part I (2002) 19 at paras. 137, 145 and 146.

137. The Committee commends the State party for its comprehensive programme to combat

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domestic violence through such initiatives as a 24-hour hotline, the establishment of a Domestic Violence Unit within the Gender Affairs Division, a male support programme and community-based drop-in information centres. The Committee commends the State party for steps to provide emergency legal aid, in particular in cases of domestic violence.

...

145. The Committee expresses concern that, despite innovative legislation, policies and programmes, violence against women remains a serious reality that is being perpetuated by deeply rooted traditional patriarchal attitudes, apparently tolerated by society.

146. The Committee urges the State party to place a high priority on measures to address violence against women in the family and in society in accordance with the Committee's general recommendation 19 and the Declaration on the Elimination of Violence against Women. The Committee recommends that the State party introduce measures to raise public awareness about violence against women and urges the State party to strengthen its activities and programmes to focus on sexual violence, incest and prostitution.

- Uruguay, CEDAW, A/57/38 part I (2002) 23 at paras. 194-197.

194. The Committee expresses concern that, despite the efforts made, a comprehensive approach is not being taken towards the prevention and elimination of violence against women, particularly as regards domestic violence, crimes of honour and the punishment of offenders. The Committee notes that despite the legislative action taken under the Citizen Security Act, violence against women, particularly domestic violence, remains a serious problem in Uruguay.

195. Recalling its general recommendation 19 on violence against women, the Committee urges the State party to assess the impact of the current legal, police and programmatic measures to deal with the various forms of violence against women, as well as to adopt a specific domestic violence act, incorporating measures for prevention, punishment of offenders and protection of victims. Bearing in mind that account must be taken of the underlying causes of violence against women, and domestic violence should be investigated with a view to enhancing the effectiveness of legislation, policies and programmes to combat it, the Committee also recommends that the State party continue the training and awareness-raising programmes for judicial personnel, law enforcement officials and members of the legal and health professions, as well as awareness-raising measures to ensure that society will not tolerate any form of violence against women. The Committee encourages the State party to strengthen its collaboration with civil society and non-governmental organizations with respect to violence against women. It also recommends the allocation of funding commensurate with the high priority that efforts to combating such violence should have.

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196. The Committee expresses concern that the Penal Code still contains several provisions that discriminate against women. The Committee is concerned at article 116 which provides for mitigation of sentence where a rapist marries his victim. It is also concerned at article 328, which provides that “protecting the honour of the perpetrator, the spouse and a close relative” may be a factor mitigating sentence in cases of induced abortion.

197. The Committee calls on the State party to give priority to the repeal of these articles of the Penal Code so as to bring the Code into line with the Convention on the Elimination of All Forms of Discrimination against Women and its general recommendations, in particular 19 on violence against women, and 24 on article 12 - women and health.

- Iceland, CEDAW, A/57/38 part I (2002) 27 at paras. 245 and 246.

245. While noting that the State party has taken a positive legal and welfare approach towards preventing violence against women, including domestic violence, the Committee expresses concern at the light penalties for crimes of sexual violence, including rape.

246. The Committee urges the State party to continue its efforts to implement and strengthen current laws, policies and programmes aimed at combating violence against women, and to increase its awareness-raising activities and work with male perpetrators. It also urges the State party to reconsider the current penal provisions which impose light sentences on perpetrators of sexual violence, including rape. It also encourages the State party to consider the issue of violence against women under the provisions the Convention and the Committee’s general recommendation 19 on violence against women...

- Sri Lanka, CEDAW, A/57/38 part I (2002) 31 at paras. 270, 282-287, 292, 293, 298 and 299.

270. The Committee commends the introduction of legal reforms that have been adopted since 1995, in particular the amendments to the Penal Code, which introduced new offences and more severe punishments with regard to violence against women...

...

282. The Committee is concerned that women who become pregnant as a result of rape or incest have to endure significant physical and mental torture.

283. The Committee encourages the State party to reintroduce legislation to permit termination of pregnancy in cases of rape, incest and congenital abnormality of the foetus.

284. The Committee expresses its concern about the high incidence of violence against women, including domestic violence. The Committee is concerned that no specific

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legislation has been enacted to combat domestic violence and that there is a lack of systematic data collection on violence against women, in particular domestic violence. The Committee, while appreciating the many amendments to the Penal Code, notes with concern that marital rape is recognized only in the case of judicial separation. The Committee is also concerned that the police fail to respond to complaints of violence against women with gender sensitivity and effectively.

285. The Committee urges the State party to ensure the full implementation of all legal and other measures relating to violence against women, to monitor the impact of those measures, and to provide women victims of violence with accessible and effective means of redress and protection. In the light of its general recommendation 19, the Committee requests the State party to enact legislation on domestic violence as soon as possible. The Committee recommends that the State party devise a structure for systematic data collection on violence against women, including domestic violence, disaggregated by sex and ethnic group. The Committee urges the State party to consider recognizing marital rape in all circumstances as a crime. The Committee recommends that the State party provide comprehensive training to the judiciary, police, medical personnel and other relevant groups on all forms of violence against women.

286. The Committee is alarmed by the high and severe incidences of rape and other forms of violence targeted against Tamil women by the police and security forces in the conflict areas. While recognizing the prohibition of torture in the Constitution and the establishment of the inter-ministerial working group to counter these acts of violence, the Committee is concerned that victims in remote areas might be unaware of their rights and of the manner in which to seek redress.

287. The Committee urges the State party to monitor strictly the behaviour of the police and the security forces, to ensure that all perpetrators be brought to justice and to take all necessary measures to prevent acts of violence against all women.

...

292. The Committee is concerned about the increasing number of women who migrate from Sri Lanka in search of work and find themselves in situations where they are vulnerable. Despite the progressive and protective measures taken by the State party, including mandatory registration and insurance coverage, these women are often subjected to abuse and sometimes death.

293. The Committee urges the State party to ensure the full and effective enforcement of the measures taken to protect women migrant workers, including preventing the activities of illegal employment agencies and ensuring that insurance covers the disabled and jobless after they return to Sri Lanka.

...

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298. The Committee expresses its concern about the continued situation of armed conflict in the north and east of Sri Lanka and the increase of internally displaced persons, the majority of whom are women and children.

299. The Committee urges the State party to allocate more resources to meet the needs of internally displaced women and children and to ensure their privacy, access to health facilities, security and protection from violence. The Committee calls on the State party to ensure full and equal participation of women in the process of conflict resolution and peace-building.

- Portugal, CEDAW, A/57/38 part I (2002) 35 at paras. 320, 321, 331 and 332.

320. The Committee welcomes the 1998 revision of the Penal Code which made violence against women a public offence, rendered police investigation of such offences mandatory and criminalized sexual harassment in the workplace.

321. ...The Committee commends the State party on its efforts to recruit women into the police forces and on its system to disseminate information on violence against women.

...

331. While welcoming the measures taken to combat violence against women, including the revisions to the Penal Code providing for the crime of ill-treatment of a spouse or partner and for violence against women to be a public offence, the adoption in 1999 of the National Action Plan to Fight Domestic Violence, and the activities under the INOVAR (innovate) Project, the Committee is concerned about the continuing problem of violence against women, especially domestic violence, and the small number of prosecutions and convictions of offenders.

332. The Committee urges the State party to ensure the systematic implementation of the national action plan and all laws and other measures relating to violence against women, and to monitor their impact. The Committee calls on the State party to take measures aimed at creating zero tolerance for such violence, and to make it socially and morally unacceptable. The Committee further recommends that the State party strengthen measures to sensitize the judiciary and law enforcement personnel to all forms of violence against women that constitute infringements of the human rights of women under the Convention.

- Russian Federation, CEDAW, A/57/38 part I (2002) 40 at paras. 376 and 389-392.

376. The Committee recommends that specific legislation and effective enforcement procedures be adopted to combat and eliminate discrimination and respond to violence

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against women. All such legislation and enforcement procedures be accompanied by access to legal aid and a vigorous awareness-raising campaign to inform women of their rights.

...

389. The Committee is deeply disturbed at the high level of domestic violence and of murder of women in this context. It is very concerned that law enforcement officials, in particular, tend to view such violence as a private matter between spouses and family members and not as grave crimes. The Committee also regrets that the State party has not taken urgent necessary effective measures to combat domestic violence and that none of the numerous draft bills on domestic violence has been adopted.

390. The Committee urges the State party to place a high priority on measures to address violence against women in the family and society, and adopt laws, policies and programmes in accordance with its general recommendation 19 and the United Nations Declaration on Violence against Women. The Committee recommends that the State party increase its programmes on violence against women, in particular awareness-raising campaigns. It also urges the State party to provide training for law enforcement personnel at all levels, lawyers and judges, health-care professionals and social workers with respect to violence against women in the household and society.

391. The Committee is concerned about reports of ill-treatment of women in pre-detention centres and in prisons. The Committee is deeply concerned by the fact that, despite credible evidence that police officials have used violence against women in custody, the State party has not, as a rule, investigated, disciplined or prosecuted offenders. The Committee is also disturbed by the fact that, despite strong evidence that members of the Russian forces have committed acts of rape or other sexual violence against women in the context of the armed conflict in Chechnya, the State party has failed to conduct the necessary investigations or hold anyone accountable in the vast majority of cases.

392. The Committee urges the State party to take necessary measures to ensure that custodial violence by officials, including acts of sexual violence against women and girls in detention or under investigation, are prosecuted and punished as grave crimes. It also urges the State party to adopt preventive measures, including swift disciplinary inquiries and human rights education programmes for the armed forces and law enforcement personnel.

- Suriname, CEDAW, A/57/38 part II (2002) 82 at paras. 38 and 51-54.

38. The Committee commends the State party on the action taken and measures introduced to combat, punish and eradicate violence against women, in particular domestic violence, and looks forward to a further strengthening of activities in this area.

...

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51. Despite the active efforts of various government ministries to combat violence and protect women and children from all forms of mental and physical abuse and the work of non-governmental organizations and community groups on the issue, the Committee expresses concern that violence against women is a serious reality in Suriname. The Committee is encouraged, however, by the heightened awareness among women indicated by the high percentage of women who reported incidents to the police. The Committee notes with concern that, according to a 1998 study, 50 per cent of women indicated that there was sexual harassment in the workplace and one third of the women experienced sexual harassment at work.

52. The Committee urges the State party to place a high priority on measures to address violence against women in the family and in society in accordance with the Committee's general recommendation 19 and the Declaration on the Elimination of Violence against Women...

53. The Committee is concerned that marital rape is not an offence and that there are inadequate data on this form of domestic violence.

54. The Committee urges the State party to criminalize marital rape [and] prosecute offenders...

- Saint Kitts and Nevis, CEDAW, A/57/38 part II (2002) 90 at paras. 105, 106 and 108.

105. Although it welcomes the legislation that has been adopted, in particular, the Law Reform Act and the 2000 Domestic Violence Act, and the programmes to prevent violence against women which are being implemented, the Committee expresses concern about the persistent high level of violence, particularly domestic violence, in the State party. The Committee is concerned about the high incidence of sexual abuse of girls, particularly by older men. It is also concerned about the unwillingness of women to initiate complaints of domestic violence against husbands and testify against them because of the unwritten code of family loyalty, which regards such violence as a private matter.

106. The Committee urges the State party to enhance its efforts to combat violence against women and girls, in accordance with general recommendation No. 19. It also encourages the State party to come up with creative solutions for shelters for victims of violence, adopt a zero tolerance approach to the sexual abuse of girls, and establish telephone help lines, rehabilitation programmes for offenders, and educational programmes targeted at men and

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boys on the prevention of violence and the reform of traditional negative attitudes towards women. The Committee also urges the State party to prosecute the perpetrators of abuse against girls. The Committee further urges the State party to pursue prosecution of offenders in cases of domestic violence even in the absence of testimony of the victim in the Court.

...

108. The Committee encourages the State party to collect data on the use of drugs and alcohol and its possible correlation with violence against women. It further encourages the State party to implement measures in order to prevent addiction to all types of drugs by young people.

- Belgium, CEDAW, A/57/38 part II (2002) 95 at paras. 138, 151 and 152.

138. The Committee commends the State party on introducing the rape law of 4 July 1989, the royal ordinances for the protection of workers against sexual harassment of 19 September 1992 and 9 March 1995, the law on human trafficking of 13 April 1995 and the law to combat violence between partners of 24 November 1997. It also commends the State party of ethics for telecommunications information services in an effort to protect minors, in particular the girl child, by monitoring the presence of violence and sex in media programmes.

...

151. The Committee is concerned about the high incidence of violence, including domestic violence, against women and children in the State party. In particular, the Committee is concerned that the mediation procedure established to facilitate reconciliation between the offender and the victim might condone violence by facilitating disadvantageous compromise. The Committee also expresses concern about the fact that Belgium's law does not define sexual crime as a human rights violation and classifies sexual abuse as a crime of morality rather than as a violent crime.

152. The Committee calls on the State party to intensify its efforts to address the issue of violence against women, including domestic violence, as an infringement of human rights. In particular, the Committee urges the State party to formulate appropriate measures and laws in conformity with general recommendation 19 to prevent violence, punish and rehabilitate offenders, and provide services for victims.

- Tunisia, CEDAW, A/57/38 part II (2002) 102 at paras. 184, 194 and 195.

184. ...The Committee...welcomes the reform of the Penal Code, which imposes heavy penalties for the killing of a woman for adultery.

...

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194. The Committee is concerned that there is a lack of systematic data collection on violence against women, including domestic violence, violence against women in detention centres and prisons, and sexual harassment in the workplace and in other institutions. The Committee is concerned that no specific legislation has been enacted to combat domestic violence and sexual harassment. The Committee is concerned that article 218 of the Penal Code provides that the withdrawal of a case by a victim terminates any proceeding.

195. The Committee recommends that the State party devise a structure for systematic data collection on all such forms of violence against women. The Committee calls upon the State party to ensure that all violence against women is prosecuted and punished and that women victims of violence have immediate means of protection and redress. In the light of its general recommendation 19, the Committee requests the State party to enact specific legislation on domestic violence, including marital rape, and sexual harassment. It recommends that the number of shelters for women victims of violence be increased and that full sensitization of public officials, especially law enforcement officials, the judiciary, health-care providers and social workers, to all forms of violence against women is ensured. The Committee calls upon the Government to create public awareness on violence against women as an infringement of human rights that has grave social costs for the whole community.

- Zambia, CEDAW, A/57/38 part II (2002) 107 at paras. 238 and 239.

238. The Committee expresses concern at the high level of violence against women and girls, including domestic violence and marital rape. It also expresses serious concern about the number of older women who have been murdered for superstitious reasons by family members or by others in Zambia in recent years.

239. The Committee urges the State party to assign the issue of violence against women high priority and to recognize that such violence constitutes a violation of the human rights of women under the Convention. In the light of its general recommendation 19, the Committee requests the State party to enact legislation on domestic violence as soon as possible and to ensure that violence against women and girls constitutes a criminal offence and that female victims of violence have immediate means of redress and protection. The Committee also recommends gender training for all public officials, in particular law enforcement officials and the judiciary, as well as health workers, to educate them about the consequences of all forms of violence against women and girls. It also recommends the establishment of counselling services for the victims and public awareness campaigns in order to adopt and implement a zero tolerance policy with regard to all forms of violence against women and girls...

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See also:

- Uganda, CEDAW, A/57/38 part III (2002) 164 at paras. 135 and 136.

- Ukraine, CEDAW, A/57/38 part II (2002) 114 at paras. 291 and 292.

291. While welcoming the measures taken to combat violence against women, including the adoption of the law on the prevention of domestic violence, the inclusion of the issue under the National Plan of Action, and the fact that marital rape can be prosecuted under the Criminal Code of Ukraine, the Committee is concerned about the prevalence of violence against women and girls, including domestic violence.

292. The Committee urges the State party to place high priority on comprehensive measures to address violence against women in the family and in society. The Committee calls upon the State party to ensure that such violence is prosecuted and punished with the required seriousness and speed, and that women victims of violence have immediate means of redress and protection. It recommends that measures be taken to provide shelters for women victims of violence and to ensure that public officials, especially law enforcement officials, the judiciary, health-care providers and social workers, are fully sensitized to all forms of violence against women. The Committee invites the State party to undertake awareness-raising measures, including a campaign of zero tolerance, to make such violence socially and morally unacceptable.

- Denmark, CEDAW, A/57/38 part II (2002) 120 at paras. 316, 333, 334, 343, 344 and 347-350.

316. The Committee welcomes the action plan to stop violence against women, which seeks to give victims the support they need, provide training for professionals and establish multidisciplinary cooperation, break the cycle of violence through corrective treatment of offenders and improve prevention through gathering data on the causes and scope of violence against women.

...

333. The Committee is concerned about persistence of stereotypical attitudes towards women, which threaten to undermine their rights and make them vulnerable to violence, including domestic violence.

334. The Committee calls upon the State party to take additional measures to eliminate stereotypical attitudes about the roles and responsibilities of women and men, including

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through awareness-raising and educational campaigns directed at both women and men and at the media. It also calls upon the State party to undertake an assessment of the impact of its measures in order to identify shortcomings and to adjust and improve these measures accordingly.

...

343. The Committee expresses concern about the situation of migrant, refugee and minority women in Denmark, including discrimination in education and employment and at the gender-based discrimination and violence that they experience.

344. The Committee urges the State party to take effective measures to eliminate discrimination against migrant, refugee and minority women. It encourages the State party to be proactive in its measures to prevent discrimination against migrant, refugee and minority women, both within their communities and in society at large, to combat violence against them, and increase their awareness of the availability of social services and legal remedies.

...

347. The Committee is concerned that the situation of foreign married women with temporary residence permits who experience domestic violence will worsen when the amendment to the Aliens Act enters into force on 1 July 2002, which will increase the required number of years of residence from three to seven before a permanent residence permit may be obtained. The Committee is also concerned that these women's fear of expulsion will be a deterrent to their seeking assistance or taking steps to seek separation or divorce.

348. The Committee recommends that revocation of temporary residence permits of foreign married women who experience domestic violence, and legislative changes on residency requirements, should not be undertaken without a full assessment of the impact of such measures on these women.

349. The Committee is concerned that, under the amended Aliens Act, some women who do not have refugee status might be forcibly repatriated to where they had been subjected to rape and/or other atrocities and may face the threat of further persecution.

350. The Committee urges the State party to refrain from forcibly repatriating such women and to ensure that repatriation in these circumstances is voluntary.

- Armenia, CEDAW, A/57/38 part III (2002) 150 at paras. 46 and 47.

46. The Committee expresses concern at the prevalence of violence against women and that the current legislation on violence does not include any specific provisions on domestic

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violence. It is concerned that the current penalties for rape are very light and can suggest to the community that this infringement of human rights is not a serious crime.

47. The Committee urges the State party to recognize that violence against women, including domestic violence, constitutes a violation of the human rights of women under the Convention and requests the State party to place a high priority on the introduction of comprehensive and holistic measures to address violence against women and girls in the family and society. It calls on the State party to ensure that such violence is prosecuted and heavily penalized. Drawing on its general recommendation 19, the Committee requests the State party to enact legislation on domestic violence, and to ensure that victims have immediate means of redress and protection. It recommends that measures be taken to provide shelters for women and girl victims of violence and to ensure that all public officials, in particular law enforcement officials and the judiciary, as well as health providers and social workers, are fully sensitized to all forms of violence against women and girls. The Committee also recommends that the State party undertake awareness-raising measures, including zero-tolerance campaigns through the media and public education programmes, to ensure all forms of violence against women and girls, including domestic violence, are regarded as morally and socially unacceptable.

- Czech Republic, CEDAW, A/57/38 part III (2002) 157 at paras. 93-96.

93. While recognizing current legal and other efforts by the State party to address violence against women, the Committee is concerned about the persisting prevalence of violence against women and girls, including domestic violence. It is particularly concerned that domestic violence deprives women of their personal security and their access to safe accommodation.

94. In the light of its general recommendation 19, the Committee urges the State party to place high priority on the introduction of comprehensive and holistic measures to address violence against women in the family and in society. The Committee calls upon the State party to ensure that such violence is prosecuted and punished with the required seriousness and speed, and that women victims of violence have immediate means of redress and protection, including protection orders. The Committee requests the State party to enact legislation on domestic violence. It recommends that measures be taken to provide shelters for women victims of violence in sufficient numbers and to ensure that public officials, especially law enforcement officials, the judiciary, health-care providers and social workers, are fully sensitized to all forms of violence against women. The Committee invites the State party to undertake awareness-raising measures through the media and public education programmes, including a campaign of zero tolerance, to make such violence socially and morally unacceptable.

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95. The Committee is concerned that the current attitudes towards incest, as expressed, *inter alia*, in the light penalties for this crime, as well as the penalties for rape, give an impression to the community that these infringements of human rights are not serious crimes. The Committee is concerned that the definition of the crime of rape is based on the use of force, rather than lack of consent and that rape within marriage is not currently considered a specific crime.

96. The Committee urges the State party to review and strengthen the penalties for the crimes of incest and rape in order to emphasize that these crimes are serious violations of women's human rights. The Committee urges the State party to define the crime of rape as sexual intercourse without consent and to explicitly address the crime of rape within marriage.

- Uganda, CEDAW, A/57/38 part III (2002) 164 at paras. 155 and 156.

155. While noting the positive involvement of women in peace-building initiatives, the Committee notes with concern that some areas of northern and western Uganda continue to experience insecurity as a result of civil strife. The Committee is particularly concerned that many women and girls in the conflict areas have been victims of violence, including abduction and sexual slavery.

156. The Committee urges the State party to include women in national reconciliation and peace-building initiatives. The Committee recommends that the State party include women from all ethnic groups affected by armed conflict in peace negotiations. It also recommends that the State party include in peace negotiations measures of accountability, redress and rehabilitation for women and girls who have been victims of violence, including enslavement, in those conflicts.

- Barbados, CEDAW, A/57/38 part III (2002) 177 at paras. 237-240.

237. Despite the extensive work of NGOs and other and community organizations and the facilitating role played by the State party, the Committee expresses concern that violence against women, including domestic violence, remains a serious reality in Barbados. The Committee is concerned that the bulk of the statistical data on violence and abuse collected by the Probation Department, the Police and the Registration Department is not disaggregated by sex.

238. The Committee urges the State party to place a high priority on measures to address violence against women in the family and in society in accordance with the Committee's

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general recommendation 19. The Committee urges the State party to strengthen its activities and programmes to focus on sexual violence, sexual crimes, incest and prostitution, especially prostitution associated with tourism, and to provide comprehensive training for the judiciary, the police, medical personnel and other relevant groups on all forms of violence against women, including domestic violence. The Committee recommends that the State party devise a structure for systematic data collection on violence against women, including domestic violence, disaggregated by sex...

239. While welcoming the recognition of marital rape as a sexual offence, the Committee notes with concern that, under the Sexual Offences Act, marital rape is recognized as a crime only after the issuance of a decree of divorce, a separation order or a separation agreement, or where the husband is subject to a non-molestation order.

240. The Committee urges the State party to consider defining marital rape to include circumstances of *de facto* separation, and to create awareness of the legal remedies so that offenders can be prosecuted and punished...

- Greece, CEDAW, A/57/38 part III (2002) 184 at paras. 275 and 276.

275. The Committee expresses concern at the prevalence of violence against women, and at the lack of specific provisions on domestic violence and marital rape in the current legislation on violence. The Committee is also concerned that no comprehensive plans to address all forms of violence against women have been adopted by the State party.

276. The Committee requests the State party to place a high priority on the introduction and implementation of comprehensive and holistic measures to address violence against women and girls in the family and society in accordance with its general recommendation 19. It calls on the State party to include specific provisions on domestic violence, including marital rape, in the new draft legislation on violence against women and to ensure its speedy enactment. The Committee recommends that the State party increase its awareness-raising measures, including zero-tolerance campaigns through the media and public education programmes, to ensure all forms of violence against women and girls, including domestic violence, are regarded as morally and socially unacceptable.

- Hungary, CEDAW, A/57/38 part III (2002) 189 at paras. 321, 322, 333 and 334.

321. The Committee is concerned about the prevalence of violence against women and girls, including domestic violence. It is particularly concerned that no specific legislation has been enacted to combat domestic violence and sexual harassment and that no protection or

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exclusion orders or shelters exist for the immediate protection of women victims of domestic violence.

322. The Committee urges the State party to place high priority on comprehensive measures to address violence against women in the family and in society, and to recognize that such violence, including domestic violence, constitutes a violation of the human rights of women under the Convention. In the light of its general recommendation 19 on violence against women, the Committee calls upon the State party to ensure that such violence constitutes a crime punishable under criminal law, that it is prosecuted and punished with the required severity and speed, and that women victims of violence have immediate means of redress and protection, including access to shelters that provide them with effective and confidential protection from their abusers. It recommends that training measures be taken to ensure that public officials, especially law enforcement officials, the judiciary, the medical profession and social workers, are fully sensitized to all forms of violence against women. The Committee invites the State party to undertake awareness-raising measures in cooperation with women's human rights NGOs, including a campaign of zero tolerance, to make such violence socially and morally unacceptable. It recommends the introduction of a specific law prohibiting domestic violence against women, which would provide for protection and exclusion orders and access to legal aid as well as specific legislation prohibiting sexual harassment.

...

333. While welcoming the State party's comprehensive review of its current law on sexual crimes, the Committee remains concerned that the Hungarian Penal Code currently treats sexual crimes as crimes against decency rather than violations of women's rights to bodily security. It is particularly concerned that the definition of rape, including that within marriage, is based on the use of force rather than lack of consent, as well as the issue of seduction of girls below the age of 14 years...

334. The Committee recommends that the State party reform its law to define sexual crimes as crimes involving violations of women's rights to bodily security and that the State party define the crime of rape as sexual intercourse without consent, and amend its law on seduction of girls less than 14 years of age to incorporate the concept of statutory rape and prohibit sexual intercourse with underage girls...

- Argentina, CEDAW, A/57/38 part III (2002) 196 at paras. 364 and 365.

364. The Committee is concerned that, although the State party has extensive legislation in the area of prevention and treatment of domestic violence, this problem has worsened. The Committee is concerned that the crisis might increase the risk of trafficking in women and girls and their exploitation for purposes of prostitution.

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365. The Committee requests the State party to ensure that its Recommendation No. 19 on violence against women is taken into account and that all necessary measures are taken to provide full protection to the victims, punish those responsible and check the growing trend towards violence against women. The Committee requests the State party, especially, to evaluate the trafficking of women and girls and to strengthen domestic measures and, if necessary, international measures in cooperation with other countries that are countries of origin, transit or destination for the exploitation of women and girls for purposes of trafficking, in particular to prevent the exploitation of prostitution.

- Yemen, CEDAW, A/57/38 part III (2002) 200 at paras. 390, 391, 398 and 399.

390. The Committee expresses concern that several provisions of the Penal Code discriminate against women. It notes in particular article 232, which provides that a husband or other male relative who kills his wife in relation to adultery is not charged with murder.

391. The Committee urges the Government to eliminate any discriminatory penal provisions, and in particular article 232 as proposed by the National Women's Committee, in line with the Convention and to ensure that homicides committed against women by their husbands or male relatives are prosecuted and punished in the same way as other murders.

...

398. The Committee is concerned about all forms of violence against women, including domestic violence, sexual violence and female genital mutilation, and notes with concern the lack of information and systematic data on these matters.

399. The Committee recommends that the State party conduct research into the extent of violence against women and girls and collect data on all forms of violence, including violence committed within the family. With regard to the practice of female genital mutilation, the Committee calls on the State party to enhance its activities to eradicate this harmful, traditional practice, especially through awareness-raising campaigns. In the light of its general recommendation 19, the Committee calls upon the State party to ensure that all forms of violence against women are prosecuted and punished adequately and that victims have immediate access to redress and protection. The Committee requests the State party to ensure the full sensitization of law enforcement officials, the judiciary and the public on all forms of violence against women and girls.

- Mexico, CEDAW, A/57/38 part III (2002) 205 at paras. 431, 432, 439 and 440.

431. While noting that the problem of violence is regarded as one of the priority areas of PROEQUIDAD and that major reforms have been enacted to the Penal Code, the Committee

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expresses great concern at violence against women in Mexico, including domestic violence, which continues to go unpunished in several states.

432. The Committee requests the State party to take into account its Recommendation No. 19 on violence against women and take the steps required to ensure that the law provides appropriate penalties for all forms of violence against women and that appropriate procedures exist for investigating and prosecuting such offences. It recommends that the State party promote the enactment of federal and state laws, as appropriate, to criminalize and punish domestic violence and the perpetrators thereof, and take steps to ensure that women victims of such violence can obtain reparation and immediate protection, particularly by establishing 24-hour telephone hotlines, increasing the number of shelters and conducting zero-tolerance campaigns on violence against women, in order that it may be recognized as an unacceptable social and moral problem. The Committee also considers it especially important that steps be taken to train health-care workers, police officers and staff of special prosecutors' offices in human rights and dealing with violence against women.

...

439. The Committee expresses great concern at the incidents in Ciudad Juárez and at the continuing murders and disappearances of women. It is especially concerned at the apparent lack of results of the investigations into the causes of the numerous murders of women and the failure to identify and bring to justice the perpetrators of such crimes with a view to protecting women against this type of violence.

440. The Committee calls on the State party to promote and accelerate compliance with Recommendation No. 44/98 of the Mexican National Human Rights Commission in relation to the investigation and punishment of the Ciudad Juárez murders. The Committee also calls on the State party to protect women from such violations of their human right to personal safety.

- Peru, CEDAW, A/57/38 part III (2002) 212 at paras. 476 and 477.

476. The Committee is concerned that, although there is an Act for prevention, protection and attention to violence in the family and another Act requiring public criminal proceedings in cases of crimes against sexual freedom, as well as a National Programme against Family Violence and Sexual Abuse, the figures for violence towards women are still very high. The Committee is concerned that there is no centralized register for sex crimes, that proper attention has not been given to sexual abuse and that incest has not been characterized as a specific offence. Moreover, the Committee is concerned about the lack of specific legislation to combat sexual harassment.

477. The Committee requests the State party to take into account General Recommendation

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No. 19 on violence towards women, and to guarantee systematic implementation of the National Programme of Action and of all the laws and measures relating to violence towards women and to monitor their impact. The Committee also urges the State party to guarantee that such violence will be prosecuted and punished with due speed and severity and to ensure that women subjected to such violence receive compensation and immediate protection and that the conciliation procedure envisaged in the law on family violence is not used to exonerate the perpetrators. The Committee recommends that the State party should conduct campaigns to increase awareness, including zero-tolerance campaigns, with the aim of making violence towards women socially and morally unacceptable. The Committee recommends that the State party should reinforce measures to guarantee that public officials - in particular the judiciary, health sector workers, police and social workers - are alert to all types of violence towards women. The Committee also recommends that the State party should collect specific data on all types of violence against women. The Committee requests the State party to categorize incest as a specific crime under the Penal Code and to promulgate specific legislation to combat sexual harassment.

- Albania, CEDAW, A/58/38 part I (2003) 13 at paras. 72 and 73.

72. The Committee expresses concern about the high incidence of violence against women, including domestic violence. The Committee is concerned that the Albanian Penal Code does not distinguish between acts committed by a stranger and acts committed by a family member, and that no specific legislation has been enacted to combat domestic violence. It is concerned that there is a lack of systematic data collection on violence against women, in particular domestic violence.

73. In the light of its general recommendation 19, the Committee urges the State party to place high priority on comprehensive measures to address violence against women in the family and in society, and to recognize that such violence, including domestic violence, constitutes a violation of the human rights of women under the Convention. The Committee calls upon the State party to adopt legislation on domestic violence and to ensure that violence against women is prosecuted and punished with the required seriousness and speed. Women victims of violence should have immediate means of redress and protection, including protection orders and access to legal aid. The Committee recommends that measures be taken to provide shelters for women victims of violence in sufficient numbers and to ensure that public officials, especially law enforcement officials, the judiciary, health-care providers and social workers, are fully sensitized to all forms of violence against women. The Committee recommends that the State party devise a structure for systematic

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data collection on violence against women, including domestic violence. The Committee invites the State party to undertake awareness-raising measures through the media and public education programmes to make such violence socially and morally unacceptable.

- Switzerland, CEDAW, A/58/38 part I (2003) 20 at paras. 116, 117 and 120-123.

116. While recognizing current legal and other efforts by the State party to address violence against women, including the creation of a gender health service and a centre to fight violence against women and the training of staff called upon to deal with cases of violence, the Committee is concerned about the prevalence of violence against women and girls, including domestic violence.

117. The Committee calls upon the State party to intensify its efforts to address the issue of violence against women, including domestic violence, as an infringement of their human rights. In particular, the Committee urges the State party to adopt laws and implement policies in accordance with the Committee's general recommendation 19, in order to prevent violence, provide protection, support and services to the victims and punish and rehabilitate offenders.

...

120. The Committee is concerned about the particular situation of foreign women who experience domestic violence and whose residence permits depend on their living together with their spouse. The Committee is concerned that fear of expulsion will be a deterrent for these women to seek assistance or take steps to seek separation or divorce.

121. The Committee recommends that revocation of the temporary residence permits of foreign married women who experience domestic violence, and any legislative changes with regard to residency requirements that may be under consideration, be undertaken only after a full assessment of the impact of such measures on those women.

122. The Committee expresses concern at the situation of migrant women in Switzerland, particularly the discrimination in education and employment they experience and the risk of exploitation and violence that they face...The Committee is also concerned about the special visa regulations for foreign cabaret dancers and the potential dangers and risks that their situation may entail...

123. The Committee urges the State party to take effective measures to eliminate discrimination against migrant women. It encourages the State party to be proactive in its measures to prevent discrimination against them, both within their communities and in society at large, to combat violence against them and to increase their awareness of the availability of social services and legal remedies...The Committee requests the State party

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to review and reconsider the special visa regulations for cabaret dancers and to study their *de facto* situation in the light of the potential dangers and risks that their situation may entail. It also requests the State party to take appropriate measures to protect the women concerned from all forms of exploitation and to take action aimed at changing men's and society's perception of women as sex objects. The Committee also urges the State party to conduct regular and comprehensive studies on discrimination against migrant women and to collect statistics on their situation in employment, education and health and on the various forms of violence they experience so as to enable the Committee to form a clear picture of their *de facto* situation.

- Congo, CEDAW, A/58/38 part I (2003) 29 at paras. 166 and 167.

166. The Committee expresses concern about the high incidence of violence against women and the apparent lack of clear policies and programmes to address this violation of women's human rights. It is particularly concerned about domestic violence, rape, including marital rape; sexual harassment in the workplace and in institutions of learning; and other forms of sexual abuse of women.

167. The Committee urges the State party to accord priority attention to the adoption of comprehensive measures to address violence against women and girls in accordance with its general recommendation 19 on violence against women. The Committee calls on the State party to enact or review, as appropriate, legislation on domestic violence, including marital rape, and legislation concerning all forms of sexual harassment as soon as possible in order to ensure that violence against women and girls constitutes a criminal offence, that women and girls who are victims of violence or sexual harassment have access to immediate means of redress and protection and that perpetrators are prosecuted and punished. The Committee recommends gender-sensitive training for parliamentarians, the judiciary and public officials, particularly law enforcement personnel, and health service providers. It also recommends the establishment of counselling services for victims of violence and sexual harassment; the implementation of public awareness campaigns through the media and public education programmes; and the adoption of a zero-tolerance policy on all forms of violence against women.

- Kenya, CEDAW, A/58/38 part I (2003) 35 at paras. 211 and 212.

211. The Committee expresses concern at the continued prevalence of violence against women. It is particularly concerned about domestic violence, sexual harassment in the workplace and in institutions of learning, and other forms of sexual abuse of women.

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212. The Committee urges the State party to accord priority attention to the adoption of comprehensive measures to address violence against women and girls, taking into account its general recommendation 19 on violence against women. The Committee calls on the State party to enact or review, as appropriate, legislation on all forms of violence against women, including domestic violence, as well as legislation concerning all forms of sexual harassment, in order to ensure that women and girls who are victims of violence and sexual harassment have access to protection and effective redress and that perpetrators of such acts are prosecuted and punished. The Committee also recommends gender-sensitive training for public officials, particularly law enforcement personnel, the judiciary and health services providers. It also recommends the establishment of shelters and counselling services for victims of violence and sexual harassment.

- El Salvador, CEDAW, A/58/38 part I (2003) 41 at paras. 257 and 258.

257. While the Committee welcomes the effort made by the State party to combat domestic violence through the recent establishment of a National Plan on Domestic Violence, it views with concern the persistence of violence against women in El Salvador. The Committee is also concerned about the legal consequences of conciliation between aggressor and victim in the pre-trial phase, which could work to the detriment of the latter.

258. The Committee urges the State party, taking into account General Recommendation 19 on violence against women, to undertake practical measures to follow up and monitor the application of legislation, evaluating its effectiveness and making the appropriate adjustments, in particular so as to ensure that the legal consequences of conciliation provided for by law do not work to the detriment of the victim.

- Luxembourg, CEDAW, A/58/38 part I (2003) 47 at paras. 306 and 307.

306. With regard to combatting domestic violence, the Committee welcomes the bill that has been presented to the Chamber of Deputies, but is concerned that adoption of the bill has been delayed.

307. The Committee encourages the State party to take all necessary measures to adopt the law on domestic violence in conformity with the Committee's General Recommendation 19 to prevent violence, punish and rehabilitate offenders and provide services for victims.

- Canada, CEDAW, A/58/38 part I (2003) 53 at paras. 345, 359-362, 365, 366, 369 and 370.

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345. The Committee welcomes the creation of domestic family violence courts in some jurisdictions as a way to improve the justice system's response to domestic violence.

...

359. The Committee is concerned about a number of recent changes in British Columbia which have a disproportionately negative impact on women, in particular aboriginal women. Among these changes are: a cut in funds for legal aid and welfare assistance, including changes in eligibility rules; a cut in welfare assistance; the incorporation of the Ministry of Women's Equality under the Ministry of Community, Aboriginal and Women's Services; the abolition of the independent Human Rights Commission; the closing of a number of courthouses; and the proposed changes regarding the prosecution of domestic violence as well as a cut in support programmes for victims of domestic violence.

360. The Committee, through the State party, urges the government of British Columbia to analyse its recent legal and other measures as to their negative impact on women and to amend the measures, where necessary.

361. While appreciating the federal Government's efforts to combat discrimination against aboriginal women, including the pending amendment to the Canadian Human Rights Act, and to achieve substantive equality for them, the Committee is seriously concerned about the persistent systematic discrimination faced by aboriginal women in all aspects of their lives. The Committee is concerned that aboriginal women, among other highly vulnerable groups of women in Canada, are over-concentrated in lower-skill and lower-paying occupations, they constitute a high percentage of those women who have not completed secondary education, they constitute a high percentage of women serving prison sentences and they suffer high rates of domestic violence. The Committee is further concerned that the First Nations Governance Act currently under discussion does not address remaining discriminatory legal provisions under other Acts, including matrimonial property rights, status and band membership questions which are incompatible with the Convention.

362. The Committee urges the State party to accelerate its efforts to eliminate *de jure* and *de facto* discrimination against aboriginal women both in society at large and in their communities, particularly with respect to the remaining discriminatory legal provisions and the equal enjoyment of their human rights to education, employment and physical and psychological well-being. It urges the State party to take effective and proactive measures, including awareness-raising programmes, to sensitize aboriginal communities about women's human rights and to combat patriarchal attitudes, practices and stereotyping of roles. It also recommends to the State party to ensure that aboriginal women receive sufficient funding in order to be able to participate in the necessary governance and legislative processes that address issues which impede their legal and substantive equality.

...

365. While noting the improvement regarding the *de facto* situation of live-in caregivers

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through formal employment contracts, the Committee is concerned that the caregivers are allowed into the country only as temporary residents, they do not receive adequate social security and having to live in the homes of their employers may subject them to exploitation and abuse.

366. The Committee urges the State party to take further measures to improve the current live-in caregiver programme by reconsidering the live-in requirement, ensuring adequate social security protection and accelerating the process by which such domestic workers may receive permanent residency.

...

369. Despite the commendable measures taken by the State party to combat violence against women and girls, including criminal law reforms, the Committee notes with concern that violence against women and girls persists. The Committee is particularly concerned about the inadequate funding for women's crisis services and shelters.

370. The Committee urges the State party to step up its efforts to combat violence against women and girls and increase its funding for women's crisis centres and shelters in order to address the needs of women victims of violence under all governments.

- Norway, CEDAW, A/58/38 part I (2003) 61 paras. 413, 414, 419 and 420.

413. While acknowledging the adoption in 2001 of the State party's plan of action against racism and discrimination, the Committee expresses concern about the multiple discrimination faced by migrant, refugee and minority women with respect to access to education, employment and health care and exposure to violence.

414. The Committee urges the State party to take effective measures to eliminate discrimination against migrant, refugee and minority women and to further strengthen its efforts to combat xenophobia and racism. It also urges the State party to be proactive in its measures to prevent discrimination against these women, both within their communities and in society at large, and to increase their awareness of the availability of social services and legal remedies...

...

419. The Committee is concerned about the persistence of violence, including domestic violence, against women and children in Norway. It is further concerned that this violence, the extent of which is unknown, is regarded as falling into the private sphere. The Committee is furthermore concerned that a predominant and growing number of women who seek refuge in shelters for battered women are migrants. It is also concerned that an extremely low percentage of reported rapes results in convictions and that the police and public prosecutors dismiss an increasing number of such cases.

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420. The Committee urges the State party to intensify its efforts to address the issue of violence against women, including domestic violence, as an infringement of women's human rights. In particular, the Committee urges the State party to undertake appropriate measures and introduce laws in conformity with general recommendation 19 to prevent violence, prosecute and rehabilitate offenders, and provide support services and protection for victims. The Committee also urges the State party to initiate research and analysis of the causes of the very low percentage of trials and convictions in reported rape cases.

- Costa Rica, CEDAW, A/58/38 part II (2003) 86 at paras. 54 and 55.

54. Although the Committee notes with satisfaction the efforts made by the State party since 1994 to combat and eliminate violence against women, particularly domestic violence, it notes with concern that the problem has been viewed in the context of health, and is not recognized as a human rights violation and as grave discrimination against women. The Committee is also concerned that the Domestic Violence Act does not penalize domestic violence or rape in marriage, and that in applying it the courts do not employ uniform criteria, particularly with respect to the level of application of measures to protect the victims, while at the same time, the practice of holding conciliation meetings between the aggressors and the victims of family violence is promoted.

55. The Committee requests the State party to recognize that violence against women is a human rights violation and a serious form of discrimination against women, to promote the adoption and promulgation of the Act on the Criminalization of Violence against Women and the preparation of the requisite regulations and legal procedures for its better application. The Committee also requests the State party to strengthen programmes to combat violence against women, including training and awareness promotion for court officials and judges, and to encourage judges to reduce the utilization of "conciliation" between aggressors and victims and to ensure that the rights of women are duly protected in such "conciliation meetings". The Committee also recommends to the State party that in carrying out the measures suggested above and in any others aimed at eliminating and penalizing violence against women, it should take into account the provisions of the Convention and of the Committee's General Recommendation 19.

- Brazil, CEDAW, A/58/38 part II (2003) 93 at paras. 92, 93, 104-107 and 112-115.

92. The Committee commends the State party on its Federal Constitution of 1988 that enshrines the principle that men and women have equal rights and duties; prohibits discrimination in the labour market by reason of sex, age, colour or marital status; protects motherhood as a social right by ensuring maternity leave without the loss of job and salary;

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and establishes the duty of the State to suppress violence within the family.

93. The Committee commends the State party for a number of legal reforms introduced since the ratification of the Convention in 1984, including the law on paternity suits involving children born out of wedlock; the law on the right to family planning; the law that criminalizes sexual harassment; and the law that provides for restraining orders in domestic violence cases...

...

104. The Committee is concerned that the Penal Code still contains several provisions that discriminate against women. It is concerned about articles 215, 216 and 219 that require the victim to be an “honest woman” in order to prosecute the perpetrator. It is also concerned that article 107 covering “crimes against custom” provide for mitigation of sentence when the perpetrator married his victim, or when the victim marries a third party. The Committee notes that the draft bills to amend the Penal Code are being discussed in the National Congress.

105. The Committee calls upon the State party to give priority to amending the discriminatory provisions of the Penal Code without delay so as to bring the Code into line with the Convention and the Committee’s general recommendations, in particular general recommendation 19 on violence against women.

106. The Committee is concerned that, despite a Federal Supreme Court ruling in 1991, the judiciary sometimes continues to apply the defence of honour in cases of men accused of assaulting or murdering women. The Committee is concerned that such decisions lead to serious violations of human rights and have negative consequences for society, strengthening discriminatory attitudes towards women.

107. The Committee recommends that the State party implement training and awareness-raising programmes to familiarize judges, prosecutors and other members of the legal profession with the Convention and its Optional Protocol. It also recommends that the State party implement sensitization activities addressed to the general public on the human rights of women.

...

112. While acknowledging the efforts made to address violence against women, including the early establishment of specialized police stations (DEAMS) and shelters, the Committee is concerned about the persistence of violence against women and girls, including domestic violence and sexual violence, the existing lenient punishments for offenders and the absence of a specific law on domestic violence. The Committee is further concerned that violence against women, including domestic violence and sexual violence, is not being sufficiently addressed owing to the lack of information and data.

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113. The Committee urges the State party to take all necessary measures to combat violence against women in conformity with the Committee's general recommendation 19 to prevent violence, punish offenders and provide services for victims. It recommends that the State party adopt without delay legislation on domestic violence and undertake practical measures to follow up and monitor the application of such a law and evaluate its effectiveness...

114. The Committee is concerned about reports that indigenous women are being sexually abused by military units and prospectors (gold miners) on indigenous lands. The Committee notes that the Government is considering developing a code of conduct to regulate the presence of the armed forces on indigenous lands.

115. The Committee calls upon the State party to take necessary measures to raise awareness of the situation of indigenous women and girls and ensure that sexual violence against them is prosecuted and punished as a grave crime. It also urges the State party to adopt preventive measures, including swift disciplinary inquiries and human rights education programmes for the armed forces and law enforcement personnel.

- Morocco, CEDAW, A/58/38 part II (2003) 101 at paras. 168 and 169.

168. The Committee is concerned that there is a lack of specific legislation to eliminate violence against women and girls, including domestic violence, and violence against domestic workers.

169. The Committee recommends that the State party expedite the adoption and implementation of a national strategy to combat violence against women. This would include the collection of sex-disaggregated data on all forms of violence, research into the extent of violence against women and girls including domestic violence and the adoption of specific legislation on domestic violence. In the light of its general recommendation 19, the Committee calls upon the State party to ensure that all forms of violence against women are prosecuted and punished adequately and that victims have immediate means of redress and protection. The Committee requests the State party to ensure the full sensitization and training of law enforcement officials, the judiciary and the public on all forms of violence against women and girls. The Committee also urges the State party to take steps towards the protection of domestic workers and to ensure that restrictions on child labour are enforced.

- Slovenia, CEDAW, A/58/38 part II (2003) 109 at paras. 206 and 207.

206. The Committee expresses concern about the incidence of violence against women, including domestic violence...The Committee expresses concern at the light penalties for

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crimes of violence against women under the Penal Code and that no specific legislation has been enacted to combat domestic violence.

207. In the light of its general recommendation 19, the Committee urges the State party to place high priority on putting in place comprehensive measures to address violence against women in the family and in society, including quantitative and qualitative research, and to recognize that such violence, including domestic violence, constitutes a violation of the human rights of women under the Convention. The Committee calls upon the State party to adopt legislation on domestic violence and to ensure that violence against women is prosecuted and punished with the required seriousness and speed. Women victims of violence should have immediate means of redress and protection, including protection orders and access to legal aid. The Committee recommends that measures be taken to provide accessible shelters for women victims of violence in sufficient number and with adequate funding, and to ensure that public officials, especially law enforcement officials, the judiciary, health-care providers and social workers, are fully sensitized to all forms of violence against women and trained to handle such situations adequately...The Committee invites the State party to undertake awareness-raising measures through the media and public education programmes to make such violence socially and morally unacceptable.

- France, CEDAW, A/58/38 part II (2003) 116 at paras. 275 and 276.

275. The Committee is concerned about the continuing discrimination against immigrant, refugee and minority women who suffer from multiple forms of discrimination based on sex and on their ethnic or religious background, in society at large and within their communities. The Committee regrets the very limited information provided in the reports with regard to violence, including domestic violence, against immigrant women and girls.

276. The Committee urges the State party to take effective measures to eliminate discrimination against immigrant, refugee and minority women, both in society at large and within their communities. It urges the State party to respect and promote the human rights of women over discriminatory cultural practices, and take effective and proactive measures, including awareness-raising programmes to sensitize the community to combat patriarchal attitudes and stereotyping of roles and to eliminate discrimination against women in immigrant and minority communities. The Committee also recommends that the State party undertake research on the issue of violence against immigrant women and girls and implement policies and programmes to address this issue adequately.

- Ecuador, CEDAW, A/58/38 part II (2003) 122 at paras. 309-312, 315 and 316.

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309. Given the increasing numbers of Ecuadorian women taking refuge in foreign countries to escape from poverty and extreme poverty, the Committee is concerned at the fact that this situation makes it likely that emigrant women will be victims of various forms of violence, exploitation and trafficking. The Committee is likewise concerned at the vulnerability of women whose spouses emigrate to other countries. It is also concerned at the situation of Ecuadorian women living on the Ecuador-Colombia border and that of Colombian women who flee Colombia and take refuge in Ecuador, since they are also victims of violence of all kinds owing to the militarization of the border area and the application of “Plan Colombia”.

310. The Committee urges the State party to focus on the causes of this phenomenon and adopt measures to alleviate poverty and extreme poverty, and to protect migrant women and those who remain in Ecuador when their spouses emigrate, as well as women living on the Ecuador-Colombian border.

311. Although the Constitution guarantees the protection of children and adolescents from trafficking, prostitution, pornography and sexual exploitation, and the law defines the corruption of minors as a serious offence, the Committee is concerned that many such activities are not explicitly defined as serious offences by the Penal Code and that there is insufficient protection for the victims of such offences. The Committee is also concerned at the lack of studies, analyses and gender-disaggregated statistics on the incidence of these activities. The Committee is also concerned that sexual abuse is not defined as an offence; it is especially concerned at the fact that trafficking in women, particularly for the sex industry, is not penalized by law, leaving its victims unprotected.

312. The Committee recommends that the Penal Code should severely penalize these serious offences against children and adolescents, that the appropriate measures should be taken to protect and rehabilitate the victims and that the appropriate studies and analyses should be conducted to enable the Government to deal effectively with the situation. The Committee further believes that trafficking in women, particularly for the sex industry, should be strictly penalized.

...

315. While the Committee welcomes the efforts of the State party to combat violence against women through the enactment of the Law to Combat Violence against Women and the Family, it is concerned at the absence of regulations for the implementation of that Law and at the persistence of violence against women in Ecuador. The Committee also expresses its concern at the fact that the Penal Code defines violence against women not as a serious offence but only a minor offence.

316. The Committee urges the State party to take steps to implement the aforementioned legislation, taking into account the Committee’s General Recommendation 19 on violence against women, and to monitor its application and assess its effectiveness. The Committee

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likewise considers it particularly important that violence against women should be penalized under the Ecuadorian Penal Code. Similarly, it urges the State party to draft and implement regulations to implement the Law to Combat Violence against Women and the Family and recommends that the State party should conduct training and awareness campaigns on domestic violence, mainly for staff in the judicial sector and police officers. It urges the State party to provide sufficient funding for programmes to protect the victims of violence against women, in order to ensure their implementation.

- Japan, CEDAW, A/58/38 part II (2003) 130 at paras. 352, 361 and 362.

352. The Committee notes with appreciation the law reform undertaken by the State party in several areas, including the revision of the Equal Employment Opportunity Law that prohibits discrimination against women from recruitment to retirement and obliges managers to give consideration to the prevention of sexual harassment in the workplace;...the 2001 Law for the Prevention of Spousal Violence and the Protection of Victims that provides for protection orders; and the 2000 Law on Proscribing Stalking Behaviour and Assisting Victims that establishes punishment for stalking.

...

361. While acknowledging legal and other measures by the State party to address violence against women, the Committee is concerned about the prevalence of violence against women and girls and about women's apparent reluctance to seek assistance from existing public institutions. It is concerned that the Law for the Prevention of Spousal Violence and the Protection of Victims currently does not cover forms of violence other than physical violence. It is also concerned that the penalty for rape is relatively lenient and that incest is not defined explicitly as a crime under the Penal Code but is dealt with indirectly under a number of different penal provisions. The Committee is further concerned about the particular situation of foreign women who experience domestic violence and whose immigration status might depend on their living together with their spouse. The Committee is concerned that fear of repatriation might be a deterrent for those women to seek assistance or take steps to seek separation or divorce. While appreciative of the comprehensive information provided by the State party with respect to the measures it has taken before and after the Committee's consideration of the second and third periodic reports of the State party with respect to the issue of "wartime comfort women", the Committee notes the ongoing concerns about the issue.

362. The Committee calls upon the State party to intensify its efforts to address the issue of violence against women, including domestic violence, as an infringement of their human rights. In particular, the Committee urges the State party to broaden the Law for the

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Prevention of Spousal Violence and the Protection of Victims so as to include different forms of violence, increase the penalty for rape and include incest as a specific crime in its penal legislation, and implement policies in accordance with the Committee's general recommendation 19, in order to prevent violence; provide protection, support and other services to the victims; and punish offenders. The Committee recommends that revocation of residence permits of foreign but separated married women who experience domestic violence be undertaken only after a full assessment of the impact of such measures on those women. The Committee recommends that the State party endeavour to find a lasting solution for the matter of "wartime comfort women".

- New Zealand, CEDAW, A/58/38 part II (2003) 138 at paras. 413-416 and 423-426.

413. Noting that recent legislation decriminalizes prostitution by repealing some of the offences associated with prostitution and soliciting, the Committee is concerned that prostitutes continue to face risks of exploitation and violence.

414. The Committee recommends that the State party begin immediately to monitor the implementation of this law...The Committee also urges the State party to increase its efforts to provide training and education to prostitutes in order to ensure that they can acquire alternative means of earning their livelihood.

415. The Committee expresses concern at the prevalence of gender-based violence, including rape and sexual and domestic violence within the family. It is also concerned at the lack of systematic data collection on violence against women, including domestic violence and sexual harassment in the workplace.

416. The Committee recommends that the State party devise a structure for systematic collection of data on all such forms of violence against women. In the light of its general recommendation 19, the Committee calls upon the State party to ensure that all violence against women is prosecuted and punished...It further recommends that the number of shelters for women victims of violence be increased and that public officials, especially law enforcement officials, the judiciary, health-care providers and social workers, are fully sensitized to all forms of violence against women. The Committee calls upon the State party to create public awareness of violence against women as an infringement of women's human rights that has grave social costs for the whole community.

...

423. ...The Committee is...concerned about Maori and Pacific women and girls' unfavourable health situation, including their limited access to health care and their high mortality rate as well as the high incidence of domestic violence and of arranged marriages...

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424. The Committee urges the State party to continue to implement the “Treaty of Waitangi” and to monitor the impact of measures taken through the “Reducing Inequalities” programme on Maori and Pacific women and girls, in particular in the social, economic and political areas and in criminal justice...

425. Taking note of the efforts made by the State party to combat discrimination against refugee and migrant women in New Zealand, the Committee expresses concern at the continuing discrimination suffered by immigrant, refugee and minority women and girls, based on their ethnic background, particularly with respect to education, health, employment, violence against women, and in regard to permanent residence status.

426. The Committee urges the State party to take effective measures to eliminate discrimination against refugee, migrant and minority women and girls, and to strengthen its efforts to combat xenophobia and racism in New Zealand. It also encourages the State party to be more proactive in its measures to prevent discrimination against these women and girls within their communities and in society at large, to combat violence against them and to increase their awareness of the availability of social services and legal remedies, and to provide for their needs with respect to education, employment and health care...

- Kuwait, CEDAW, A/59/38 part I (2004) 15 at para. 79.

79. The Committee requests the State party to recognize that violence against women constitutes a violation of the human rights of women under the Convention. It urges the State party to undertake the systematic collection of sex-disaggregated data on all forms of violence against women, including domestic violence, as well as research into the extent and root causes of such violence, including against women migrant workers and non-Kuwaiti women...In the light of general recommendation 19, the Committee calls upon the State party to ensure that all forms of violence against women and girls are prosecuted and punished promptly and that victims have immediate means of redress and protection. The Committee requests the State party to take measures to fully sensitize public officials, especially law enforcement officials, the judiciary and health-care providers, and to train them to handle such situations adequately. The Committee invites the State party to undertake awareness-raising measures aimed at the public at large to make such violence socially and morally unacceptable.

- Bhutan, CEDAW, A/59/38 part I (2004) 21 at paras. 121 and 122.

121. The Committee is concerned that no specific legislation has been enacted to combat domestic violence and sexual harassment in the workplace, and that there is a lack of

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systematic data collection on violence against women, in particular domestic violence.

122. The Committee urges the State party to ensure the full implementation of all legal and other measures relating to the elimination of violence against women, to systematically monitor the impact of those measures and to provide women victims of violence with accessible and effective means of protection, redress and recovery. In the light of its general recommendation 19, the Committee requests the State party to enact legislation on domestic violence and sexual harassment as soon as possible. The Committee also urges the State party to accelerate the adoption of the draft Bhutan Penal Code, which recognizes marital rape as a crime; to devise a structure for systematic data collection on violence against women, including domestic violence, disaggregated by sex; and to step up its efforts to provide comprehensive training to the judiciary, police, medical personnel and other relevant groups on all forms of violence against women.

- Kyrgyzstan, CEDAW, A/59/38 part I (2004) 28 at paras. 147, 161 and 162.

147. The Committee commends the State party for enacting new laws in support of the goal of gender equality, including the law on the bases for State guarantees of gender equality, which prohibits direct and indirect gender discrimination and allows for the adoption of temporary special measures to promote *de facto* equality between women and men; and the law on social and legal protection against violence in the family, which provides for temporary protection orders to be issued for victims of family violence.

...

161. Despite the enactment of the law on social and legal protection against violence in the family and efforts to combat domestic violence, the Committee is concerned at the continuing hidden nature of domestic violence and the inadequate performance of the police in dealing with the reporting from the victims...

162. The Committee recommends that an extensive, public awareness-raising campaign against violence in the family be launched nationwide and that strengthened training programmes for the police and the judiciary be provided so as to ensure that the rights of victims of domestic violence are properly protected...

- Nepal, CEDAW, A/59/38 part I (2004) 34 at paras. 192, 202, 203 and 206-209.

192. The Committee commends the State party for identifying gender equality as a priority in its national development plan and welcomes new laws and legal reforms, such as the Country Code (Eleventh Amendment) Act, which, *inter alia*, enhances women's right to property; the Legal Aid Act, under which free legal aid is available in cases of abortion,

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trafficking, sexual exploitation and domestic violence...

...

202. The Committee expresses its concern about the internal armed conflict that has continued in Nepal since 1996 and its impact on women...

203. The Committee calls on the State party to ensure the full and equal participation of women in the process of conflict resolution and peace-building. It urges the State party to allocate sufficient resources to meet the needs of women who have suffered damage as a result of the conflict and to ensure their security and protection from violence...

...

206. The Committee is concerned at the persistence of discriminatory cultural practices and stereotypes relating to the roles and responsibilities of women and men in all areas of life, and by deep-rooted patriarchal attitudes and conduct based on the assumed superiority of men in the public and private spheres and the strong perception that women are weak and vulnerable, which undermine women's social status and are an obstacle to the implementation of the Convention. The Committee expresses its particular concern at the situation of widows who are often marginalized and vulnerable to violence and economic deprivation as a result of entrenched mindsets.

207. The Committee urges the State party to intensify its efforts to eliminate discriminatory cultural practices and stereotypes...The Committee requests the State party to adopt measures to ensure that widows are able to enjoy their human rights and to improve their situation, including through job training, loan opportunities and counselling services and sensitization programmes aimed at ending the stigmatization of widows within the family and in the community.

208. The Committee is concerned...that the enactment of the draft bill on domestic violence has been delayed indefinitely.

209. ...The Committee requests the State party to adopt immediately measures on domestic violence...

- Ethiopia, CEDAW, A/59/38 part I (2004) 42 at paras. 255, 256, 265 and 266.

255. The Committee is concerned that no specific legislation has been enacted to combat violence against women, including domestic violence, and at the lack of systematic data collection on violence against women, particularly domestic violence. The Committee is also concerned that, while abduction has been recognized as a crime under the Ethiopian criminal code, the implementation of the law is weak and abductions tend to be resolved through discriminatory customary laws and practice. The Committee is also concerned about the

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incidence of rape in the country.

256. The Committee urges the State party to expedite the adoption and implementation of a national strategy to combat violence against women, to include, *inter alia*, legislation on violence against women, including domestic violence; the collection of data on all forms of violence against women; and research into the extent of violence against women and girls. The Committee calls upon the State party to ensure that all forms of violence against women are prosecuted and punished adequately and that victims have immediate means of redress and protection, in accordance with general recommendation 19. The Committee also recommends that the State party step up its efforts, through public awareness and education campaigns targeting the general public, with a particular focus on the judiciary, the police and medical personnel, to bring about attitudinal and behavioural changes to make such violence socially and morally unacceptable.

...

265. The Committee, while welcoming the establishment of a national committee on migration, is concerned about the increasing number of Ethiopian women migrating to other countries in search of work and finding themselves in situations where they are vulnerable to various forms of violence, exploitation and trafficking.

266. The Committee urges the State party to step up its efforts to protect women migrant workers; prevent the activities of illegal employment agencies; ensure that women are provided with adequate information on safe migration before departure; and conclude bilateral agreements with receiving countries. It also recommends that the State party consider acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

- Nigeria, CEDAW, A/59/38 part I (2004) 49 at paras. 297 and 298.

297. The Committee is concerned about the continuing prevalence of violence against women and girls, including domestic violence and sexual harassment in the workplace. The Committee notes with concern that a bill on violence against women proposed in 2002 has yet to be acted on by the National Assembly.

298. The Committee urges the State party to place high priority on putting in place comprehensive measures to address all forms of violence against women in the family and in society and to recognize that such violence constitutes a violation of the human rights of women under the Convention, and in the light of general recommendation 19 on violence against women. The Committee calls upon the State party to speed up its efforts at adoption of legislation on violence against women, including domestic violence and sexual harassment, and to ensure that all forms of violence against women are prosecuted and

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punished with the required seriousness and speed. The Committee stresses that all women victims of violence should have access to protection and effective means of redress. The Committee recommends gender-sensitive training for public officials, in particular for law enforcement personnel, the judiciary and health service providers, and the establishment of shelters and other services for victims of violence and sexual harassment. The Committee invites the State party to take awareness-raising measures through the media and public education programmes to make such violence socially and morally unacceptable.

- Belarus, CEDAW, A/59/38 part I (2004) 55 at paras. 347 and 348.

347. While noting that a draft law on the prevention and suppression of domestic violence has been elaborated, the Committee expresses concern about the increasing incidence of violence against women in Belarus, including domestic violence.

348. The Committee urges the State party to place high priority on implementing comprehensive measures to address violence against women in the family and in society, in accordance with its general recommendation 19. The Committee calls upon the State party to enact the draft law on the prevention and suppression of domestic violence and to ensure that violence against women is prosecuted and punished with the required seriousness and speed. Women victims of violence should have immediate means of redress and protection, including protection orders and access to legal aid, as well as accessible shelters in sufficient numbers and with adequate funding. The Committee also recommends that the State party ensure that public officials, especially the police and other law enforcement officials, the judiciary, health-care providers and social workers, are fully sensitized to all forms of violence against women. The Committee invites the State party to take awareness-raising measures to prevent and combat violence against women through the media and public education programmes...

- Germany, CEDAW, A/59/38 part I (2004) 62 at para. 380.

380. The Committee commends the State party for adopting a substantial number of laws and amendments with a view to improving the legal position of women, including...the Act to Protect against Violence, which provides for court orders against offenders, including violent partners...

- Latvia, CEDAW, A/59/38 part II (2004) 103 at paras. 55 and 56.

55. The Committee regrets the lack of sufficient data and information with regard to the

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prevalence of violence against women, including domestic violence, and the lack of comprehensive legislation on violence against women. It is concerned that this may indicate that violence against women, particularly domestic violence, continues to be considered a private matter between the perpetrator and the victim. The Committee is concerned that marital rape is not a separate offence in the criminal code...

56. ...In the light of its general recommendation 19, the Committee urges the State party to place high priority on comprehensive measures to address violence against women in the family and in society, and to recognize that such violence, including domestic violence, constitutes a violation of the human rights of women under the Convention. The Committee calls upon the State party to adopt legislation on domestic violence and to ensure that violence against women is prosecuted and punished. Women victims of violence should have immediate means of redress and protection, including protection or restraining orders and access to legal aid. The Committee recommends that measures be taken to provide sufficient numbers of shelters for women victims of violence and to ensure that public officials, especially law enforcement officials, the judiciary, health-care providers and social workers, are fully sensitized to all forms of violence against women and can adequately respond to them. The Committee urges the State party to criminalize marital rape as a separate offence, [and] prosecute offenders...

- Malta, CEDAW, A/59/38 part II (2004) 111 at paras. 115 and 116.

115. The Committee notes with concern that the Domestic Violence Bill has been under discussion since March 2000. The Committee is also concerned that, under the Criminal Code, the crime of rape must be associated with violence and that rape as well as violent assault is considered in the Criminal Code under the title “Of Crimes against the Peace and Honour of Families and against Morals”.

116. In light of its general recommendation 19, the Committee urges the State party to give high priority to the adoption of the pending legislation on domestic violence, which is a form of discrimination against women and a violation of their human rights. The Committee calls upon the State party to define the crimes of rape and violent assault as crimes against the physical and mental integrity of women and as a form of discrimination that seriously inhibits women’s ability to enjoy their human rights and fundamental freedoms on a basis of equality with men.

- Angola, CEDAW, A/59/38 part II (2004) 118 at paras. 144, 145, 152 and 153.

144. While noting the existing positive elements for the protection and promotion of

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women's human rights in the current legal framework the Committee is concerned about other legislative provisions that discriminate against women, including in the Civil Code, the Commercial Code and the Penal Code, as well as about legislative gaps in certain areas, including violence against women.

145. The Committee calls on the State party to embark on a law review process to identify laws that discriminate against women or legislative gaps in the area of equality between women and men with a view to revising such laws or drafting new legislation in order to eliminate provisions that are discriminatory.

...

152. While it commends the State party for recognizing the gravity and extent of the problem of violence against women and girls and its ongoing efforts to combat such violence, including in cooperation with non-governmental organizations, the Committee is concerned about the lack of specific legislation on violence against women, including on domestic violence, as well as the lack of adequate policies, programmes and services and their effective implementation and enforcement. The Committee is also concerned about the attitude of law enforcement officers towards women who report cases of violence, which results in women victims' reluctance to report such cases of abuse.

153. The Committee urges the State party to place high priority on putting comprehensive measures in place to address all forms of violence against women and girls, recognizing that such violence constitutes a violation of the human rights of women under the Convention and further elaborated in the Committee's general recommendation 19 on violence against women. The Committee calls on the State party to enact legislation on violence against women, including on domestic violence and sexual abuse, as soon as possible, so as to ensure that violence against women constitutes a criminal offence, that women and girls victims of violence have access to immediate means of redress and protection and that perpetrators are prosecuted and punished. The Committee recommends that the State party intensify its public awareness-raising efforts on violence against women and implement training for public officials, especially police and law enforcement personnel, the judiciary and health and social workers and community leaders, in order to ensure that they are sensitized to the unacceptability of all forms of violence against women and adequately support victims of such violence. The Committee also recommends that the State party take appropriate measures to increase the availability of legal aid throughout the country in order to assist and advise women victims of violence.

- Equatorial Guinea, CEDAW, A/59/38 part II (2004) 126 at paras. 187, 188, 199 and 200.

187. ...The Committee is...concerned about the lack or insufficiency of legislation in important areas covered by the Convention, such as violence against women and civil and

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family matters.

188. The Committee...urges the State party to give high priority to putting in place comprehensive legislation in conformity with the Convention.

...

199. The Committee expresses concern about the absence of policies and programmes, including legislation, to address violence against women. The Committee is particularly concerned about occurrences of domestic violence, rape, including marital rape, and all forms of sexual abuse of women, and about the persistence of patriarchal attitudes that consider the physical chastisement of family members, including women, acceptable. The Committee further expresses concern about the paucity of information and statistics in the report on the incidence of violence against women.

200. The Committee urges the State party to accord priority attention to the adoption of comprehensive measures to address violence against women and girls in accordance with its general recommendation 19, on violence against women. The Committee calls on the State party to enact legislation on domestic violence, including marital rape, and legislation concerning all forms of sexual abuse as soon as possible to ensure that violence against women and girls constitutes a criminal offence, that women and girls who are victims of violence have access to immediate means of redress and protection and that perpetrators are prosecuted and punished. The Committee recommends the implementation of training for parliamentarians, the judiciary and public officials, particularly law enforcement personnel, and health-service providers so as to ensure that they are sensitized to all forms of violence against women. It also recommends the establishment of counselling services for victims of violence, the implementation of public awareness campaigns through the media and public education programmes towards a zero-tolerance policy on all forms of violence against women...

- Bangladesh, CEDAW, A/59/38 part II (2004) 134 at paras. 241 and 242.

241. The Committee expresses concern that, despite the adoption of the Prevention of Women and Children Repression Act, 2000, the Acid Control Act, 2002, and the Acid Crime Control Act, 2002, violence against women, including domestic violence, rape, acid throwing, dowry-related violence, fatwa-instigated violence, and sexual harassment in the workplace, continues to exist. The Committee is also concerned that women who are threatened by or subjected to such violence are placed in “safe custody” in shelter homes without their consent.

242. The Committee urges the State party to accord priority attention to the adoption of a comprehensive approach to address violence against women and girls, taking into account

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its general recommendation 19 on violence against women. The Committee calls on the State party to ensure the effective implementation of the existing legislation to combat all forms of violence against women and to adopt specific legislation on domestic violence within a clear time frame, in order to ensure that women and girls who are victims of violence and sexual harassment have access to protection and effective redress, and perpetrators of such acts are effectively prosecuted and punished. The Committee also recommends gender-sensitive training on violence against women for public officials, particularly law enforcement personnel, the judiciary and health services providers. It further encourages the State party to take effective measures to protect women against fatwa-instigated violence. It calls on the State party to establish shelters where women who are threatened by or subjected to violence can be accommodated on a voluntary basis. The Committee also calls on the State party to take measures towards changing social, cultural and traditional attitudes that remain permissive of violence against women.

- Dominican Republic, CEDAW, A/59/38 part II (2004) 141 at paras. 284, 285, 294, 295, 306, 307 and 309.

284. Although the Committee welcomes the reform of the Civil and Penal Codes and the active role that the State Secretariat for Women has played in advancing proposals for the draft bill to amend these codes, it notes with concern that passage of the Penal Code bill as it now stands would constitute a reversal of some of the advances made in the area of women's human rights by eliminating the definition of violence against women contained in Act No. 24-97, reducing the penalties for domestic violence, eliminating incest as a defined crime, penalizing abortion in cases of rape and bringing criminal charges or suspending sentence in cases of rape if the perpetrator marries the minor victim.

285. The Committee requests the State party to play a stronger role in the process of reform of the Civil and Penal Codes, since it offers an historic opportunity to ensure that the new legislation is in conformity with the provisions of the Convention and the principle of equality between women and men enshrined in the Constitution. The Committee urges the State party to push for the proposed amendments to the draft bill to ensure that the new Penal Code will be in harmony with general recommendation No. 19 concerning violence against women.

...

294. Although the Committee welcomes the efforts of the State party to combat and eradicate violence against women through the adoption of Act No. 24-97 and the establishment of the National Commission for the Prevention of Domestic Violence, it notes with concern the increase in violence against women in the Dominican Republic. The Committee is also concerned about the use of reconciliation proceedings between the perpetrator and the victim during the pretrial phase, since the outcome could be detrimental

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to the victim, and about the growing trend towards violence against women during the past eight years.

295. The Committee urges the State party in all its efforts to bear in mind general recommendation No. 19 on violence against women. It also urges the State party to take steps to implement and enforce Act No. 24-97 and assess their effectiveness, as well as to investigate the causes of femicide and other forms of violence against women and take measures to prevent it. The Committee strongly urges the State party to allocate the necessary funds to ensure the implementation of programmes for the protection of victims of violence against women and to train and sensitize law enforcement officers, court officials, judges, journalists and health personnel, including through the use of the media, in order to change social, cultural and traditional attitudes that perpetuate violence against women. The Committee requests that the State party eliminate the use of reconciliation proceedings between the victim and the perpetrator during the pretrial phase in cases of violence against women. The Committee strongly urges the State party to ensure that the perpetrators are duly punished and to guarantee the full protection of women's human rights.

...

306. The Committee is deeply concerned about the situation of women working in the free-trade zones, who make up 53 per cent of the total workforce in this sector, in view of the persistence of discriminatory practices, such as the exclusion of women on the grounds of pregnancy, compulsory pregnancy tests as a condition for employment and the incidence of violent acts such as sexual harassment in contravention of Article 209 of the Penal Code, which protects women from sexual harassment in the workplace, and in contravention of Act No. 24-97, which protects women against all types of violence...

307. ...The Committee...recommends the institution of measures for the implementation and enforcement of legislation on sexual harassment and other forms of violence against women, in order to guarantee the protection of women employed in free-trade zones and the punishment of the perpetrators.

...

309. The Committee recommends the adoption of measures to ensure that women, especially young women, the disabled and women living in rural areas, have access to information and health services, particularly those relating to sexual and reproductive health and cancer prevention. Such measures are essential in order to reduce the rate of maternal mortality, prevent women from resorting to unsafe abortion and protect women against the negative effects on their health. In this regard, the Committee recommends that the State health services should provide an abortion when the pregnancy is a result of rape or when the mother's health is in danger...

- Spain, CEDAW, A/59/38 part II (2004) 149 at paras. 332-335.

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332. Notwithstanding the State party's efforts to widely disseminate information on the Convention, the Committee remains concerned about the persistence of patriarchal attitudes and deeply rooted stereotypes regarding the role and responsibilities of women and men in the family and in society, which are considered by the Committee to be a root cause of gender-based violence and women's disadvantaged situation in a number of areas, including in the labour market.

333. The Committee calls upon the State party to take additional measures to eliminate stereotypical attitudes about the roles and responsibilities of women and men, including through awareness-raising and educational campaigns directed at both women and men and at the media, and carefully monitor the impact of such measures. It calls upon the State party to redouble its efforts to disseminate information on the Convention, the Optional Protocol and the Government's commitment to gender equality...It recommends that the media be further encouraged to project a positive image of women and of the equal status and responsibilities of women and men in the private and public spheres...

334. While welcoming the efforts of the State party to address violence against women, including the adoption of the second Comprehensive Plan against Domestic Violence (2001-2004), the Committee is concerned about the prevalence of violence against women, particularly the alarming number of reported murders of women by current and former spouses or partners.

335. The Committee calls upon the State party to intensify its efforts to address the issue of violence against women, including domestic violence, as an infringement of their human rights. In particular, the Committee underlines the need to adopt, implement and monitor the effectiveness of laws and policies in accordance with the Committee's general recommendation 19, in order to prevent violence, provide protection, support and services to the victims and punish and rehabilitate offenders. It recommends that the State party ensure that public officials, especially law enforcement officials, the judiciary, health-care providers and social workers, are fully sensitized to all forms of violence against women. The Committee also invites the State party to undertake sustained awareness-raising measures through the media and public education programmes to reinforce the notion that such violence is socially and morally unacceptable, and constitutes discrimination against women.

- Argentina, CEDAW, A/59/38 part II (2004) 155 at paras. 378 and 379.

378. The Committee expresses concern about the increase in the incidence of violence against women, including domestic violence and sexual harassment in the workplace, which

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might be correlated to the crisis in the country. The Committee is also concerned that perpetrators of acts of violence are often unpunished.

379. The Committee urges the State party to ensure that a comprehensive approach is taken to address violence against women and girls, taking into account its general recommendation 19 on violence against women. This must include the effective implementation of the existing legislation, at the provincial level, to combat all forms of violence against women. In addition, the Committee urges the State party to consider enacting a law, at the federal level and applicable to the entire territory of the country, aimed at combating and eradicating violence against women and at ensuring that women who are victims of violence and sexual harassment have access to protection and effective redress, that perpetrators of such acts are effectively prosecuted and punished and that women are effectively protected against reprisals. The Committee also recommends that the State party launch a national public-awareness campaign on violence against women and the social and moral unacceptability of such violence especially in the current difficult time the country is experiencing, and increase its efforts to provide gender-sensitive training on violence against women as a violation of women's human rights for public officials, particularly law enforcement personnel, the judiciary and health-service providers.

- Samoa, CEDAW, A/60/38 part I (2005) 9 at paras. 48-51.

48. While noting that the Government has identified several areas where legislation inadequately protects women against discrimination, namely, in regard to gender-based violence and in family and employment law, the Committee is concerned that no time line or benchmarks are in place for undertaking the legal reform efforts necessary to bring domestic legislation into conformity with the Convention...

49. The Committee recommends that the State party put in place without delay a plan, with a clear timetable and priorities, for the revision of existing discriminatory legislation and the drafting and submission to Parliament of new laws to promote gender equality...

50. While noting the State party's intention to review all criminal laws within the next two years and the courts' adoption of a "no-drop" policy in regard to charges of domestic violence, the Committee is concerned that the prevalence of domestic violence needs measures to prevent and combat various forms of violence against women.

51. The Committee recommends that the State party put in place without delay a comprehensive strategy to prevent and combat all forms of violence against women, including domestic violence, which is a form of discrimination against women and a violation of their human rights. Such a strategy should include measures, including

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legislation, to prevent violence against women, provide protection, support and rehabilitation services to victims, and punish the offenders. In this regard, the Committee draws attention to its general recommendation 19. The Committee urges the State party to ensure that shelters are available to all women victims of violence. It also calls upon the State party to ensure that public officials, especially law enforcement personnel, the judiciary, health-care providers and social workers, are fully sensitized to all forms of violence against women and are adequately trained to respond to them.

- Lao People's Democratic Republic, CEDAW, A/60/38 part I (2005) 16 at paras. 108 and 109.

108. The Committee is concerned that there is a lack of awareness or recognition of domestic violence, including marital rape, as a form of discrimination against women and as a violation of their human rights. The Committee is concerned that domestic violence is considered to be fairly normal by young people, both boys and girls, and that the Criminal Law grants exemption from penal liabilities in cases of physical violence without serious injury or physical damage. The Committee is also concerned that traditional attitudes on gender-role stereotyping keep women and girls in a subordinate position, preventing them from getting equal education and life opportunities, especially in rural areas.

109. The Committee recommends that the State party undertake measures to increase awareness of all forms of violence against women, including domestic violence and marital rape. It recommends that domestic violence and marital rape be criminalized and that more studies be undertaken and data collected on various forms of violence against women, especially domestic violence. The Committee also recommends that the State party take more active and proactive measures to bring about changes in the traditional patriarchal attitudes on gender-role stereotyping. The Committee draws the State party's attention to its general recommendation No. 19 on violence against women in support of its effort to prevent and combat all forms of violence against women.

- Algeria, CEDAW, A/60/38 part I (2005) 23 at paras. 135, 137, 138, 149 and 150.

135. The Committee commends the State party for including the offence of sexual harassment in the revised Penal Code.

...

137. The Committee regrets that the State party has not taken adequate steps to implement the recommendations in regard to some concerns raised in its previous concluding comments, adopted in 1999 (see A/54/38/Rev.1, chap. IV, Sect. B.1). In particular, the Committee finds that its concern about the consequences of the physical violence suffered

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by women at the hands of terrorist groups, expressed in paragraph 77 of those concluding comments, and the situation of wives of disappeared persons, expressed in paragraph 81, have been insufficiently addressed.

138. The Committee reiterates these concerns and recommendations and urges the State party to implement the recommendations without delay, as well as to undertake comprehensive studies on the effects of terrorism on women and girls.

...

149. The Committee is concerned about the high incidence of violence against women, including domestic violence, and about the continuing lack of specific legislation to address and eliminate violence against women.

150. In the light of its general recommendation 19, the Committee urges the State party to give high priority to the formulation and adoption of legislation on violence against women, including domestic violence, which is a form of discrimination against women and a violation of their human rights. The Committee recommends that the State party implement measures to prevent all forms of violence against women, including domestic violence, through education and awareness raising for law enforcement officials, the judiciary, health providers, social workers and the general public. It also recommends the introduction of measures to provide medical, psychological and legal assistance to victims of violence.

- Croatia, CEDAW, A/60/38 part I (2005) 30 at paras. 198 and 199.

198. While recognizing the State party's efforts to address violence against women, the Committee is concerned about the high incidence of domestic violence, the limited number of shelters available for women victims of violence and the lack of clear procedures, or protocols, for law enforcement and health-care personnel who respond to cases of domestic violence. The Committee is also concerned about the high costs of legal representation in courts, which may be an obstacle to women victims of violence seeking redress through the justice system.

199. The Committee urges the State party to place high priority on the implementation of the Law on Protection from Family Violence and to make it widely known to public officials and society at large, as well as promptly to complete and implement its national strategy for protection from domestic violence which is under preparation. The Committee calls upon the State party to ensure that violence against women is prosecuted and punished, and to facilitate women's access to legal aid. The Committee urges the State party to ensure that enough shelters are available to women victims of violence. It also calls on the State party to ensure that public officials, especially law enforcement personnel, the judiciary, health-care providers and social workers, are fully familiar with applicable legal provisions, and are

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sensitized to all forms of violence against women and adequately respond to them.

- Gabon, CEDAW, A/60/38 part I (2005) 37 at paras. 233 and 236.

233. The Committee is concerned about the lack of specific legislation to eliminate violence against women, including domestic violence.

...

236. In accordance with its general recommendation 19, the Committee urges the State party to give high priority to putting in place comprehensive measures to address all forms of violence against women and girls, recognizing that such violence is a form of discrimination against women and constitutes a violation of their human rights under the Convention. The Committee calls upon the State party to enact, as soon as possible, legislation on violence against women, including domestic violence, so as to ensure that violence against women constitutes a criminal offence, that women and girls who are victims of violence have access to immediate means of redress and protection and that perpetrators are prosecuted and punished. The Committee recommends that the State party also implement educational and awareness-raising measures aimed at law enforcement officials, the judiciary, health providers, social workers, community leaders and the general public, in order to ensure that they are sensitized to the unacceptability of all forms of violence against women. It also recommends the introduction of measures to provide medical, psychological and legal assistance to victims of violence.

- Paraguay, CEDAW, A/60/38 part I (2005) 44 at paras. 279 and 280.

279. While commending the State party on the adoption of Act No. 1600 on domestic violence, which provides protective measures to women and other members of the household, in particular children and the elderly, the Committee expresses concern that the penalty imposed on perpetrators of such violence is only a fine. It is also concerned that provisions contained in the Penal Code in relation to domestic violence and sexual abuse inadequately penalize such acts.

280. The Committee urges the State party to take a comprehensive approach to violence against women and girls. To that end, the Committee urges the State party to undertake, without delay, a revision of article 229 of Act No. 1600 on domestic violence and of articles 136 and 137 of the Penal Code to bring them into line with the Convention and the Committee's general recommendation 19, to combat effectively all forms of violence against women, including physical, psychological and economic violence, by ensuring that perpetrators of such acts are prosecuted and punished and that women are effectively protected against reprisals. The Committee calls upon the State party to establish shelters and

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other services for victims of violence. The Committee invites the State party to intensify its efforts to increase awareness among public officials, especially law enforcement officials, the judiciary, health-care providers and social workers and to reinforce the notion that such violence is socially and morally unacceptable and constitutes discrimination against women and violates their human rights. The Committee encourages the State party to enhance collaboration and coordination with civil society organizations, in particular women's associations, to strengthen the implementation and monitoring of legislation and programmes aimed at eliminating violence against women.

- Italy, CEDAW, A/60/38 part I (2005) 51 at paras. 328 and 329.

328. The Committee, while noting the legislative reforms in the area of violence against women, remains concerned about the persistence of violence against women, including domestic violence, and the absence of a comprehensive strategy to combat all forms of violence against women. While recognizing the efforts made by the State party to combat trafficking in women, the Committee is concerned about the impact of Law 189/2002 (the so-called Bossi-Fini law) which grants discretionary power to local authorities to place restrictions on victims of trafficking and for the issue of stay permits.

329. The Committee urges the State party to accord priority attention to the adoption of comprehensive measures to address violence against women and girls in accordance with its general recommendation 19 on violence against women. The Committee underscores the need to fully implement and monitor the effectiveness of the laws on sexual violence and domestic violence, provide shelters, protection and counselling services to victims, punish and rehabilitate offenders, and implement training and awareness-raising for public officials, the judiciary and members of the public. The Committee also encourages the State party to revisit Law 189/2002 with a view to ensuring that all victims of trafficking benefit from stay permits on the grounds of social protection.

- Turkey, CEDAW, A/60/38 part I (2005) 58 at paras. 363-368.

363. The Committee is concerned that some provisions of the Penal and Civil Codes continue to discriminate against women and girls. In particular, the Committee is concerned that genital examinations of women, or virginity tests, may still be carried out under certain circumstances without the consent of the woman; and that the use of the term “custom killing” instead of “honour killing” in the Penal Code may result in less vigorous prosecution of, and less severe sentences for, the perpetrators of such crimes against women...

364. The Committee calls upon the State party to give priority to amending remaining

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discriminatory legal provisions without delay so as to bring its legislation into line with article 2 of the Convention. In particular, it urges the State party to ensure that the consent of the woman be made a prerequisite for genital examinations under all circumstances; [and] that any crime committed in the name of custom or honour be classified as aggravated homicide and the severest penalties provided for it by the law...

365. The Committee is concerned about the persistence of violence against women, including domestic violence. It is concerned that women victims of violence are unaware of their rights and the protection mechanisms available to them under the law. The Committee is furthermore concerned that support services for women victims of violence, including shelters, are inadequate in number. It is also concerned that, under the recently enacted Law on Municipalities, the responsibility for establishing shelters has been delegated to municipalities without adequate mechanisms to monitor implementation and ensure financing.

366. The Committee calls upon the State party to intensify its efforts to prevent and combat violence against women, including domestic violence, which is a form of discrimination against women and a violation of their human rights. The Committee underlines the need to fully implement and carefully monitor the effectiveness of the Law on the Protection of the Family and of related policies in order to prevent violence against women, provide protection and support services to the victims, and punish and rehabilitate offenders. In this regard, the Committee draws attention to its general recommendation 19. The Committee further calls upon the State party to monitor implementation of the Law on Municipalities with a view to ensuring the availability of a sufficient number of shelters throughout the territory of the State party and their adequate financing, taking into account in this monitoring effort research results and practical experiences of non-governmental organizations in this field. The Committee recommends continuous training for public officials, especially law enforcement officials, the judiciary and health-care providers, so that they are fully sensitized to all forms of violence against women and can adequately respond to it. The Committee also invites the State party to undertake sustained awareness-raising measures through the media and public education programmes to reinforce the notion that such violence is socially and morally unacceptable, and constitutes discrimination against women.

367. The Committee is strongly concerned about the pervasiveness of patriarchal attitudes and deep-rooted traditional and cultural stereotypes regarding the roles and responsibilities of women and men in society, which continue to cast women in a position of inferiority. It expresses its concern that these attitudes contribute to the perpetuation of violence against women, including in the form of “honour killings”, and negatively affect women’s enjoyment of their rights in many areas; they also impede the full implementation of the Convention, including in regard to education, employment, health and participation in

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decision-making. It is also concerned about the persistence of certain traditional and cultural practices that are discriminatory to women, such as early marriage, forced marriage and polygamy, notwithstanding the relevant provisions in the Civil Code.

368. The Committee calls upon the State party to accelerate its efforts to eliminate stereotypical attitudes about the roles and responsibilities of women and men, in conformity with articles 2(f) and 5(a) of the Convention, including through awareness-raising and educational campaigns directed at both women and men, to foster a better understanding of and support for equality between women and men at all levels of society. The Committee calls on the State party to monitor carefully the impact of such measures. It recommends that the media be further encouraged to project a positive image of women and of the equal status and responsibilities of women and men in the private and public spheres. The Committee also calls upon the State party to introduce without delay additional measures, in collaboration with civil society organizations, women's groups and community leaders, as well as teachers and the media, to eliminate traditional and cultural practices that discriminate against women in marriage and family relations, taking into account the Committee's general recommendation 21, on equality in marriage and family relations.

- Democratic People's Republic of Korea, CEDAW, A/60/38 part II (2005) 101 at paras. 55-58.

55. The Committee expresses concern that the State party is not aware of the existence of domestic violence and that, as a result, there is a lack of specific legislation to deal with all forms of violence against women, including domestic violence, and a lack of prevention and protection measures for victims.

56. The Committee calls on the State party to conduct research on the incidence, causes and consequences of all forms of violence against women, including domestic violence... In this regard the Committee urges the State party to find ways to make visible the existence of domestic violence, for example by training health workers to identify signs of abuse. It also recommends that the State party adopt specific legislation on domestic violence and ensure that violence against women and girls constitutes a criminal offence, that women and girls who are victims of violence have access to immediate means of redress and protection and that perpetrators are prosecuted and punished. It also urges the State party to address all forms of violence against women and girls in accordance with its general recommendation 19 on violence against women and to accord priority attention to the adoption of comprehensive measures, including the training of law enforcement agencies in responding effectively to victims of violence.

57. The Committee is concerned about the practice of encouraging conciliation among

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spouses that apply for divorce, with the aim of protecting family unity, which could be detrimental to women who are victims of domestic violence and other forms of abuse.

58. The Committee recommends that the State party conduct a comprehensive analysis of divorce cases and encourage judges to review the utilization of conciliation and to ensure that the rights of women are duly protected. The Committee recommends gender-sensitive training for legislators, the judiciary and public officials, particularly for law enforcement personnel and health service providers. It also recommends the establishment of counselling services for victims of violence and the implementation of awareness-raising campaigns and public education programmes.

- Lebanon, CEDAW, A/60/38 part II (2005) 109 at paras. 103 and 104.

103. The Committee notes with concern that violence against women and girls persists, including domestic violence, rape and crimes committed in the name of honour. The Committee is especially concerned about article 562 of the Lebanese penal code, which allows mitigation of the penalty for crimes committed in the name of honour, and the apparent lack of sensitization efforts in the State party to reject a concept of honour that perpetuates and condones the killing of women.

104. The Committee urges the State party to accord priority attention to the adoption of a comprehensive approach to address violence against women and girls, taking into account the Committee's general recommendation 19 on violence against women. The Committee calls on the State party to amend article 562 of the Lebanese penal code, which allows mitigation of the penalty for crimes committed in the name of honour, and to adopt specific legislation on violence against women, including domestic violence, within a clear time frame so as to ensure that women and girls who are victims of violence have access to protection and effective redress, and that perpetrators of such acts are effectively prosecuted and punished. The Committee also recommends gender-sensitive training on violence against women for public officials, particularly law enforcement personnel, the judiciary and health service providers, so as to ensure that they are sensitized to all forms of violence against women and can adequately respond to it. The Committee also calls on the State party to take measures towards modifying social, cultural and traditional attitudes, including the concept of honour, that remain permissive of violence against women.

- Benin, CEDAW, A/60/38 part II (2005) 116 at paras. 149 and 150.

149. The Committee is concerned about the absence of policies and programmes, including legislation, to address violence against women and the economic exploitation and ill-

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treatment of young girls employed as domestic servants. The Committee is particularly concerned about the perception prevalent in the State party that violence against women, particularly domestic violence, is a private matter, and about the reluctance of women to report incidents of violence committed against them. The Committee also expresses its concern about the paucity in the report of information and statistics on violence against women.

150. The Committee urges the State party to accord priority attention to the adoption of comprehensive measures to combat violence against women and girls, in accordance with its general recommendation 19 on violence against women. The Committee calls on the State party to enact legislation on domestic violence, including marital rape, and legislation concerning all forms of sexual abuse, and to ensure that women and girls, including domestic servants, who are victims of violence have access to immediate means of redress and protection and that perpetrators are prosecuted and punished. The Committee recommends that training be undertaken for the judiciary and public officials, particularly law enforcement personnel, and for health-service providers, so as to ensure that they are sensitized to all forms of violence against women and can adequately respond to it. It also recommends the implementation of awareness-raising campaigns, through the media and public education programmes, and working towards a zero-tolerance policy on all forms of violence against women...

- Gambia, CEDAW, A/60/38 part II (2005) 122 at paras. 193 and 194.

193. The Committee expresses concern about the lack of legislation, policies and programmes to address violence against women, including domestic violence. The Committee also expresses its concern about the paucity of information and sex-disaggregated data in the report on violence against women. The Committee is further concerned about the lack of social awareness on the issue of violence against women and girls in the country.

194. The Committee requests the State party to adopt comprehensive measures to address violence against women and girls in accordance with its general recommendation 19. The Committee urges the State party to enact legislation on violence against women, including domestic violence, as soon as possible and to ensure that women and girls who are victims of any form of violence have access to immediate means of redress and protection, as well as access to counselling services, and that perpetrators are prosecuted and punished. The Committee calls upon the State party to collect sex-disaggregated data on all forms of violence against women and undertake research into the extent of violence against women and girls, including domestic violence...The Committee recommends the implementation of training for law enforcement officials, the judiciary, health providers, social workers and the general public so as to ensure that they are sensitized to all forms of violence against women

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and can adequately respond to it. It also recommends the implementation of awareness-raising campaigns, through the media and public education programmes, and working towards a zero-tolerance policy on all forms of violence against women.

- Guyana, CEDAW, A/60/38 part II (2005) 136 at paras. 301 and 302.

301. While noting the Domestic Violence Act of 1996, the Committee expresses concern about the insufficient measures to ensure its effective implementation; lack of an effective monitoring mechanism; and insufficient support measures for victims of domestic violence, such as shelters and legal, medical and psychological support. The Committee is also concerned that victims are reluctant to report cases of abuse for fear of being stigmatized. The Committee regrets that the State party provided only some information on domestic violence, but did not address other forms of violence against women.

302. In the light of its general recommendation 19, the Committee urges the State party to accord priority attention to the effective enforcement and monitoring of legislation on domestic violence to ensure that all women who are victims of violence, including Amerindian women and those living in rural and hinterland areas, have access to immediate means of redress and protection, including protection orders, legal aid and shelters in sufficient numbers. The Committee calls on the State party to provide adequate funding for such protection and support measures. The Committee requests the State party to strengthen its efforts to train the police and ensure that public officials, especially law enforcement officials, the judiciary, health-care providers and social workers, are fully sensitized to all forms of violence against women and adequately equipped to support victims of such violence. The Committee also calls on the State party to take measures, through the media and public education programmes, towards changing social, cultural and traditional attitudes that remain permissive of all forms of violence against women, including sexual violence against young girls...

- Burkina Faso, CEDAW, A/60/38 part II (2005) 144 at paras. 337 and 338.

337. The Committee is concerned about the lack of specific legislation to eliminate violence against women, including domestic violence. While the Committee notes the State party's contention that victims of violence receive medical and legal services, it is concerned that the State party did not provide any details about such services, and their accessibility to women. The Committee further expresses concern about the paucity of information and statistics provided on the incidence of various forms of violence against women.

338. In accordance with its general recommendation 19, the Committee urges the State party

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to give high priority to putting in place comprehensive measures to address all forms of violence against women and girls, recognizing that such violence is a form of discrimination against women and constitutes a violation of their human rights under the Convention. The Committee calls upon the State party to enact, as soon as possible, legislation on violence against women, including domestic violence, so as to ensure that violence against women constitutes a criminal offence, that women and girls who are victims of violence have access to immediate means of redress and protection and that perpetrators are prosecuted and punished. The Committee recommends that the State party also implement educational and awareness-raising measures aimed at law enforcement officials, the judiciary, health providers, social workers, community leaders and the general public, in order to ensure that they understand that all forms of violence against women are unacceptable. It also recommends the establishment of shelters and counselling services for victims of violence...

- Ireland, CEDAW, A/60/38 part II (2005) 151 at paras. 386 and 387.

386. While acknowledging the efforts made to address violence against women, including legislative measures, the provision of refuges and rape crisis centres, and research and awareness-raising initiatives, the Committee is concerned about the prevalence of violence against women and girls, low prosecution and conviction rates of perpetrators, high withdrawal rates of complaints and inadequate funding of organizations that provide support services to victims. The Committee is also concerned that insufficient information was provided on the question of sexual harassment, as requested in the previous concluding comments (A/54/38/Rev.1, part two, para. 188). The Committee is furthermore concerned about violence suffered by women from marginalized and vulnerable groups, including Traveller women, migrant women, asylum-seeking and refugee women and women with disabilities.

387. The Committee urges the State party to take all necessary measures to combat violence against women in conformity with the Committee's general recommendation 19, to prevent violence, punish offenders and provide services for victims. It recommends that the State party adopt without delay its strategic plan and systematically monitor and regularly evaluate the plan's components, particularly in relation to marginalized and vulnerable women, including Traveller women, migrant women, asylum-seeking and refugee women and women with disabilities. The Committee recommends that sustained training and awareness-raising initiatives be carried out for public officials, the judiciary, health professionals and members of the public. The Committee also recommends that the State party closely monitor the incidence of all forms of violence against women, including sexual harassment.

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- Indonesia, CAT, A/57/44 (2002) 22 at para. 42.

42. The Committee is concerned about:
...
(f) Allegations of inadequate protection against rape and other forms of sexual violence, which are frequently alleged to be used as forms of torture and ill-treatment;
...
- Ukraine, CAT, A/57/44 (2002) 31 at para. 58.

58. The Committee recommends that the State party:
...
(m) Take effective measures to prevent and punish trafficking of women and other forms of violence against women;
...
- Zambia, CAT, A/57/44 (2002) 34 at paras. 65 and 66.

65. Concern is...expressed regarding:
...
(c) The incidence of violence against women in society, which is illustrated by reported incidents of violence in prisons and domestic violence.
...
66. The Committee recommends that the State party:
...
(h) Establish programmes to prevent and combat violence against women, including domestic violence; and
...
- Russian Federation, CAT, A/57/44 (2002) 42 at paras. 92-95.

92. The Committee...expresses its concern about the following:
...
(e) The explanation by the State party that, despite numerous allegations of violence against women in custody, no formal complaint has been received on this issue. Despite the State party's efforts to release prisoners and reduce their number in general, the population of women in custody has doubled in the past decade;
...

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93. The Committee is particularly concerned over the following: in connection with the events in Chechnya:

(a) Numerous, ongoing reports of severe violations of human rights and the Convention, including arbitrary detention, torture and ill-treatment, including forced confessions, extrajudicial killings, and forced disappearances, particularly during "special operations" or "sweeps", and the creation of illegal temporary detention centres, including "filtration camps". Allegations of brutal sexual violence are unusually common. Additionally, armed units which are reported to be very brutal towards civilians have been sent again into the conflict area;

(b) Numerous armed units and forces operating under the authority of various departments and services in Chechnya, which hinder the identification of the personnel responsible for the reported abusive actions cited above;

...

94. The Committee recommends that the State party:

...

(f) Consider the creation of an independent body to inspect prisons, monitor all forms of violence in custody, including sexual violence against both men and women, and all forms of inter-prisoner violence, including proxy violence with the acquiescence of officials. The participation of public defenders in the investigation stage following detention would offer a safeguard for detainees;

...

95. With regard to the situation in Chechnya, the Committee also recommends that the State party:

...

(b) While a number of mechanisms have been put in place in Chechnya in connection with allegations of human rights violations, none has possessed the attributes associated with an independent impartial investigating body. Accordingly, the Committee reiterates its 1996 conclusion calling upon the Government of the State party to establish a credible impartial and "independent committee to investigate allegations of breaches of the Convention by the military forces of the Russian Federation and Chechen separatists, with a view to bringing to justice those against whom there is evidence that establishes their involvement or complicity in such acts" (A/52/44,para. 43(h));

...

- Cyprus, CAT, A/58/44 (2002) 21 at para. 33.

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33. The Committee welcomes the recent legislative, administrative and institutional developments that took place in the State party since the consideration of its previous periodic report, namely:

...

(c) The adoption of the Law on the Prevention of Domestic Violence;

...

- Egypt, CAT, A/58/44 (2002) 22 at paras. 41 and 42.

41. The Committee is concerned about the following:

...

(d) The many reports of abuse of under-age detainees, especially sexual harassment of girls, committed by law enforcement officials, the lack of monitoring machinery to investigate such abuse and prosecute those responsible, and the fact that minors kept in places of detention have contact with adult detainees;

...

42. The Committee recommends that the State party:

...

(j) Halt all practices involving abuse of minors in places of detention and punish the perpetrators, and ban the holding of under-age detainees with adult detainees;

...

- Spain, CAT, A/58/44 (2002) 29 at paras. 61 and 65.

61. Of particular concern are the complaints concerning the treatment of immigrants, including sexual abuse and rape, allegedly on racist or xenophobic grounds. The Committee notes that Spain has become an important gateway to Europe for immigrants, and that this has meant a significant increase in the country's foreign population. In this context the omission from the definition of torture in article 174 of the Penal Code of torture "based on discrimination of any kind", notwithstanding the fact that, under the Code, racism is deemed to be an aggravating factor in any offence, takes on particular importance.

...

65. The Committee recommends that the State party should continue to take measures to prevent racist or xenophobic incidents.

- Cameroon, CAT, A/59/44 (2003) 23 at paras. 43 and 47.

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43. The Committee is...concerned about:

...

(c) The fact that the Criminal Code permits the exemption from punishment of a rapist if he subsequently marries the victim.

...

47. The Committee...recommends that the Cameroonian authorities should:

...

(d) Revise its legislation to end the exemption from punishment of rapists who marry their victims;

...

- Colombia, CAT, A/59/44 (2003) 33 at paras. 68 and 69.

68. The Committee...expresses its concern at:

...

(d) The allegations and information indicating:

...

(ii) Inadequate protection against rape and other forms of sexual violence, which are allegedly frequently used as forms of torture or ill-treatment. The Committee further expresses its concern at the fact that the new Military Penal Code does not expressly exclude sexual offences from the jurisdiction of the military courts;

...

69. The Committee recommends that the State party take all necessary measures to prevent the acts of torture and ill-treatment that are being committed in its territory, and in particular that it:

...

(e) Investigate, prosecute and punish those responsible for rape and other forms of sexual violence, including rape and sexual violence that occur in the framework of operations against illegal armed groups;

(f) That in cases of violation of the right to life any signs of torture, especially sexual violence, that the victim may show be documented. That evidence should be included in forensic reports so that the investigation may cover not only the homicide but also the torture. The Committee also recommends that the State party provide medical staff with the training necessary to determine when torture or ill-treatment of any kind has occurred;

...

- Czech Republic, CAT, A/59/44 (2004) 42 at paras. 86 and 87.

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86. The Committee expresses concern about the following:

...

(k) Allegations regarding some incidents of uninformed and involuntary sterilizations of Roma women, as well as the Government's inability to investigate due to insufficient identification of the individual complainants.

87. The Committee recommends that the State party:

...

(n) Investigate claims of involuntary sterilizations, using medical and personnel records, and urge the complainants, to the extent possible, to assist in substantiating the allegations;

...

- Argentina, CAT, A/60/44 (2004) 12 at paras. 34 and 35.

34. The Committee expresses its concern at the following:

...

(g) Allegations of torture and ill-treatment of certain other vulnerable groups, such as members of the indigenous communities, sexual minorities and women;

...

35. The Committee recommends that the State party take all necessary steps to prevent acts of torture and ill-treatment in the territory of the State of Argentina, and in particular that it:

...

(f) Take specific steps to safeguard the physical integrity of the members of all vulnerable groups;

...

- Greece, CAT, A/60/44 (2004) 20 at paras. 47 and 48.

47. The Committee notes that many of the concerns it expressed during the consideration of the third periodic report (A/56/44, para. 87) have not been adequately addressed, and will be reiterated in the present concluding observations. Consequently, the Committee expresses its concern at:

...

(k) The reported prevalence of violence against women and girls, including domestic violence, and the reluctance on the part of the authorities to, *inter alia*, adopt legislative measures to counter this phenomenon;

...

48. The Committee recommends that the State party:

...

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(l) Adopt legislation and other measures to combat violence against women, within the framework of plans to take measures to prevent such violence, including domestic violence, and to investigate all allegations of ill-treatment and abuse;

...

- Albania, CAT, A/60/44 (2005) 34 at paras. 83 and 84.

83. The Committee expresses concern:

...

(o) At the reported prevalence of violence against women and girls, including sexual and domestic violence, and the reluctance on the part of the authorities to, *inter alia*, adopt legislative and other measures to counter this phenomenon.

84. The Committee recommends that the State party:

...

(o) Adopt measures to combat sexual violence and violence against women, including domestic violence, and promptly and impartially investigate all allegations of torture or ill-treatment with a view to prosecuting those responsible;

...

- Bahrain, CAT, A/60/44 (2005) 44 at paras. 108 and 109.

108. The Committee expresses its concern at:

...

(o) The over broad discretionary powers of the sharia court judges in the application of personal status law and criminal law and, in particular, reported failures to take into account clear evidence of violence confirmed in medical certificates following violence against women;

...

109. The Committee recommends that the State party:

...

(i) Consider adopting a Family Code, including measures to prevent and punish violence against women, especially domestic violence, including fair standards of proof;

...

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- Uzbekistan, CRC, CRC/C/111 (2001) 117 at paras. 570 and 571.

570. Like the Committee on the Elimination of Discrimination against Women and the Human Rights Committee, the Committee expresses concern about the prevalence of violence against women, particularly domestic violence, and that this has harmful consequences on children.

571. The Committee recommends that the State party:

 - (a) Take effective measures to implement the Committee on the Elimination of Discrimination against Women's general recommendation 19 on violence against women;
 - (b) Give attention to addressing and overcoming socio-cultural barriers that inhibit victims from seeking assistance;
 - (c) Undertake training on gender issues for all public officials, in particular law-enforcement officials and the judiciary, local government and *mahallyas* officials.

- Cape Verde, CRC, CRC/C/111 (2001) 135 at paras. 634 and 635.

634. The Committee is concerned at incidents of abuse, including sexual abuse and incest, and the mistreatment of children in the family. The Committee is concerned, in addition, at the incidence of domestic violence, which has a negative impact on children.

635. The Committee recommends that the State party make every effort:

 - (a) To monitor and record incidents of abuse, including sexual abuse and incest, mistreatment of children and domestic violence, including violence against women in the family, making particular efforts to improve data collection on these concerns;
 - (b) Effectively investigate cases of domestic violence and violence in schools, through a child-sensitive judicial procedure, and apply sanctions to perpetrators with due regard given to guaranteeing the right to privacy of the child;
 - (c) Proceed with a study of violence against women and address this concern through, *inter alia*, the promotion of women's human rights, the strengthened implementation of relevant provisions in the Constitution and other legal instruments, and by ensuring that women have access to suitable complaint mechanisms;
 - (d) Ensure that cultural taboos discouraging complaints of violence are broken down;

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(e) Give appropriate weight to children's views in legal proceedings; provide support services to child witnesses in legal proceedings and services for physical and psychological recovery and social reintegration of the victims of rape, abuse, neglect, ill-treatment, violence or exploitation, in accordance with article 39 of the Convention; and take measures to prevent the criminalization and stigmatization of victims;

(f) Seek technical assistance from, among others, UNICEF.

- Mozambique, CRC, CRC/C/114 (2002) 65 at paras. 289 and 290.

289. The Committee remains concerned that:

...

(c) As noted by the State party in its initial report, “children and women are victims of domestic violence”.

290. The Committee recommends that the State party:

...

(b) Take action to address domestic violence against children and women in the family, including through improved monitoring, effective reporting, treatment and support of victims, prosecution of those responsible and the use of information campaigns;

...

- Guinea-Bissau, CRC, CRC/C/118 (2002) 12 at paras. 60 and 61.

60. The Committee is concerned that:

...

(c) Domestic violence, particularly against women, is widespread and frequently used as a way to resolve family conflicts, and that this violence, even when not directly inflicted upon children, has a very negative impact on their development.

61. The Committee recommends that the State party:

...

(d) Take all appropriate measures to address and prevent domestic violence, whether physical or mental, within the family and to ensure the full protection of children against this type of violence;

(e) Raise awareness among the public of the problem of domestic violence, with a view to changing traditions that inhibit victims, particularly women and girls, from reporting it;

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(f) Investigate cases of domestic violence and sexual abuse, through a child-sensitive judicial procedure, and that sanctions be applied to perpetrators with due regard given to guaranteeing the right to privacy of the child;

(g) In the light of articles 19 and 39 of the Convention, implement measures for reporting, referral and intervention and for the rehabilitation of victims, with a view to ensuring the recovery and reintegration of victims;

...

- Romania, CRC, CRC/124 (2003) 49 at paras. 240 and 241.

240. ...The Committee concurs with the concerns of CEDAW related to the increase in violence against women and that domestic violence against women may lead to child abuse in the family...

241. The Committee recommends that the State party:

...

(g) Reinforce its efforts to prevent and combat domestic violence and abuse, including through awareness-raising campaigns designed to change public attitudes.

- Czech Republic, CRC, CRC/C/124 (2003) 78 at paras. 360 and 362.

360. ...[A]s noted by the Committee on the Elimination of Discrimination against Women (CEDAW), domestic violence is prevalent and is not specifically addressed in legislation, awareness among professionals and the public is low and support for victims is insufficient.

...

362. The Committee recommends that the State party take action to address ill-treatment and abuse committed against children in the family, in schools, in the streets, in institutions and in places of detention through, *inter alia*:

...

(c) Developing an effective system for the reporting and investigation of cases of domestic violence and ill-treatment and abuse of children, including sexual abuse within the family, within a child-sensitive inquiry and judicial procedure, avoiding repeatedly interviewing child victims of abuse, in order to ensure better protection of child victims, including the protection of their right to privacy;

...

- Haiti, CRC, CRC/124 (2003) 95 at paras. 434 and 435.

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434. The Committee is concerned at the high incidence of violence against and abuse of children within the family environment, including sexual abuse and neglect of children, and that insufficient efforts have been made to protect children. The Committee is particularly concerned at the very high rate of sexual abuse of girls (more than one third of women were said to have been sexually abused before the age of 15 years)...

435. In the light of articles 19 and 39 of the Convention, the Committee recommends that the State party:

(a) Assess the scope, nature and causes of violence against children, in particular sexual violence against girls, with a view to adopting a comprehensive strategy and effective measures and policies and to changing attitudes;

(b) Properly investigate cases of violence, through a child-sensitive judicial procedure, notably by giving appropriate weight to children's views in legal proceedings, and apply sanctions to perpetrators, with due regard given to guaranteeing the right of the child to privacy;

(c) Provide services for the physical and psychological recovery and social reintegration of girl victims of sexual abuses and any other child victims of abuse, neglect, ill-treatment, violence or exploitation, and take appropriate measures to prevent the criminalization and stigmatization of victims;

...

- Jamaica, CRC, CRC/C/132 (2003) 86 at paras. 426 and 427.

426. The Committee is deeply concerned about:

...

(b) The stereotypical and discriminatory attitudes concerning the roles of women and children, including traditions of violence, abuse, including sexual abuse, and neglect.

427. The Committee urges the State party to strengthen considerably its efforts to address and condemn violence in society, including violence against women and children, particularly in the context of the family, as well as in schools and other environments. Further, it recommends that the State party take steps to monitor and address any incidents of violence and sexual or other abuse against children and take measures to ensure the rehabilitation of traumatized and victimized children by, *inter alia*:

...

(b) Taking all legislative measures to prohibit all forms of physical and mental violence,

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including corporal punishment and sexual abuse, against children in all contexts in society, as well as taking effective measures for the prevention of violent acts committed within the family, in schools and by the police and other State agents, making sure that perpetrators of these violent acts are brought to justice, thereby putting an end to the practice of impunity;

...

- Pakistan, CRC, CRC/C/133 (2003) 37 at paras. 195, 196, 222 and 223.

195. While acknowledging the actions taken to address discrimination against girls in education, the Committee is concerned at the persistence of discriminatory social attitudes and discrimination against minority children and against girls, early and forced marriages, low school enrolment and high dropout rates, honour killings, mutilation and violence...

196. The Committee recommends that the State party:

(a) Make greater efforts to ensure that, in accordance with article 2, all children within its jurisdiction enjoy all the rights set out in the Convention without discrimination, particularly girl children, children belonging to a religious or other minority group, children with disabilities and other vulnerable groups of children;

(b) Target social services at children belonging to the most vulnerable groups.

...

222. The Committee reiterates its concern at the existence of harmful traditional practices, including forced and/or early child marriages and dowry-related violence, which pose very serious threats to children, and emphasizes the lack of interventions on the part of the State party to address these issues.

223. The Committee recommends that the State party, as a matter of urgency, take all necessary measures to eradicate all traditional practices harmful to the physical and psychological well-being of children, which affect the girl child in particular.

- Bangladesh, CRC, CRC/C/133 (2003) 93 at paras. 481, 493 and 494.

481. The Committee is concerned at the high incidence of abuse, including sexual abuse, within the State party, and at the lack of effective measures to combat this phenomenon. The Committee is particularly concerned that existing legislation, notably the Suppression of Violence against Women and Children Act 2000, is rarely implemented and that the prosecution of abuse against women is rare even in very serious cases because of societal

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attitudes...

...

493. The Committee is deeply concerned at the existence of harmful traditional practices, such as child marriages and dowry-related violence, which are widespread and pose very serious threats, in particular to the girl child.

494. The Committee recommends that the State party continue and intensify its efforts to eradicate harmful traditional practices, by strengthening awareness-raising programmes and enforcement of the law.

- Georgia, CRC, CRC/C/133 (2003) 111 at paras. 556 and 557.

556. The Committee notes the information provided in the written replies to its list of issues on the Plan of Action to Combat Violence against Women 2000-2002 and on the 2000-2003 State programme for the protection, development and social adaptation of minors. However, the Committee regrets that many of its concerns and recommendations expressed during the consideration of the initial report have not been addressed, and is deeply concerned at the high incidence of abuse, neglect and violence within the family and in other settings...The Committee concurs with the concerns expressed by the Committee on Economic, Social and Cultural Rights and the Human Rights Committee, with regard to the occurrence of domestic violence, as they relate to children. The Committee regrets that the State party has not introduced domestic violence as a specific offence in criminal law or criminal procedural legislation and has not considered undertaking studies, or other steps, in this respect.

557. The Committee recommends that the State party reinforce its efforts to formalize a comprehensive strategy to prevent and combat domestic violence and other forms of violence...The State party is encouraged to enact specific domestic violence legislation which brings together criminal and civil provisions, including remedies. In this respect, the State party is encouraged, *inter alia*, to consult the framework for model legislation on domestic violence (E/CN.4/1996/53/Add.2) which outlines important elements integral to comprehensive legislation on domestic violence. Furthermore, the Committee recommends that measures be taken to provide counselling and support services to all children victims of violence, including those who bully others in school.

- Slovenia, CRC, CRC/C/137 (2004) 104 at paras. 567 and 568.

567. The Committee welcomes the information that the Police Act has been amended, allowing the police to remove an alleged perpetrator of child abuse or other forms of family violence from the home for up to 10 days and that the courts can extend this period for 30

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days...Furthermore, while noting that an Act for Prevention of Violence in the Family is in preparation, it is concerned that the existing preventive and protective measures taken to address the problem are not sufficient.

568. The Committee recommends that the State party continue and strengthen its efforts to address the problem of child abuse by, *inter alia* :

(a) Ensuring full and effective implementation of the changes in the Police Act and adequate ongoing training of police officers and judges;

(b) Expediting the drafting and approval of the Act for Prevention of Violence in the Family and related changes in the family law, legislative measures which should provide for effective procedures and mechanisms to receive, monitor and investigate complaints, including intervention where necessary;

...

- El Salvador, CRC, CRC/C/140 (2004) 8 at para. 25

25. The Committee welcomes a number of positive developments in the reporting period, including:

...

(e) The adoption of the Domestic Violence Act (1996), which establishes domestic violence, defined as “any direct or indirect act or omission that causes injury or physical, sexual or psychological suffering or the death of a family member”, as a specific punishable offence, and stipulates that any person who has knowledge of acts of domestic violence may report it to the competent authorities;

...

- Albania, CRC, CRC/C/146 (2005) 19 at paras. 123 and 124.

123. The Committee is concerned that “maltreatment” is one of the most acute problems in the Albanian society, as noted by the State party. The Committee notes that domestic violence remains underreported but is common, as are other forms of ill-treatment and abuse, including sexual abuse. Concern is also expressed at the insufficient resources, including lack of adequately trained personnel, to prevent and combat such abuses.

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124. The Committee recommends that the State party:

- (a) Undertake comprehensive studies on domestic violence, ill-treatment and abuse to understand the causes, scope and nature of these practices;
- (b) Strengthen its efforts to prevent and combat all forms of physical and mental domestic violence, ill-treatment and abuse as well as to adopt measures and policies to contribute to changing attitudes to violence and abuse within the family;
- (c) Ensure that a referral system is set-up, that cases of domestic violence and ill-treatment and abuse of children, including sexual abuse within the family, are properly investigated within a child-friendly judicial procedure, and that sanctions are applied to perpetrators, giving due regard to protecting the child's right to privacy;
- (d) Ensure the provision of support services, such as psychological recovery and social reintegration, and the prevention of stigmatization of victims.

- Nigeria, CRC, CRC/C/146 (2005) 135 at paras. 708, 709 and 720-722.

708. The Committee is deeply concerned about:

- (a) Traditional and discriminatory attitudes and behaviour towards women and children, contributing to violence, abuse, including sexual abuse, neglect, killing, torture and extortion;
- (b) Generally high level of acceptance of domestic violence among law enforcement officials and court personnel; and
- (c) Lack of adequate measures taken by the State party to prevent and combat violence, abuse and neglect against women and children.

709. The Committee urges the State party to strengthen considerably its efforts to prevent and combat violence in society, including violence against women and children, in the context of the family, as well as in schools and other environments. In this regard, the Committee recommends the State party to take the following specific actions:

- (a) Carry out public education campaigns about the negative consequences of violence and ill-treatment of children and promote positive, non-violent forms of conflict resolution and discipline, especially within the family and in the educational system and in institutions;

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(b) Take all legislative measures to prohibit all forms of physical and mental violence, including sexual abuse, against children in all contexts in society, as well as take effective measures for the prevention of violent acts committed within the family, in schools and by the police and other State agents, making sure that perpetrators of these violent acts are brought to justice, putting an end to the practice of impunity;

(c) Give attention to addressing and overcoming sociocultural barriers, especially the submission and acceptance of maltreatment on the part of girls and women, which inhibit them from seeking assistance;

...

720. The Committee welcomes the introduction of a bill on violence against women in Parliament in May 2003, aimed to prohibit forms of violence such as harmful traditional practices and domestic violence, including marital rape. However, it reiterates its concern at the widespread and continuing existence of harmful traditional practices in the State party, most notably the practice of female genital mutilation, as well as scarification and ritual killing of children which pose very serious threats to children, in particular girl children.

721. The Committee is concerned at the lack of legal prohibition and sufficient interventions on the part of the State party to address harmful traditional practices. The Committee is also concerned at the lack of support services available to protect girls who refuse to undergo female genital mutilation and of services to rehabilitate girl victims of that practice.

722. The Committee recommends that the State party, as a matter of urgency, take all necessary measures to eradicate all traditional practices harmful to the physical and psychological well-being of children, by strengthening awareness-raising programmes. The Committee further recommends the State party to adopt federal legislation prohibiting such practices and encourage further legal changes at the State level, in particular, female genital mutilation, as well as measures to provide support for girls at risk and girls who refuse to undergo female genital mutilation, and provide recovery services for victims of this harmful traditional practice.

- Nepal, CRC, CRC/C/150 (2005) 66 at paras. 336, 338, 359 and 361.

336. While noting that the Children's Act prohibits any cruel treatment of children by parents, guardians or teachers, the Committee is alarmed by the prevalence of child abuse and domestic violence in the State party and is of the view that the domestic legislation currently in place in the State party does not afford adequate protection to children and women against abuse and domestic violence...The Committee further regrets that the Domestic Violence Control Bill which was passed in April 2002 by the Parliament before

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it was dissolved, was never enacted. The Committee is concerned that insufficient awareness exists in the State party, of violence against women and children as a crime punishable by law, including among law enforcement officials.

...

338. The Committee recommends the State party to take the necessary measures to prevent child abuse and neglect, by, *inter alia*:

(a) Undertaking a study on the causes and scope of this phenomenon and establishing a comprehensive strategy to address the high and increasing number of child abuse, neglect and domestic violence cases, with the aim of preventing and reducing this phenomenon;

...

359. The Committee welcomes the adoption in August 2004 of an official policy that is grounded on the principle of *non-refoulement*, but it regrets that the State party has not yet ratified the Convention relating to the Status of Refugees, Convention relating to the Status of Stateless Persons or the Convention on the Reduction of Statelessness, and that there is no domestic legislation that covers the rights of refugees and asylum-seeking persons. In this regard, and given the fact that a large population of these persons are children the Committee is concerned about:

(a) The reports of discrimination and ill-treatment, including high incidence of sexual abuse of women and children in Bhutanese camps in Nepal;

...

361. The Committee recommends that the State party:

...

(c) Take immediate measures to ensure that all internally displaced, refugee women and children under its jurisdiction are protected from all forms of sexual exploitation and that perpetrators are duly prosecuted;

...

- Mongolia, CRC, CRC/C/150 (2005) 113 at paras. 552 and 553.

552. While acknowledging that the State party is aware of the grave magnitude and negative repercussions of abuse and violence against children and that it has taken measures to prevent it, the Committee remains concerned at the persistence of this problem. The Committee is particularly concerned at the absence of a legal framework to protect children from incest.

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553. In the light of the recommendations adopted by the Committee on its days of general discussion on violence against children within the family and in schools (see CRC/C/111) and on State violence against children (see CRC/C/100), the Committee recommends that the State party:

(a) Take all appropriate measures to address and prevent domestic violence, whether physical or mental, including violence against women, within the family, *inter alia*, by implementing the Law against Domestic Violence, adopted in May 2004, and to ensure the full protection of children against this type of violence;

(b) In order to prevent and reduce the phenomenon of domestic violence, and violence in society in general, undertake studies on the root causes and scope of the problem of violence against children;

...

(d) Raise awareness among the public of the problem of domestic violence, with a view to changing public attitudes and traditions that inhibit victims, particularly women and girls, from reporting it, and strengthen its cooperation with non-governmental organizations, such as the National Centre Against Violence, working in this field;

...