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IV. CONCLUDING OBSERVATIONS, CONTINUED

CERD

- Canada, CERD, A/57/18 (2002) 56 at para. 323.

323. The Committee welcomes the extension of the scope of the Employment Equity Act to the federal public service and the Canadian Forces, and notes with satisfaction the progress achieved regarding the representation of Aboriginals and minorities in the federal public service.

- Estonia, CERD, A/57/18 (2002) 60 at paras. 356 and 358.

356. The Committee is concerned by the scope of language requirements in the Language Law in relation to employment, particularly in the private sector, and is of the opinion that they could lead to discrimination against minorities in violation of article 5 of the Convention...

...

358. The Committee is concerned that the limited access to remedies hinders the bringing of complaints of discrimination in relation to, *inter alia*, the labour market, housing and education. The Committee recommends that the equality council mentioned in the draft equality act be established, in accordance with general recommendation XVII, as a national human rights institution with the mandate to advise and to monitor relevant legislation and practice and with competence to deal with individual complaints against acts of discrimination in the public or private sector.

- Hungary, CERD, A/57/18 (2002) 63 at para. 372.

372. The Committee...welcomes the positive elements incorporated in Section 93 of Act LXIX of 1993 on the Law on Minor Offences dealing with discrimination against employees; [and] in Act XVI of 2001 on the amendment of the Labour Code defining, in particular, "indirect discrimination" and affirming the principle of affirmative action...

- Russian Federation, CERD, A/58/18 (2003) 38 at para. 171.

171. The Committee welcomes the adoption and entry into force of the Labour Code, and in particular the provisions aiming at the eradication of discrimination in labour relations.

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- Saudi Arabia, CERD, A/58/18 (2003) 41 at para. 206.

206. ...The Committee has...noted with satisfaction that measures have been taken to put an end to the practice of employers retaining the passports of their foreign employees, in particular domestic workers...

- Cape Verde, CERD, A/58/18 (2003) 62 at para. 365.

365. While the Committee welcomes the efforts made by the State party to ensure the implementation of the Convention with respect to women and the existence of civil society organizations working in the field of promotion and protection of women's rights, it is concerned about the stereotyping of women in particular those of foreign origin in Cape Verde, as well as the insufficient representation of women at high political level in the labour market and in cultural affairs.

The Committee recommends that the State party take all appropriate measures to guarantee the equal enjoyment by women, free from racial discrimination, of the rights under the Convention and draws the attention of the State party to its general recommendation XXV on gender-related dimensions of racial discrimination.

- Finland, CERD, A/58/18 (2003) 69 at para. 403.

403. The Committee...notes with satisfaction that the Ministry of Labour is preparing a government bill whereby two important directives of the European Community, Council Directive 2000/43/EC implementing the principle of equal treatment between persons irrespective of racial or ethnic origin and Council Directive 2000/78/EC establishing a general framework for equal treatment in employment and occupation, will be implemented.

- United Kingdom of Great Britain and Northern Ireland, CERD, A/58/18 (2003) 88 at para. 537.

537. While the Committee welcomes the initiatives taken for further reforms within the police force, including enhanced representation of ethnic minorities, it recalls its previous concerns about the disproportionately high incidence of deaths in custody of members of ethnic or racial minority groups.

The Committee...encourages the State party to adopt measures conducive to integrating the different ethnic and racial representation within the police force.

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- Bahamas, CERD, A/59/18 (2004) 10 at para. 22.

22. The Committee welcomes the adoption in 2001 of the Employment Act containing a clause prohibiting racial discrimination.

- Libyan Arab Jamahiriya, CERD, A/59/18 (2004) 21 at para. 107.

107. The Committee is concerned at information that anti-Black sentiment and racially motivated acts against foreign workers have an adverse impact on their employment situation and terms and conditions of employment.

The Committee recommends that the State party ensure that foreign workers are not discriminated against in employment on the basis of their colour or their ethnic or national origin.

- The Netherlands, CERD, A/59/18 (2004) 29 at paras. 146, 148 and 153.

146. The Committee welcomes the adoption of the bill of 10 February 2004 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin and establishing a general framework for equal treatment in employment and occupation.

...

148. The Committee...notes with satisfaction the establishment in 2001 of the Committee on the Employment of Women from Ethnic Minority Groups aimed at promoting participation of ethnic minority women in society and in the labour market.

...

153. The Committee notes that the Employment of Minorities Act (*Wet Samen*) ceased to be in force on 31 December 2003 and expresses concern about possible negative consequences that may ensue, given that the *Wet Samen* was the only legislative instrument containing regulations on the participation of ethnic minorities in the labour market and requiring employers to register the number of members of ethnic minorities employed by them.

The Committee recommends that the State party take adequate policy measures to ensure proper representation of ethnic minority groups in the labour market.

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- Sweden, CERD, A/59/18 (2004) 41 at para. 221.

221. While the Committee acknowledges with satisfaction the initiatives taken by the State party to improve the situation of the Roma, such as the establishment of a Council for Roma Issues in 2002 as an advisory body to the Government, it remains concerned about the difficulties still faced by a large part of the Roma community in areas such as employment, housing and education.

The Committee draws the attention of the State party to its general recommendation XXVII on discrimination against Roma and encourages the State party to intensify its efforts to implement national strategies and programmes in these areas, including the biennial strategic programme of the Ombudsman against Ethnic Discrimination, with a view to improving the situation of the Roma and their protection against discrimination.

- Belarus, CERD, A/59/18 (2004) 50 at para. 266.

266. With respect to article 5, the Committee reiterates its regrets regarding the lack of information on the situation of minority groups and their enjoyment of all human rights. In particular, it notes the paucity of information on the Roma.

...[T]he Committee draws the attention of the State party to its general recommendation XXVII and encourages it to adopt or make more effective legislation prohibiting discrimination in employment and all discriminatory practices in the labour market affecting members of Roma communities and to protect them against such practices.

- Portugal, CERD, A/59/18 (2004) 66 at para. 370.

370. While the Committee notes the measures taken by the State party to improve the situation of Roma/gypsies, it remains concerned about the difficulties faced by many members of this community in the fields of employment, housing and education, as well as reported cases of discrimination in daily life...

The Committee urges the State party to continue taking special measures in accordance with article 2, paragraph 2, of the Convention to ensure the adequate protection of Roma/gypsies and to promote equal opportunities for the full enjoyment of their economic, social and cultural rights.

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- Australia, CERD, A/60/18 (2005) 13 at para. 39.

39. While noting the improvement in the enjoyment by the indigenous peoples of their economic, social and cultural rights, the Committee is concerned over the wide gap that still exists between the indigenous peoples and others, in particular in the areas of employment, housing, health, education and income (art. 5).

The Committee recommends that the State party intensify its efforts to achieve equality in the enjoyment of rights and allocate adequate resources to programmes aimed at the eradication of disparities...

- Ireland, CERD, A/60/18 (2005) 30 at para. 138.

138. The Committee is concerned about reported instances of exploitation of foreign workers by some employers and of violations of labour regulations prohibiting discrimination (art. 5).

The Committee, recalling its general recommendation XXX on discrimination against non-citizens, encourages the State party to ensure full practical implementation of legislation prohibiting discrimination in employment and in the labour market. In this context, the State party could also consider reviewing the legislation governing work permits and envisage issuing work permits directly to employees.

- Luxembourg, CERD, A/60/18 (2005) 40 at para. 187.

187. The Committee notes with satisfaction the current incorporation into Luxembourg law of Council Directive 2000/43/CE of 19 June 2000, implementing the principle of equal treatment between persons irrespective of racial or ethnic origin and establishing a general framework for equal treatment in employment and occupation.

- Nigeria, CERD, A/60/18 (2005) 54 at paras. 290 and 293.

290. While noting that the 1958 Osu Abolition Law legally abolished work- and descent-based discrimination, the Committee remains concerned about persistent allegations that members of the Osu and other similar communities are still subjected to social exclusion, segregation and mistreatment, as well as discrimination in employment and marriage (arts. 2, 3 and 5).

The Committee draws the State party's attention to its general recommendation XXIX (2002)

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concerning racial discrimination based on descent...It strongly recommends that the State party develop, in cooperation with non-governmental organizations and religious leaders, effective programmes to prevent, prohibit and eliminate private and public practices that constitute segregation of any kind, including a wide-ranging information and public-awareness campaign to put an end to these practices.

...

293. The Committee is concerned about the persistence of discrimination against persons belonging to various ethnic groups in the fields of employment, housing and education, including discriminatory practices by people who consider themselves to be the original inhabitants of their region against settlers from other states. While noting the efforts taken by the State party to improve the representation of different ethnic groups in the public service, most notably by the Federal Character Commission, the Committee remains concerned about the reports of continuing practices of patronage and traditional linkages based on ethnic origin, leading to the marginalization of certain ethnic groups in Government, legislative bodies and the judiciary (arts. 2 and 5).

The Committee recommends that the State party continue to promote equal opportunities for all persons without discrimination in order to ensure their full enjoyment of their rights, in accordance with article 2, paragraph 2, and article 5 of the Convention. In this connection, the Committee urges the State party to strengthen its Affirmative Action Plans in favour of underrepresented or marginalized groups, including women, in its employment policies with regard to the public service...

- Turkmenistan, CERD, A/60/18 (2005) 61 at para. 319.

319. The Committee is concerned that, according to some information, and in the light of paragraph 2(e) of General Assembly resolution 59/206 of 22 December 2004, national and ethnic minorities face severe restrictions on their participation in the labour force, in particular in public sector employment. It is particularly disturbed about reports relating to the removal of many non-ethnic Turkmen from State employment and to “third generation tests” imposed on persons wishing to access higher education and public sector employment (arts. 2 and 5).

The Committee invites the State party to verify whether “third generation tests” exist and to ensure the right to work without discrimination based on national or ethnic origin...

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- Switzerland, ICCPR, A/57/40 vol. I (2002) 44 at para. 76(9).

(9) In relation to article 3 of the Covenant the Committee recognizes the progress made since the initial report in promoting equality of men and women and notes in particular the launching of the Plan of Action "Equality between women and men". Nevertheless, it remains concerned that women are still disadvantaged in many areas, especially in the achievement of equal remuneration for work of equal value and in appointment to senior positions, in both the public and private sectors.

The State party should implement its Plan of Action and adopt binding policies to ensure compliance with article 3 of the Covenant in all parts of its territory.

- 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.

- Israel, ICCPR, A/58/40 vol. I (2003) 64 at para. 85(23).

(23) ...The Committee notes with concern that the percentage of Arab Israelis in the civil service and public sector remains very low and that progress towards improving their participation, especially of Arab Israeli women, has been slow (arts. 3, 25 and 26).

The State party should adopt targeted measures with a view to improving the participation of Arab Israeli women in the public sector and accelerating progress towards equality.

- 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

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women as to their full enjoyment of Covenant rights (art. 3).

- Latvia, ICCPR, A/59/40 vol. I (2003) 25 at para. 65(14).

(14) The Committee notes that discrimination against women with regard to remuneration persists, notwithstanding the measures taken by the Government to guarantee equal treatment, including through employment law and the programme on the implementation of gender equality. The Committee regrets that insufficient information was provided by the State party in regard to the number and results of cases brought and whether compensation has been paid. (arts. 3 and 26).

The State party should take all necessary measures to ensure equal treatment of women and men in the public and private sectors, if necessary through appropriate positive measures, in order to give effect to its obligations under articles 3 and 26.

- Germany, ICCPR, A/59/40 vol. I (2004) 39 at para. 68(13).

(13) While the Committee appreciates progress made in practice in the area of equality for men and women in the public service, it notes with concern that the number of women in senior positions is still very low. It is also concerned about wide disparities, in the private sector, of remuneration between men and women (arts. 3 and 26).

The State party should ensure equal treatment of men and women at all levels of the public service. Furthermore, it should continue to take necessary measures so that women enjoy equal participation in the labour market, in particular in terms of equal wages for work of equal value.

- Lithuania, ICCPR, A/59/40 vol. I (2004) 52 at para. 71(18).

(18) The Committee is concerned that the new Labour Code is too restrictive in providing, *inter alia*, for the prohibition of strikes in services that cannot be considered as essential and requiring a two-thirds majority to call a strike, which may amount to a violation of article 22.

The State party should make the necessary amendments to the Labour Code to ensure the protection of the rights guaranteed under article 22 of the Covenant.

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- Finland, ICCPR, A/60/40 vol. I (2004) 22 at paras. 81(9) and 81(15).

(9) While aware of the efforts made by the State party to guarantee equality between men and women, the Committee observes that there are still sex-related differences in rates of pay.

The State party should continue its policy of educating society and ensuring that its plans for equality and other forthcoming actions, including the imposition of constraints on employers, are effective, so that women are paid an equal wage for work of equal value thereby satisfying its obligations under articles 3 and 26 of the Covenant.

...

(15) While acknowledging the State party's efforts to enable the Roma minority to preserve its language and culture and to integrate fully into society, the Committee again notes with concern that Roma still face discrimination in housing, education, employment and access to public places.

The State party should step up its efforts to combat social exclusion and discrimination, and allocate the requisite resources to put into effect all plans to do away with obstacles to the Roma's practical exercise of the rights they enjoy under the Covenant (arts. 26 and 27).

- Albania, ICCPR, A/60/40 vol. I (2004) 25 at paras. 82(11) and 82(21).

(11) The Committee is troubled by the explanation provided in paragraph 196 of the report. It is concerned about the low level of participation of women in public affairs, and that women continue to have a disproportionately low presence in the political and economic life of the State party, particularly in senior positions of public administration (arts. 2, 3 and 26).

The State party should take immediate steps to change public attitude towards the suitability of women for positions in public affairs and consider adopting a policy of positive action. The State party should take appropriate measures to ensure the effective participation of women in political, public and other sectors of the State party.

...

(21) While noting measures undertaken to improve the living conditions of the Roma community, the Committee is concerned that the Roma community continues to suffer prejudice and discrimination, in particular with regard to access to health services, social assistance, education and employment which have a negative impact on the full enjoyment of their rights under the Covenant (arts. 2, 26 and 27).

The State party should take all necessary measures to ensure the practical enjoyment by the Roma of their rights under the Covenant, by urgently implementing and reinforcing effective measures to address discrimination and the serious social situation of the Roma.

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- Poland, ICCPR, A/60/40 vol. I (2004) 40 at paras. 85(10) and 85(16).

(10) While the Committee appreciates progress made in the area of equality between men and women in the public service, it notes with concern that the number of women in senior positions is still low. The Committee also remains concerned about the disparities in remuneration between men and women (arts. 3 and 26).

The State party should ensure equal treatment of men and women at all levels of public service. Appropriate measures should also be taken to ensure that women enjoy equal access to the labour market and equal wages for work of equal value.

...

(16) While the Committee notes that the Labour Code has now been amended to include a non-discrimination clause relating to employment, it regrets that a general non-discrimination provision covering all appropriate grounds has not yet been introduced into national legislation (arts. 26 and 27).

The State party should broaden the scope of its non-discrimination law to extend to areas other than employment.

- Iceland, ICCPR, A/60/40 vol. I (2005) 50 at para. 87(5).

(5) While the State party is aware that there are still sex-related differences in rates of pay, the average difference being 15 per cent in 2004, the Committee notes with satisfaction that the burden of proof rests with the employer, who must demonstrate that any difference in wages paid to men and women for work of equal value is based on factors other than the gender of the employees.

- Mauritius, ICCPR, A/60/40 vol. I (2005) 52 at para. 88(8).

(8) While the Committee welcomes the progress achieved with respect to gender parity in the public sector, it notes with concern that few women are employed in the private sector and in executive positions. It also remains concerned over the wage gap between men and women. Finally, the participation of women in political life remains inadequate (Covenant, arts. 3 and 26).

The State party should pursue and strengthen its measures to ensure that women enjoy equal access to the private sector labour market, including executive positions, and to equal pay for work of equal value. Women's participation in political life should also be enhanced through

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effectively applied positive measures.

- Yemen, ICCPR, A/60/40 vol. I (2005) 65 at para. 91(10).

(10) While noting the efforts developed by the State party, the Committee remains concerned at the low level of participation of women in political life, in particular in the House of Representatives, local councils, the leadership structures of political parties, as well as in the judiciary (arts. 3 and 26).

The State party should increase its efforts to promote the participation of women in all spheres of public life, appoint more women to the judiciary and higher positions in the executive branch...

- Slovenia, ICCPR, A/60/40 vol. I (2005) 74 at para. 93(8).

(8) The Committee is concerned about the level of participation of women in public affairs. The Committee is also concerned that women continue to be disproportionately poorly represented in the political and economic life of the State party, particularly in senior positions of the public administration (arts. 3 and 26).

The State party should take the necessary legal and practical measures to increase the effective participation of women in public affairs and in the political and economic sectors.

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- Sweden, ICESCR, E/2002/22 (2001) 106 at paras. 725, 726, 736 and 737.

725. The Committee expresses its concern about the increasing number of complaints concerning discrimination on ethnic grounds in the workplace.

726. The Committee, while commending the State party's efforts with regard to gender equality, notes with concern that there continues to be inequality in wages and that women earn only 83 per cent of men's salaries.

...

736. The Committee encourages the State party to take additional measures to prevent discrimination against immigrants and refugees, especially in the workplace.

737. The Committee urges the State party to intensify its efforts with respect to gender

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equality and to take the necessary measures, including legislative and administrative ones, to ensure that women enjoy full and equal participation in the labour market, particularly in terms of equal pay for work of equal value.

- Colombia, ICESCR, E/2002/22 (2001) 110 at paras. 765 and 786.

765. The Committee is concerned that the national minimum wage is not sufficient to ensure an adequate standard of living for workers and their families. The Committee is also concerned that there is still a large disparity between the wages of men and women, particularly in the commercial sector, and that according to the Presidential Advisory Office on Women's Equity, women's wages in general are 25 per cent lower than men's.

...

786. The Committee calls upon the State party to ensure that the minimum wage enables the workers and their families to have an adequate standard of living. It also urges the State party to adopt a policy of equal pay for work of equal value as provided for in the Covenant to reduce the wage gap between men and women.

- Croatia, ICESCR, E/2002/22 (2001) 125 at para. 907.

907. The Committee strongly recommends that the State party undertake a comprehensive review of the situation of women in all aspects of life, as members of the family, in the workforce and as public servants, in order to assess those situations in which women are at a disadvantage and to develop appropriate laws and policies to address their inequality.

- Jamaica, ICESCR, E/2002/22 (2001) 130 at paras. 931 and 943.

931. ...The Committee is...concerned about the existence of laws which are discriminatory on the basis of sex (mostly against women but at times against men), such as section 6, paragraph 1, of the 1947 Pensions Act providing for payments to married males, the 1942 Women (Employment of) Act prohibiting night work by women except in specified circumstances, and the 1958 Children (Adoption of) Act allowing for adoption of female children by males only under specially justified circumstances.

...

943. ...The Committee...recommends that the State party consider amending the Acts mentioned above (para. 931) and other legal measures that are discriminatory to men as well as women.

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- Czech Republic, ICESCR, E/2003/22 (2002) 25 at paras. 83 and 102.

83. The Committee notes with concern that there continues to be inequality in wages between men and women, with women earning approximately 75 per cent of men's salaries.

...

102. The Committee urges the State party to intensify its efforts to address the gender inequality and to take the effective measures, legislative or otherwise to ensure that women enjoy full and equal participation in the labour market, particularly in terms of equal pay for work of equal value.

- Ireland, ICESCR, E/2003/22 (2002) 29 at paras. 129 and 140.

129. The Committee is concerned about the persistence of discrimination against persons with physical and mental disabilities, especially in the fields of employment, social security benefits, education and health. The Committee is particularly concerned that people with disabilities, including those working in sheltered workshops, do not have the status of employees and therefore do not qualify for the minimum wage arrangements; if, however, they do benefit from minimum wage arrangements, they are liable to lose their rights to free medical care.

...

140. The Committee recommends that the State party conduct and complete as soon as possible a thorough review of the sheltered workshops for the disabled and consider adopting measures, legislative or otherwise, allowing people with disabilities to work with full employment status and to retain the right to free medical care.

- United Kingdom of Great Britain and Northern Ireland, ICESCR, E/2003/22 (2002) 39 at paras. 218 and 236.

218. The Committee is concerned that the national minimum wage is not set at a level that provides all workers with an adequate standard of living in accordance with article 7, paragraph (a)(ii), and article 11 of the Covenant. The Committee is also concerned that the minimum wage protection does not extend to workers under 18 years of age. The Committee considers that the minimum wage scheme is discriminatory on the basis of age, as it affords a smaller proportion of the minimum wage to persons between 18 and 22 years of age.

...

236. The Committee urges the State party to ensure that the level of the national minimum wage is determined with due regard to the requirements of an adequate standard of living. Moreover, the Committee recommends that the minimum wage protection be extended to workers under 18 years of age and that the scheme be applied in a non-discriminatory manner

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to persons between 18 and 22 years of age.

- Trinidad and Tobago, ICESCR, E/2003/22 (2002) 45 at paras. 265 and 288.

265. The Committee notes with concern that women earn less than men for work of equal value, especially in the private sector.

...

288. The Committee urges the State party to take legislative and other measures to ensure equal pay for work of equal value for men and women.

- Slovakia, ICESCR, E/2003/22 (2002) 50 at paras. 318 and 331.

318. The Committee is concerned that there remains a large disparity between the wages of men and women, and that, according to the Slovak Statistical Office, women's wages in general are 25 per cent lower than those of men.

...

331. The Committee urges the State party to implement effectively measures recently adopted to ensure equal pay for work of equal value, as provided for in the Covenant, and to reduce the wage gap between men and women.

- Poland, ICESCR, E/2003/22 (2002) 54 at paras. 348, 358, 360, 380 and 382.

348 The Committee...welcomes the recent amendments to the Labour Code, which ban discrimination on the grounds of sex, age, disability, nationality or belief, and guarantee equal remuneration for work of equal value. The Committee notes with appreciation that under the new Labour Code the burden of proof is incumbent on the employer if an employee complains about discriminatory practices.

...

358. The Committee is...concerned that, despite the measures taken by the State party to combat discrimination against women in employment, the discrepancy persists between the law and actual practice with respect to equal remuneration for work of equal value and to promotion in employment, as acknowledged by the State party's delegation.

...

360. The Committee notes with concern the different retirement ages for men (65) and women (60), which in practice result in lower pensions for women.

...

380. The Committee reiterates its previous recommendation to the State party to ensure the implementation of the legal provisions and administrative regulations guaranteeing equal

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remuneration for men and women and the equal opportunity for promotion in employment, subject to no considerations other than those of seniority and competence. The Committee encourages the adoption of the draft legislation on the equal status of men and women, currently being considered by the Senate of the State party.

...

382. The Committee recommends the adoption of the same age of retirement for men and women.

- Estonia, ICESCR, E/2003/22 (2002) 68 at paras. 497 and 520.

497. The Committee is...concerned about the marked difference in the wages of men and women. The Committee takes notes that, although it is possible to seek legal redress in cases of discrimination in employment and remuneration, few woman have as yet sought such relief.

...

520. The Committee...recommends that the State party intensify its efforts to ensure the right of equal remuneration for men and women for work of equal value, including through public awareness-raising campaigns. The Committee also recommends in this regard that the State party ratify ILO Convention No. 111 (1958) concerning discrimination in employment and occupation.

- Luxembourg, ICESCR, E/2004/22 (2003) 24 at paras. 71, 79, 83, 91 and 95.

71. The Committee welcomes the measures taken by the State party to promote equality between women and men at the workplace, including the law of 28 June 2001 reversing the burden of proof in cases of gender-based discrimination.

...

79. While noting the measures taken by the State party to integrate persons with disabilities into the labour market, the Committee is concerned that the draft law (No. 4827), introduced on 27 July 2001 regarding the integration of persons with disabilities into the labour market, has still not been adopted.

...

83. The Committee notes with concern that women are still underrepresented in the workforce. While taking note that the disparities between wages of men and women have been reduced, the Committee also notes with concern that the current level of wage difference (women receiving 15 per cent lower wages than men) remains a matter of concern.

...

91. The Committee recommends that the State party accelerate the adoption of draft law No. 4827 regarding the integration of persons with disabilities into the labour market.

...

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95. The Committee calls upon the State party to implement effectively the measures outlined in the national plan of action for employment aimed at increasing the level of participation of women in the labour market and to ensure equal treatment between men and women, including equal remuneration for work of equal value.

- Brazil, ICESCR, E/2004/22 (2003) 28 at paras. 129 and 152.

129. The Committee is concerned about the widespread discrimination against women, in particular in their access to the labour market, to equal pay for work of equal value and to adequate representation at all levels of decision-making bodies of the State party.

...

152. The Committee urges the State party to adopt all effective measures to ensure equality between men and women as provided for in articles 2, paragraph 2, and 3 of the Covenant. The Committee also requests the State party to adopt in its relevant policies the principle of equal pay for work of equal value as provided for in the Covenant, to reduce the wage gap between men and women...

- New Zealand, ICESCR, E/2004/22 (2003) 35 at paras. 187 and 200.

187. While noting that measures are being taken by the State party to redress inequality between men and women with regard to employment conditions, the Committee is concerned about the persistence of a gap between the wages of women and men, in contradiction with the principle of equal pay for work of equal value.

...

200. The Committee recommends that the State party continue and intensify programmes to reduce inequality between men and women in the workplace, including ensuring equal pay for work of equal value.

See also:

- Republic of Moldova, ICESCR, E/2004/22 (2003) 49 at paras. 305 and 327.
- Iceland, ICESCR, E/2004/22 (2003) 39 at paras. 217, 223 and 232.

217. The Committee notes with appreciation the new Act on Maternity/Paternity Leave and Parental Leave which reconciles family life and work, provides for time for parents to devote to their children, and promotes the sharing of parental responsibilities and gender equality in the labour market.

...

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223. The Committee notes with concern that inequality between men and women continues to exist, particularly with respect to wages.

...

232. The Committee calls upon the State party to intensify its efforts to ensure that women and men enjoy full and equal participation in the labour market, particularly in terms of equal pay for work of equal value. In this regard, the Committee recommends that the State party review its mechanisms for obtaining statistical information so as to enable an effective assessment of the progress achieved.

- Israel, ICESCR, E/2004/22 (2003) 42 at paras. 264, 265 and 279-281.

264. The Committee is concerned about the persisting inequality in wages of Jews and Arabs in Israel, as well as the severe underrepresentation of the Arab sector in the civil service and universities.

265. The Committee is concerned about the fact that it is extremely difficult for Palestinians living in the occupied territories and working in Israel to join Israeli trade unions or to establish their own trade unions in Israel.

...

279. The Committee recommends that the State party take effective measures to reduce the rate of unemployment, and pay particular attention to reducing the inequalities between the Jewish and non-Jewish sectors with respect to employment. The Committee further recommends that the State party ensure that workers living in the occupied territories are permitted to continue to work in Israel.

280. The Committee strongly recommends that the State party take measures to reduce the inequalities in wages between Jews and Arabs, in conformity with the principle of equal pay for work of equal value, as enshrined in article 7 of the Covenant.

281. The Committee recommends that the State party take steps to ensure that all workers working in Israel can exercise their trade union rights, in accordance with article 8 of the Covenant.

- Yemen, ICESCR, E/2004/22 (2003) 55 at paras. 355 and 374.

355. The Committee is concerned about the gap in wages between men and women even if they perform the same work under the same conditions and specifications.

...

374. The Committee recommends that the State party undertake effective measures to

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ensure in practice the principle of equal remuneration for work of equal value.

- Guatemala, ICESCR, E/2004/22 (2003) 59 at paras. 404 and 422.

404. The Committee is concerned about the *de facto* inequality between women and men, which is perpetuated by traditional prejudices and social conditions, in spite of an important number of legal instruments adopted by the State party.

...

422. The Committee calls upon the State party to ensure equality between men and women in all spheres of life, in particular by taking effective measures to combat discrimination in the education of the girl-child, in access to employment, in equal pay for work of equal value and in access to land and credit services. The Committee urges the State party to increase the level of representation of women in public services.

- Russian Federation, ICESCR, E/2004/22 (2003) 64 at paras. 456, 462, 484 and 490.

456. The Committee remains concerned about gender inequality in the State party, particularly with regard to discrimination in employment, in the family and in political representation.

...

462. The Committee is concerned about the difference in wages between men and women as well as about working conditions for women. It is also concerned about sexual harassment of women in the workplace.

...

484. The Committee recommends that the State party strengthen its efforts to promote gender equality and encourages the adoption of the draft federal law on State guarantees of equal rights, freedoms and opportunities for men and women in the Russian Federation currently before the Duma.

...

490. The Committee recommends that the State party undertake effective measures, including through affirmative action, to improve the working conditions for women and to ensure equal pay for work of equal value. The Committee also recommends that the State party enact legislation criminalizing sexual harassment in the workplace.

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- Democratic People's Republic of Korea, ICESCR, E/2004/22 (2003) 71 at paras. 522 and 542.

522. The Committee expresses its concern about the persistence of traditional societal attitudes and practices prevailing in the State party with regard to women that negatively affect the enjoyment of their economic, social and cultural rights. The Committee is concerned about the lack of domestic legislation on non-discrimination against women and about the persistence of *de facto* inequality between men and women in decision-making positions, both in political and administration bodies, as well as in the industrial sector as a whole.

...

542. The Committee suggests that domestic legislation be reviewed with the aim of giving full effect to the principle of non-discrimination against women and that the State party adopt and implement a programme containing specific measures for awareness-raising, aimed at promoting the rights of women and their advancement in all fields of political, economic and social life.

- Lithuania, ICESCR, E/2005/22 (2004) 18 at paras. 76, 78, 98 and 100.

76. The Committee expresses its concern that, despite the various measures taken to improve the situation of women, including the National Programme of Equal Opportunities for Men and Women 2003-2004, women continue to be in a disadvantaged position in society, notably with regard to employment and equal pay for work of equal value and participation in decision-making.

...

78. The Committee regrets the lack of information on the integration of people with disabilities in the labour market and expresses its concern that the incentives for employing people with disabilities are limited.

...

98. The Committee recommends that the State party continue to strengthen its efforts to enhance the status of women, including through extending the National Programme of Equal Opportunities for Women and Men and other adequate measures...

...

100. The Committee recommends that the State party take effective measures under the National programme for the social integration of the Disabled for 2003-2012 to promote the integration of people with disabilities into the labour market, including through providing incentives to employers and strengthening the system of job quotas for people with disabilities.

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- Greece, ICESCR, E/2005/22 (2004) 23 at paras. 126, 133 and 154.

126. The Committee welcomes the recent legislative amendments to ban discrimination, in particular gender-based discrimination, in the employment sector, including the abolition of quotas restricting access by women to police schools or a recent Presidential decree placing the burden of proof on the employer if an employee complains about discriminatory practices.

...

133. While appreciating the measures taken by the State party to ensure a legal framework to promote gender equality, the Committee is concerned that women are still underrepresented at the decision-making level in the political, economic and academic fields.

...

154. The Committee encourages the State party to take effective measures to increase the level of representation of women at all decision-making levels.

- Kuwait, ICESCR, E/2005/22 (2004) 29 at paras. 188, 191, 193, 207, 211 and 213.

188. The Committee notes with concern the absence of a minimum wage in the private sector. It is also concerned that minimum wage in the public sector is not applicable to non-Kuwaiti citizens.

...

191. The Committee notes with concern the limitations with regard to the right to join trade unions for non-national workers, and about the restrictive legal limitations on the right to strike.

...

193. The Committee is concerned that non-Kuwaiti workers in Kuwait are excluded from the social insurance scheme.

...

207. The Committee urges the State party to establish a minimum wage in the private sector that will enable workers and their families, especially non-Kuwaiti citizens, to enjoy a decent standard of living. The Committee also recommends that the minimum wage in the public sector should apply without discrimination to both Kuwaiti and non-Kuwaiti citizens. The Committee recommends that the State party ratify ILO Convention No. 131 (1970) concerning Minimum Wage Fixing, with Special Reference to Developing Countries.

...

211. The Committee strongly recommends that the State party liberalize the limitations on the right to strike and extend the right to join trade unions to all workers, including migrant workers, in line with article 8 of the Covenant.

...

213. The Committee urges the State party to continue to carry out studies and undertake measures to ensure that social insurance benefits are accorded to non-Kuwaiti workers so that

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they are put on a fair and equal footing with Kuwaiti workers with regard to the right to social security. In this regard, the Committee encourages the State party to ratify ILO Convention No. 102 (1952) concerning Minimum Standards of Social Security.

- Ecuador, ICESCR, E/2005/22 (2004) 39 at paras. 281 and 304.

281. The Committee expresses its concern about the *de facto* inequality that exists between men and women in Ecuadorian society despite legislative guarantees of equality, owing to the perpetuation of traditional stereotypes and the lack of implementation of legislative guarantees of equality. Such inequality is reflected in unequal wages for equal work, the high percentage of illiteracy amongst women particularly in rural areas, the low level of representation of women in public service and administration, and limited access to credit, professional work and skilled trades. The Committee is also concerned that insufficient resources are allocated to programmes that aim at eliminating gender-based discrimination.

...

304. The Committee urges the State party to adopt all effective measures to ensure equality between men and women in all fields of life as provided for in article 2, paragraph 2 and article 3 of the Covenant, including through implementing the principle of equal pay for work of equal value as provided for in the Covenant, increasing the level or representation of women in public services and reducing the wage gap between men and women...

- Malta, ICESCR, E/2005/22 (2004) 45 at paras. 343 and 361.

343. The Committee is concerned that the participation of women in the labour market remains very low. It also notes with concern the significant gap between the wages of men and women and the very low representation of women in senior management positions.

...

361. The Committee recommends that the State party continue and strengthen its efforts to increase the participation of women in the labour market and to ensure equal treatment between women and men, including equal remuneration for work of equal value.

- Denmark, ICESCR, E/2005/22 (2004) 49 at paras. 388 and 399.

388. While appreciating the measures taken by the State party to promote equality between men and women, the Committee remains concerned about the persistent gender inequalities in the State party, particularly with regard to wages (a differential of 12-19 per cent) and the low participation of women in certain levels of decision-making.

...

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399. The Committee calls upon the State party to adopt effective measures to ensure equality between men and women as provided for in article 2, paragraph 2, and article 3 of the Covenant, including by implementing the principle of equal pay for work of equal value and ensuring the participation of women in decision-making...

- Italy, ICESCR, E/2005/22 (2004) 54 at paras. 429 and 449.

429. The Committee notes with concern the explanation given by the State party in connection with case law (judgements No. 6030 of 29 May 1993 and No. 4570 of 17 May 1996) according to which the principle of equal pay for work of equal value cannot be fully implemented in the Italian legal order.

...

449. The Committee reaffirms that the principle of equal pay for work of equal value, as enshrined in article 7 (a) of the Covenant must be implemented immediately and that the State party cannot derogate from this article without being in breach of its Covenant obligations.

- Azerbaijan, ICESCR, E/2005/22 (2004) 59 at paras. 481 and 507.

481. While welcoming the measures taken by the State party to promote equality between men and women, including the establishment of the State Committee for Women's Issues and the adoption of the National Plan of Action on Women's Policy, the Committee on Economic, Social and Cultural Rights is concerned about the persistent gender inequalities in Azerbaijan, particularly in the field of employment.

...

507. The Committee calls upon the State party to adopt all effective measures to ensure equality between men and women in all fields of life, as provided for in articles 2, paragraph 2, and article 3 of the Covenant...

- Chile, ICESCR, E/2005/22 (2004) 67 at paras. 543 and 563.

543. The Committee notes with concern that the labour-force participation of women remains among the lowest in Latin America (35 per cent in 2002). The Committee notes in this regard the range of barriers to the full integration of women in the labour force identified by the State party in its written replies to the Committee's list of issues.

...

563. The Committee urges the State party to take effective measures to address the many barriers to women's participation in the labour market. In particular, the State party should promote family-friendly working conditions and provide adequate funding and support to

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programmes to enable parents to reconcile family life and work, such as the blueprint for childcare being prepared by the National Women's Service. It also recommends that the State party incorporate the principle of equal remuneration for men and women workers for work of equal value in its legislation.

- China, ICESCR, E/2006/22 (2005) 25 at paras. 144, 146, 167, 175 and 177.

144. The Committee notes with deep concern the *de facto* discrimination against internal migrants in the fields of employment, social security, health services, housing and education that indirectly result from *inter alia*, the restrictive national household registration system (*hukou*) which continues to be in place despite official announcements regarding reforms.

...

146. The Committee notes with concern the persistence of gender inequalities in practice in the State party, particularly with regard to employment and participation in decision-making. The Committee regrets that it has not received sufficient information from the State party regarding affirmative action to promote gender equality and measures to prevent sexual harassment in the workplace.

...

167. The Committee notes with concern the reports regarding the discrimination of ethnic minorities in the State party, in particular in the field of employment, adequate standard of living, health, education and culture. In this regard, the Committee regrets the insufficient information provided by the State party regarding the enjoyment of economic, social and cultural rights enshrined in the Covenant by populations in the ethnic minority areas...

...

175. The Committee calls upon the State party to implement its decision to dismantle the *hukou* system of national household registration and to ensure that in any system that replaces it, internal migrants will be able to enjoy the same work, social security, housing, health and education benefits enjoyed by those in urban areas.

...

177. The Committee calls upon the State party to undertake effective measures to ensure the equal right of men and women to enjoy economic, social and cultural rights as provided for in article 3 of the Covenant, *inter alia*, by implementing the principle of equal pay for work of equal value, eliminating wage gaps between men and women, and providing equal opportunities for both men and women.

- China (Hong Kong Special Administrative Region), ICESCR, E/2006/22 (2005) 34 at paras. 212 and 224.

212. The Committee expresses its concern about the particularly precarious situation of

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foreign domestic workers, a majority of whom are from South-East Asia, who are underpaid and are not entitled to social security.

...

224. The Committee urges the State party to review the existing “two-week rule”, with a view to eliminating discriminatory practices and abuse arising from it, and to improving the legal protection and benefits for foreign domestic workers so that they are in line with those afforded to local workers, particularly with regard to wages and retirement benefits. The Committee recommends that the Hong Kong Special Administrative Region enable domestic helpers to acquire pension rights through their inclusion in the Mandatory Provident Fund Scheme.

- China (Macao Special Administrative Region), ICESCR,E/2006/22 (2005) 38 at paras. 237, 238, 240, 243, 247, 248, 250 and 253.

237. The Committee expresses its concern that women continue to be in a disadvantaged position in society in the Macao Special Administrative Region, especially with regard to employment and equal pay for work of equal value and participation in decision-making.

238. The Committee is concerned about the differences in the criteria for entitlement to maternity leave for workers in the public and private sectors, and that the entitlement of male workers to five days of paternity leave is only applicable in the public sector.

...

240. The Committee expresses its concern that persons with disabilities are not sufficiently integrated in the labour market.

...

243. The Committee is seriously concerned that migrant workers, who account for a significant proportion of the working population of the Macao Special Administrative Region, are excluded from the social welfare system.

...

247. The Committee recommends that the Macao Special Administrative Region establish a State institution responsible for the promotion and protection of gender equality and engage in campaigns to raise awareness of gender equality, particularly in employment...

248. The Committee recommends that the Macao Special Administrative Region take effective measures to increase public awareness, especially in the private sector, about the importance of maternity and paternity leaves that reconcile professional and family life for men and women. The Committee further recommends that the Macao Special Administrative Region take immediate measures to ensure the right of private sector workers to maternity leave, without placing limitations on the number of births, and to ensure that male workers in the private sector are granted the right to five days of paternity leave, as in the public

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sector.

...

250. The Committee recommends that the Macao Special Administrative Region take effective measures to promote the integration of people with disabilities into the labour market, including by providing incentives to employers and strengthening the system of job quotas for persons with disabilities.

...

253. The Committee recommends that the Macao Special Administrative Region take effective measures to ensure that all workers are entitled to adequate social security benefits, including migrant workers...

- Serbia and Montenegro, ICESCR, E/2006/22 (2005) 41 at paras. 273, 276, 301 and 304.

273. The Committee is deeply concerned that, despite the State party's efforts to improve the economic and social situation of Roma through national action plans for the implementation of the Decade of Roma Inclusion (2005-2015) in both Republics, widespread discrimination against Roma persists with regard to employment, social security, housing, health care and education.

...

276. The Committee is concerned about the high unemployment rate in Serbia and in Montenegro, especially among women, persons with disabilities, Roma and internally displaced persons.

...

301. The Committee recommends that the State party ensure adequate participation of Roma representatives in the implementation of the plans of action adopted or envisaged by both Republics with regard to non-discrimination, gender equality, employment, social protection, housing, health and education of Roma, and to allocate sufficient funds to these and other relevant programmes.

...

304. The Committee requests the State party to intensify its efforts to reduce the unemployment rate, including through the implementation of its National Employment Strategy 2005-2010, to promote employment of persons belonging to vulnerable groups through special measures, for example, special training, the removal of physical barriers limiting workplace access by persons with disabilities, and wage subsidies or other incentives for employers...

- Norway, ICESCR, E/2006/22 (2005) 48 at paras. 337, 339, 354 and 357.

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337. The Committee is concerned about cases of discrimination faced by persons of immigrant background, particularly in the areas of housing and work.

...

339. The Committee notes with concern the persistent salary differences between men and women, despite the substantial measures taken to end discrimination against women in the workplace.

...

354. The Committee recommends that the State party strengthen measures to combat discrimination against persons of immigrant background and ensure the effective monitoring of anti-discrimination legislation.

...

357. The Committee encourages the State party to continue and strengthen its efforts to ensure that women and men have equal access to the labour market and receive equal pay for work of equal value. In particular, the State party should take measures to encourage women to choose occupations and professions that are traditionally exercised by men and which are better remunerated.

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- Fiji, CEDAW, A/57/38 part I (2002) 9 at paras. 56 and 57.

56. The Committee notes with concern that women do not receive equal wages for work of equal value and are denied equal access to employment and promotion. Furthermore, the working conditions of women, particularly in the tax-free zones, contravene article 11 of the Convention. The Committee also notes with concern that pregnancy leave is not mandatory.

57. The Committee recommends the very early adoption of the Industrial Relations Bill and Equal Opportunity legislation and a repeal of outdated labour laws. Legal reforms should make pregnancy leave mandatory and deal with sexual harassment in the workplace. The Committee calls upon the State party to promote the adoption of a code of ethics for investors, including in the tax-free zones.

- Estonia, CEDAW, A/57/38 part I (2002) 13 at paras. 105-108.

105. While noting with appreciation the high level of education among women, the Committee expresses its concern at the continuing gender disparities regarding educational options of boys and girls, as well as the fact that this high level of education does not result in the elimination of the wage differential between men and women, in particular the gap

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between female- and male-dominated sectors of employment. It also expresses concern at the indirect discrimination in the recruitment, promotion and dismissal of women.

106. The Committee encourages the State party to analyse the lack of correlation between the high level of educational attainments of women and their income levels. It recommends the introduction of measures, including through the use of temporary special measures, to accelerate the representation of women at all levels of decision-making in educational institutions and economic life. It urges the State party to continue to review and reform the curricula and textbooks in order to combat the traditional attitudes towards women and to help to create an enabling environment for promoting women's presence in high-level and well-paid positions.

107. The Committee notes with concern that the position of women in the labour market is characterized by discrimination and by a strong occupational segregation with a concomitant wage differential. The Committee is also concerned at the situation of young women who face additional difficulties in the labour market owing to the domestic and family responsibilities assigned to them, placing them in a vulnerable position and leading to a higher incidence in part-time or temporary work among them.

108. The Committee recommends that efforts be made to eliminate occupational segregation through the adoption of the new Employment Contracts Act under preparation, as well as through efforts in education, training and retraining. There should be additional wage increases in female-dominated sectors of public employment to decrease the wage differential in comparison with male-dominated sectors... It also recommends that effective measures allowing for the reconciliation between family and professional responsibilities be envisaged and that the sharing of domestic and family tasks between women and men be encouraged.

- Trinidad and Tobago, CEDAW, A/57/38 part I (2002) 19 at paras. 151 and 152.

151. The Committee is concerned that, despite high educational qualifications, women continue to be underpaid in every sector of employment, except the State employment sector. It is also concerned about the consequences of gender stereotyping in curricula and the impact of the fact that girls take traditional "female" courses and boys traditional "male" courses on women's employment options and income. The Committee is also concerned about the lack of specific legislation prohibiting sexual harassment in the workplace and providing a remedy for victims of sexual harassment.

152. The Committee encourages the State party to analyse the lack of correlation between the high level of education attained by women and their income levels; it urges the State party to implement curriculum reform and the revision of textbooks in order to combat traditional

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attitudes towards women and to help to create an enabling environment for women's presence in high-level and well-paid positions. It also recommends that the State party avail itself of existing research and practice with regard to equal pay for work of equal and comparable value in order to overcome inequality in pay. The Committee further recommends that sexual harassment in the workplace, including in the private sector, should be penalized, and remedies provided for those affected.

- Uruguay, CEDAW, A/57/38 part I (2002) 23 at paras. 198 and 199.

198. The Committee notes that although Uruguayan women are highly educated and have a high rate of labour-market participation, this is not reflected in their employment status and conditions, particularly with respect to private-sector pay. Furthermore, the Committee is concerned at the high proportion of women in the service sector, especially personal services, an area in which pay is traditionally low.

199. The Committee recommends that both in the public and in the private sector the State party endeavour to ensure strict compliance with labour legislation, and take action to eliminate discrimination in employment and with respect to pensions and private-sector pay, as well as promoting participation by women in sectors traditionally regarded as male.

- Iceland, CEDAW, A/57/38 part I (2002) 27 at paras. 239-242.

239. The Committee notes with concern the apparent contradiction between the high level of education of women and the lack of women's equality in the labour market, particularly the persistent wage gap of 10-16 per cent in the public sector to the detriment of women.

240. The Committee encourages the State party to continue its efforts to address the wage gap for women in the public sector, initiate job evaluations and reduce the gap...

241. The Committee is also concerned that the long-standing high rate of part-time employment of women suggests that, despite the State party's efforts to facilitate the reconciliation of family life and work, women still bear a larger share of family responsibilities.

242. The Committee encourages the State party to continue its efforts to take measures to assist women and men in striking a balance between family and employment responsibilities, *inter alia*, through further awareness-raising and education initiatives for both women and men, including with respect to sharing tasks within the family and ensuring that part-time employment is not taken up exclusively by women.

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- Sri Lanka, CEDAW, A/57/38 part I (2002) 31 at paras. 290 and 291.

290. The Committee is concerned about the low level of women's economic participation, the high unemployment rate of women, the complete lack of protection for women working in the informal sector, such as domestic service and the lack of enforcement of laws to protect women workers in the export processing zones. The Committee is also concerned that no data is available on the wage gap between women and men.

291. The Committee urges the State party to take all the necessary measures to increase the economic participation of women and ensure that women have equal access to the labour market and equal opportunities to, and at, work. The Committee calls on the State party to provide adequate protection and ensure enforcement of labour laws for the benefit of all women workers in all areas. The Committee recommends...that the State party take measures to ensure that a gender perspective is incorporated into all labour policies.

- Russian Federation, CEDAW, A/57/38 part I (2002) 40 at paras. 383-386.

383. The Committee is deeply concerned at the deteriorating situation of women in employment and that women are the overwhelming majority of workers in lower level and low-paying jobs in the various parts of the public sector. It is concerned that women experience significant discrimination in the private sector, and have a low share of the high-paying jobs in that sector. It is also concerned that women constitute the majority of the long-term unemployed.

384. The Committee urges the enactment of an equal employment opportunity law, prohibiting discrimination in hiring, promotion, employment conditions and dismissal, requiring equal pay for work of equal value and providing for effective enforcement procedures and remedies. It recommends that such legislation include temporary special measures, with time-bound targets, in accordance with article 4, paragraph 1, of the Convention, to increase the number of women in higher-level jobs in the public and private sectors.

385. While noting the State party's policy of protecting women against unsafe working conditions, the Committee is concerned that 12 per cent of women work in conditions which do not meet health and safety standards. It is also concerned about the exclusion of women of childbearing age from a list of 456 jobs, which may result in the effective exclusion of women from certain employment sectors. The Committee notes that the list is under reconsideration and also notes that employers may employ women in the prohibited jobs if the necessary standards are in place.

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386. The Committee recommends that the State party require all employers to conform to the mandated standards, which would allow both women and men to work in proper conditions of health and safety. Bearing in mind article 11.3 of the Convention, it recommends continued review of the list of prohibited jobs, in consultation with women's non-governmental organizations, with a view to reducing their number.

- Suriname, CEDAW, A/57/38 part II (2002) 82 at paras. 59 and 60.

59. The Committee expresses concern at discriminatory practices and certain legal labour provisions that could lead to discrimination against women workers with regard to reproductive health and maternity and notes that, in the civil service, women are discriminated against when entering into marriage or becoming pregnant. It notes that regulations on flexible working hours are lacking and that the employer has the right to decrease the number of vacation days during the year in which maternity leave is enjoyed.

60. The Committee recommends that the State party remove discriminatory labour legislation in accordance with article 11 of the Convention and ensure that women workers have working conditions and social security benefits equal to those enjoyed by men, as well as protection for maternity without discrimination under article 4, paragraph 2 of the Convention.

- Saint Kitts and Nevis, CEDAW, A/57/38 part II (2002) 90 at paras. 99 and 100.

99. The Committee is particularly concerned that, although women have a higher level of education than men, this has not been translated into promotion of women to senior posts in the public and private sectors and/or increased economic returns for women, who continue to be concentrated mainly in the informal sector and in the jobs that pay the least.

100. The Committee recommends the adoption of legislation which guarantees equal pay for work of equal value. It also recommends that measures should be taken to deal with the situation of unemployed women, and the large number of women who work in the informal sector, with a view to their inclusion in the formal sector, and access to social benefits.

- Belgium, CEDAW, A/57/38 part II (2002) 95 at paras. 136, 137, 161 and 162.

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136. The Committee commends the State party on its employment policy, which integrates equality between women and men. It notes with satisfaction the affirmative action measures provided for by Belgian legislation since the late 1980s, in order to bring about *de facto* equality between women and men in the public and private sectors. In particular, it expresses satisfaction at the actions taken to create a better distribution of working and household tasks between women and men.

137. The Committee commends the State party for its measures to eliminate traditional and stereotypical attitudes regarding the role of men and women in the family, in employment and in society.

...

161. The Committee is concerned about the continuing high level of unemployment among women, the high number of women in part-time and temporary jobs and the wage discrimination faced by women.

162. The Committee calls upon the State party to intensify its measures to increase women's employment, to make sure that women have access to full-time and permanent jobs if they wish, and to promote equal pay for work of equal value.

- Tunisia, CEDAW, A/57/38 part II (2002) 102 at paras. 200 and 201.

200. The Committee is concerned at the low level of women's labour force participation and at the lack of information regarding its causes. The Committee welcomes Act No. 83-112, which prohibits discrimination on the basis of sex with regard to public entities, but is concerned that such legislation does not extend to the private sector...

201. The Committee urges the State party to adopt appropriate measures to ensure women's equal access to paid employment. The Committee also urges the State party to adopt and enforce appropriate legislation to ensure equal opportunities for women and men in the public and private sectors of the labour market, and to prevent direct and indirect discrimination in employment...

- Zambia, CEDAW, A/57/38 part II (2002) 107 at paras. 248 and 249.

248. The Committee expresses concern at the high rate of unemployment among women. It also expresses concern at disparities between women's and men's wages, sexual harassment, and the lack of social security for women.

249. The Committee urges the State party to introduce temporary special measures in

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accordance with article 4, paragraph 1, of the Convention in creating employment opportunities for women. Efforts should be made to expand the community-based public workers programme into areas where the number of unemployed women is particularly high. The Committee calls on the State party to review its legislation and policy in the employment sector to facilitate full implementation of article 11 of the Convention.

- Ukraine, CEDAW, A/57/38 part II (2002) 114 at paras. 293-296.

293. While noting with appreciation the high level of education among women, the Committee expresses its concern about the situation of women in the labour market, including the high rate of unemployment among women and the strong occupational segregation with a concomitant wage differential. The Committee is concerned that women are not able to receive adequate retraining to compete in the market. It is further concerned that the State party's protective labour laws restricting women's participation in night work and other areas, may create obstacles to women's participation in the labour market.

294. The Committee urges the State party to ensure equal opportunities for women and men in the labour market, including through the use of temporary special measures in accordance with article 4, paragraph 1, of the Convention. The Committee recommends that the State party design and implement special training and retraining programmes for different groups of unemployed women. It also recommends that efforts be made to eliminate occupational segregation, including through education, training and retraining. There should be additional wage increases in female-dominated sectors of public employment to close the wage gap between these and male-dominated sectors. The Committee recommends that the State party conduct regular reviews of legislation, in accordance with article 11, paragraph 3, of the Convention, with a view to reducing the number of barriers that women face in the labour market. It also recommends that effective measures allowing for the reconciliation between family and professional responsibilities be strengthened and that the sharing of domestic and family tasks between women and men be promoted.

295. The Committee is concerned about the persistence of traditional stereotypes regarding the role of men and women in the family and in society at large.

296. The Committee...recommends that policies be developed and programmes implemented to ensure the eradication of traditional sex role stereotypes in the family, in employment, in politics and in society.

- Denmark, CEDAW, A/57/38 part II (2002) 120 at paras. 325 and 326.

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325. While noting the creation of an equal pay network for companies interested in exchanging experience on the reasons for the gender-based division of labour, the pay differential and methods of guaranteeing equal pay and that women's participation in the labour market is at an impressive 75 per cent and their unemployment rate is low at 5.6 per cent, the Committee is concerned at the persistence of the wage gap between women and men.

326. The Committee urges the State party to develop policies and adopt proactive measures to accelerate the eradication of pay discrimination against women, including job evaluations, collection of data, further study of the underlying causes for the wage gap and provision of increased assistance for social partners in collective wage bargaining, in particular in determining wage structures in sectors dominated by women in order to address the gender segregation in the labour market...

- Armenia, CEDAW, A/57/38 part III (2002) 150 at paras. 56 and 57.

56. The Committee expresses concern at the higher level of women's unemployment than men's. The Committee is concerned at the lack of sex-disaggregated data relating to specific employment issues, in particular wages. It is concerned that there is no equal employment opportunities legislation, providing appropriate civil and criminal remedies for discrimination in hiring, promotion, dismissal and sexual harassment in the public and private sectors. The Committee is also concerned that some of the protective provisions for women in employment are formulated in a way that perpetuates disadvantageous stereotypes.

57. The Committee recommends that the State party adopt equal employment opportunities legislation. The Committee also recommends the setting up of training programmes aiming to facilitate women's employment and urges the State party to collate sex-disaggregated data on all aspects of women's employment, and especially wages, so as to address the employment situation in an informed way. In addition, the Committee recommends that the State party review its protective legislation in order to address any negative impact it may have on women's employment.

- Czech Republic, CEDAW, A/57/38 part III (2002) 157 at paras. 99 and 100.

99. While welcoming the high labour force participation rate of women and the legislative reforms in the area of employment, including the amendments to the Employment Act, the Labour Code, the Act on Wages and the Act on Salaries, the Committee expresses concern about the situation of women in the labour market, including women's high unemployment rate as compared with that of men and the strong vertical and horizontal segregation and

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wage differentials between women and men. The Committee is concerned at the lack of enforcement mechanisms and thus at the lack of *de facto* enforcement of the equal opportunity standards which have been introduced by law.

100. The Committee urges the State party to ensure *de facto* equal opportunities for women and men in the labour market through, *inter alia*, use of temporary special measures in accordance with article 4, paragraph 1, of the Convention. The Committee recommends that efforts be made to eliminate occupational segregation, horizontal and vertical, through, *inter alia*, education, training and retraining and enforcement mechanisms. It also recommends wage increases in female-dominated sectors of public employment to close the wage gap between these and male-dominated sectors. The Committee recommends that measures allowing for the reconciliation between family and professional responsibilities be strengthened and that the equal sharing of domestic and family tasks between women and men be promoted...

- Uganda, CEDAW, A/57/38 part III (2002) 164 at paras. 127, 137, 138, 143 and 144.

127. The Committee welcomes the adoption of the 1997 National Gender Policy and the formulation of the National Action Plan on Women in 1999, which provide guidelines for the development of strategies and interventions for the empowerment of women. It also welcomes the adoption of the affirmative action policy, resulting in an increase in women's representation in decision-making positions from 16.9 per cent in 1994 to 39 per cent in 2002. The Committee welcomes the fact that women occupy a number of key high-level positions.

...

137. While noting the increasing number of women in decision-making positions as a result, *inter alia*, of temporary special measures in accordance with article 4, paragraph 1, of the Convention, the Committee expresses concern that this number remains low. It is also concerned that the persistence of patriarchal attitudes that view men as natural leaders may preclude women from seeking positions of leadership.

138. The Committee urges the State party to intensify its efforts to encourage women to take up leadership positions through further temporary special measures in accordance with article 4, paragraph 1, of the Convention. The Committee recommends that the State party offer or support programmes for current and future women leaders and undertake awareness-raising campaigns on the importance of women's participation in decision-making.

...

143. The Committee expresses concern...at the high rate of unemployment among women, disparities between the wages of men and women, even in the public sector, disparities in social security and the lack of legal protection for women against sexual harassment at the workplace. It also expresses concern that the draft national employment policy, which

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promotes equal employment opportunities for men and women, has still not been adopted. It is also concerned that legislation required by article 40 of the Constitution to provide the right to work under satisfactory and safe and healthy conditions, equal pay for equal work, paid leave and maternity protection have still to be enacted.

144. The Committee...urges the State party to enact legislation to protect the rights of persons in employment which complies with the provisions of article 11 of the Convention. The Committee also urges the State party to adopt the draft national employment policy. It further urges the State party to introduce temporary special measures in accordance with article 4, paragraph 1, of the Convention to create employment opportunities for women. The Committee recommends that the State party introduce specific legislation, with accessible procedures and compensation for victims, and penalties for perpetrators, to address sexual harassment in the workplace.

- Barbados, CEDAW, A/57/38 part III (2002) 177 at paras. 243 and 244.

243. The Committee notes...the absence of statutory parental leave for fathers and the apparent lack of equal employment opportunity legislation.

244. The Committee... recommends the adoption of an equal employment opportunity law and a legislative provision on parental leave for fathers.

- Greece, CEDAW, A/57/38 part III (2002) 184 at paras. 281-288.

281. The Committee is concerned about the limitations women face in gaining access to employment in the police and the fire brigade.

282. The Committee recommends that the law governing women's employment in police and the fire brigade be reviewed in order to eliminate discrimination against women.

283. While noting a major decline in unemployment during 1999-2001, especially among women, the Committee expresses concern that women, especially young women holding university diplomas, still constitute the majority of the unemployed in the State party. It is also concerned about the persisting wage gap between women and men, and that women are paid lower salaries than men for the same work and work of equal value.

284. The Committee urges the State party to continue developing policies and adopting proactive measures to increase the employment rate of women, in particular young women, and accelerate the elimination of the wage gap between women and men...

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285. The Committee is concerned that fathers are not taking childcare leave and that this reinforces negative stereotypes regarding working matters.

286. The Committee requests that the State party introduce individualized paid paternal leave for childcare.

287. While noting the high rate of women acquiring degrees, the Committee is concerned about the underrepresentation of women in decision-making and political bodies, particularly in Parliament, the economic sector and academia.

288. The Committee recommends that the State party take measures, *inter alia* in accordance with article 4, paragraph 1, of the Convention, in order to realize women's right to participation in all areas of public life and, particularly, at high levels of decision-making. It also urges the State party to adopt proactive measures to encourage more qualified women to apply for high-ranking posts in academia and to implement temporary special measures, such as quotas, with goals and timetables, where necessary.

- Hungary, CEDAW, A/57/38 part III (2002) 189 at paras. 327 and 328.

327. The Committee expresses concern about women's disadvantaged position in the labour market, including the decline in women's employment and vertical and occupational segregation with wage differentials between women and men. The Committee is also concerned that government policy regarding these wage differentials rests on general job classification schemes and does not specifically address the need for women to be guaranteed equal pay for work of equal value. The Committee is concerned about discrimination in hiring women of childbearing age, mothers with small children and older women.

328. The Committee urges the State party to ensure equal opportunities for women and men in the labour market, *inter alia*, through the use of temporary special measures in accordance with article 4, paragraph 1, of the Convention. It recommends that efforts be made to eliminate occupational segregation, *inter alia*, through education, training and retraining. The Committee urges the State party to collate sex-disaggregated data regarding the type and extent of wage differentials and to apply job classification analysis to eliminate the practice of women receiving unequal pay for work of equal value. The Committee recommends that measures allowing for reconciliation between family and professional responsibilities be strengthened and that the sharing of domestic and family tasks between women and men be promoted.

- Mexico, CEDAW, A/57/38 part III (2002) 205 at paras. 441 and 442.

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441. The Committee expresses its concern about the poor conditions of employment of Mexican women, particularly the wage discrimination, the vertical and horizontal segregation to which they are exposed and the inadequate social benefits they receive. The Committee is especially concerned about women working in the informal sector, including domestic workers, and those employed in the *maquila* industry whose basic labour rights are not respected; in particular, the Committee is concerned about the pregnancy test demanded by employers which exposes women to the risk of being let go or fired in the event that it proves positive.

442. The Committee recommends that the State party speed up the adoption of the reforms that must be made in the Labour Act, including the prohibition of discrimination against women, in an effort to ensure their participation in the labour market on a footing of genuine equality with men. It also urges the State party to give effect to the labour rights of women in all sectors. To that end, it recommends that the State party strengthen and promote the role of INMUJERES in negotiating the Labour Act so as to give special attention to the needs of women workers and to implement the principle of equal pay for work of equal value and prohibit the requirement of a pregnancy test for *maquiladora* workers.

- Peru, CEDAW, A/57/38 part III (2002) 212 at paras. 478 and 479.

478. The Committee notes with concern that gender-based discrimination persists in the labour market, including limited and low-level job access for women and their reduced access to resources and new technologies. The Committee is also concerned about wage discrimination and vertical and horizontal segregation. The Committee is concerned at the precarious conditions of women working in the informal sector and at part-time work, who have no labour protection, no access to social security and no due respect for their labour rights. It is also of concern to the Committee that legislation preventing discrimination in employment appears to be based on criminal penalties only and that appropriate civil remedies do not exist.

479. The Committee recommends that the necessary measures should be taken to guarantee implementation of the provisions of article 11 of the Convention and application of the International Labour Organization Conventions, in particular those on non-discrimination in employment and equal remuneration for women and men. The Committee recommends that measures should be taken to eliminate occupational segregation, in particular through education and training.

- Switzerland, CEDAW, A/58/38 part I (2003) 20 at paras. 130-133.

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130. The Committee is concerned that, although women's rate of participation has been steadily rising and notwithstanding the constitutional mandate to establish gender equality in work and the constitutional provisions on the right to equal pay for work of equal value, as well as the Equality Act, women remain disadvantaged in the labour market. The Committee is particularly concerned at the pay differentiation between women and men and some criteria used to justify it, particularly as regards considerations of a social nature, such as family responsibilities. The Committee is further concerned by the high prevalence of women in part-time work, the higher rate of unemployment among women as compared with men, and the difficulties mainly faced by women in reconciling their personal and family lives with professional and public responsibilities.

131. The Committee urges the State party to ensure *de facto* equal opportunities for women and men in the labour market through, *inter alia*, the use of temporary special measures in accordance with article 4, paragraph 1, of the Convention. The Committee recommends that efforts be made to eliminate occupational segregation, both horizontal and vertical, through, *inter alia*, education, training and retraining, and effective enforcement mechanisms. It also recommends that job evaluation systems based on gender-sensitive criteria be developed with the aim of closing the existing wage gap between women and men. The Committee recommends that measures allowing for the reconciliation of family and professional responsibilities be adopted and implemented and that equal sharing of domestic and family tasks between women and men be promoted.

132. The Committee expresses concern over the delay in introducing paid maternity leave in the State party and notes that several proposals to introduce paid maternity leave have been rejected by popular vote.

133. The Committee calls upon the State party to ensure the speedy enactment of the draft legislation on maternity leave with pay that was adopted by the Federal Council and the National Council in November and December 2002... The Committee recommends the undertaking of awareness-raising campaigns for developing a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children. Such campaigns should also stress the role of men and pave the way for a debate on the issue of paternity and parental leave as important factors in the sharing of family responsibilities and guaranteeing equality for women in the labour market and in social life.

- El Salvador, CEDAW, A/58/38 part I (2003) 41 at paras. 267 and 268.

267. The Committee is concerned at the lack of priority given to women in employment

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policy, which could result in their increased vulnerability in the economic adjustment process taking place in the country, in particular, the insufficient measures taken to enable them to reconcile their family and professional responsibilities and the persistence of wage disparities for work of equal value.

268. The Committee recommends that the necessary measures should be taken to ensure compliance with the provisions of article 11 of the Convention and of the relevant International Labour Organization conventions ratified by El Salvador.

- Luxembourg, CEDAW, A/58/38 part I (2003) 47 at paras. 295, 297, 314 and 315.

295. The Committee commends the State party for adopting new laws in support of the goal of gender equality: the law on pensions, which plays a key role in preventing poverty among older people, particularly women; the law with respect to the burden of proof in cases of discrimination on the basis of sex; the law concerning protection for workers who are pregnant, have recently given birth or are breastfeeding; and the law on protection from sexual harassment in the workforce.

...

297. The Committee welcomes the support for enterprises that have adopted special measures to increase women's participation in the workforce, including the obligation to negotiate equality plans and create equality delegates in private enterprises.

...

314. The Committee is concerned about ongoing discrepancies in salaries and wages between women and men for work of equal value.

315. The Committee urges the State party to develop policies and adopt proactive measures to accelerate the eradication of pay discrimination against women, including through job evaluations, collection of data, further study of the underlying causes of the wage gap and provision of increased assistance for social partners in collective bargaining, in particular in determining wage structures in sectors dominated by women...

- Canada, CEDAW, A/58/38 part I (2003) 53 at paras. 375-378.

375. While commending the State party's efforts directed towards the implementation of the principle of equal pay for work of equal value, the Committee notes with concern that the auditing process is too slow and that that principle is not implemented in practice by all provincial and territorial governments.

376. The Committee urges the State party to accelerate its implementation efforts as regards

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equal pay for work of equal value at the federal level and utilize the respective federal-provincial-territorial Continuing Committees of Officials to ensure that that principle is implemented under all governments.

377. While commending the State party's efforts towards bringing aboriginal women into improved income-generating positions, the Committee is concerned that the focus on entrepreneurs may not lead to aboriginal women's economic independence.

378. The Committee recommends that the State party ensure that income-generating activities for aboriginal women provide for a sustained and adequate income, including all necessary social benefits.

- Norway, CEDAW, A/58/38 part I (2003) 61 at paras. 429 and 430.

429. The Committee is concerned that women remain disadvantaged in the labour market, particularly that a wage gap between women and men persists and that the presence of women, as compared with that of men, predominates in part-time work.

430. The Committee urges the State party to adopt policies and concrete measures to accelerate the eradication of pay discrimination against women, to further study the underlying causes of the wage gap and to work towards ensuring *de facto* equal opportunities for women and men in the labour market. The Committee recommends that further measures allowing for the reconciliation of family and professional responsibilities be adopted and implemented and that the equal sharing of domestic and family tasks between women and men be promoted.

- Costa Rica, CEDAW, A/58/38 part II (2003) 86 at paras. 62 and 63.

62. The Committee notes with concern that although the Constitution guarantees the right to work and the principle of non-discrimination in the employment sphere, norms and practices still exist that discriminate against working women, and that there is a wage gap, to the disadvantage of women, which has greater impact in the private sector than in the civil service; it also notes with concern the precarious working and living conditions of women domestic workers, including migrant workers, as well as of salaried women workers, rural women, women in the informal sector and indigenous women.

63. The Committee requests the State party to continue promoting the approval of the reforms to the Labour Code contained in the draft Law on Gender Equity... The Committee also requests the State party to adopt the legislative, administrative or other measures needed

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to ensure that women domestic workers, including migrant workers, temporary wage earners, women in the informal sector and rural and indigenous women have access to social security and other employment benefits, including paid maternity leave.

- Brazil, CEDAW, A/58/38 part II (2003) 93 at paras. 92, 108, 109, 120, 121, 124 and 125.

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

...

108. The Committee is concerned about the glaring persistence of stereotyped and conservative views, behaviour and images of the role and responsibilities of women and men, which reinforce women's inferior status in all spheres of life.

109. The Committee recommends that policies be developed and that programmes directed at men and women be implemented to help ensure the elimination of stereotypes associated with traditional roles in the family and the workplace, and in society at large. It also recommends that the media be encouraged to project a positive image of women and of the equal status and responsibilities of women and men both in the private and public spheres.

...

120. The Committee is concerned at the under-representation of women in qualified positions in some areas of professional and public life, such as the judiciary and external affairs, particularly at the highest echelons. It is also concerned that women's participation in high-ranking positions in economic life remains much lower than men's.

121. The Committee recommends that pro-active policies for women's increased participation at those levels be adopted and, when appropriate, temporary special measures in accordance with article 4, paragraph 1, of the Convention be taken to ensure women's real empowerment on equal terms with that of men.

...

124. The Committee is concerned about discrimination against women in the labour market, where women earned significantly less than men in all states, irrespective of their skills or education. It is concerned that the poor conditions of employment of women, in general, including vertical and horizontal segregation, are compounded by race and ethnicity. The Committee is particularly concerned about the precarious situation of domestic workers, the vast majority of whom are denied rights that other categories of workers enjoy, such as mandatory limitation of the workday.

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125. The Committee recommends that measures be taken to guarantee implementation of article 11 of the Convention and the application of relevant International Labour Organization conventions, in particular those on non-discrimination in employment and equal remuneration for equal work and work of equal value for women and men. It recommends that measures be taken to eliminate occupational segregation, in particular through education and training. The Committee calls on the State party to bring all domestic workers within the bounds of its labour legislation.

- Morocco, CEDAW, A/58/38 part II (2003) 101 at paras. 164, 165, 174 and 175.

164. While welcoming the State party's efforts and achievements to increase women's political participation at the national level, the Committee remains concerned about the low rate of representation of women in decision-making positions in all spheres, particularly in political representation at all levels, the public and private sectors, the judiciary, the foreign service and academia.

165. The Committee requests the State party to take effective and sustained measures to increase the political representation of women at all levels, taking into account article 4, paragraph 1, of the Convention. It also calls upon the State party to increase women's representation in decision-making positions in all spheres. The Committee also suggests that the State party offer support and leadership training programmes to women and carry out awareness-raising campaigns concerning women's participation in decision-making, including in the public and private sectors, the foreign service, the judiciary and academia.

...

174. The Committee notes the absence of information on the situation of women in the informal sector and is concerned about the low level of women's participation in the paid labour force and about the persistent wage gap between women and men...

175. The Committee urges the State party to adopt appropriate measures to ensure women's equal access to paid employment, to adopt and enforce appropriate legislation according to its commitments to the relevant conventions of the International Labour Organization to ensure equal opportunities for women and men in the public and private sectors of the labour market, and to prevent direct and indirect discrimination in employment, training and remuneration...

- Slovenia, CEDAW, A/58/38 part II (2003) 109 at paras. 199, 212 and 213.

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199. The Committee commends the State party for adopting new laws in support of the goal of gender equality, including the Act on Equal Opportunities for Women and Men, which, *inter alia*, introduces a legal basis for the elaboration of temporary special measures to promote *de facto* equality between women and men; the Employment Relationships Act, which provides for equal opportunities and equal treatment of women and men in employment; the Parental Care and Family Income Act, providing parental leave for fathers; and the special provision guaranteeing non-sexist use of language in legislation.

...

212. While welcoming the adoption of the Employment Relationships Act, the Committee expresses concern about the situation of women in the labour market, including the strong vertical and horizontal segregation and wage differentials between women and men, in particular in companies and businesses. The Committee is particularly concerned that women's high educational levels do not seem to result in commensurate opportunities and success in the labour market. The alarmingly high and growing unemployment rate of young female first-job seekers is also a particular concern for the Committee.

213. The Committee urges the State party to ensure equal opportunities for women and men in the labour market through, *inter alia*, temporary special measures in accordance with article 4, paragraph 1, of the Convention. The Committee recommends that the State party design and implement special training and retraining programmes for unemployed women. It also recommends that effective measures allowing for the reconciliation of family and professional responsibilities be strengthened and that the sharing of domestic and family responsibilities between women and men be promoted...

- France, CEDAW, A/58/38 part II (2003) 116 at paras. 259-262.

259. The Committee expresses its concern that women are underrepresented in high-level positions in many areas, particularly in the civil service, the diplomatic service and academia.

260. The Committee calls on the State party to take steps to facilitate increased access of women to high-level positions. It recommends the adoption of proactive measures to encourage more women to apply for high-ranking posts, and where necessary, to implement temporary special measures, as provided for in article 4, paragraph 1, of the Convention.

261. While welcoming the adoption of legislative and regulatory measures on equal opportunity between men and women, the Committee expresses its concern that women continue to be overrepresented among the unemployed and in part-time and temporary jobs. It is also concerned about the continuing wage discrimination faced by women.

262. The Committee calls upon the State party to intensify its measures to increase women's

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employment, to ensure that women have access to full-time and permanent jobs if they wish, and to promote equal pay for work of equal value.

- Ecuador, CEDAW, A/58/38 part II (2003) 122 at paras. 323 and 324.

323. Although labour legislation exists, the Committee notes with concern the lack of a general employment policy giving priority attention to women, the failure to apply labour legislation and the persistence of inequalities, manifested in particular by a gap between men's and women's salaries...

324. The Committee recommends that the necessary steps should be taken to guarantee that the provisions of article 11 of the Convention are enforced and that the relevant International Labour Organization conventions ratified by Ecuador are applied, in particular concerning the prohibition of discrimination in employment, the prohibition of child labour and equal pay for women and men...

- Japan, CEDAW, A/58/38 part II (2003) 130 at paras. 352 and 367-370.

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 revision of the Child Care and Family Care Leave Law that prohibits disadvantageous treatment of employees because of their taking childcare leave...

...

367. While welcoming the guidelines for the expansion of recruitment and promotion of women in national advisory councils and the setting of a numerical goal of 30 per cent for leadership positions in all sectors of society by the year 2020, the Committee is concerned about the low representation of women in high-level elected bodies including in the Diet, local assemblies, the judiciary and the diplomatic service, and as mayors, prosecutors and police.

368. The Committee recommends that the State party take further measures to increase the representation of women in political and public life through, *inter alia*, the implementation of temporary special measures, in accordance with article 4, paragraph 1, of the Convention, in order to realize women's right to participation in all areas of public life, particularly at high levels of policy- and decision-making. The Committee urges the State party to support training programmes for future women leaders and carry out awareness-raising campaigns regarding the importance of women's representation in decision-making for achieving gender equality.

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369. The Committee is concerned at the existing wage gap between women and men, stemming largely from the difference in type of work, horizontal and vertical employment segregation as expressed by the two-track employment management system, and the lack of understanding regarding the practice and the effects of indirect discrimination as expressed in governmental guidelines to the Equal Employment Opportunity Law. The Committee is further concerned by the high percentage of women in part-time work and by women who are “dispatch workers”, whose salaries are lower than those working in a regular situation. The Committee is deeply concerned about the difficulties faced primarily by women in reconciling their personal and family lives with professional and public responsibilities.

370. The Committee urges the State party to amend its guidelines to the Equal Employment Opportunity Law and to increase its efforts towards accelerating the achievement of *de facto* equal opportunities for women and men in the labour market through, *inter alia*, the use of temporary special measures in accordance with article 4, paragraph 1, of the Convention. The Committee recommends that efforts be made to eliminate occupational segregation, both horizontal and vertical, through, *inter alia*, education and training, effective enforcement mechanisms and systematic monitoring of progress. The Committee recommends that measures allowing for the reconciliation of family and professional responsibilities be intensified, that equal sharing of domestic and family tasks between women and men be promoted, and that changes to the stereotypical expectations of women’s roles in the family and labour market be encouraged.

- New Zealand, CEDAW, A/58/38 part II (2003) 138 at paras. 411, 412, 417 and 418.

411. While acknowledging the efforts undertaken by the State party to address discrimination faced by women in the labour market, the Committee is concerned that women remain disadvantaged in the labour market, that prerequisites and criteria [to] qualify for paid parental leave may add to women’s difficulties in entering the labour market and that the level of benefits does not provide an incentive for men to take up parental leave. The Committee is concerned about the persistence of a gender pay gap, occupational segregation, the high number of women in part-time work and in temporary jobs, affecting their eligibility for paid maternity leave, and the low wages paid to women. The Committee is also concerned about the difficulties women face in reconciling their personal and family lives with their professional and public responsibilities.

412. The Committee recommends that the State party ensure equal opportunities for women and men in the public and private sectors, including through the use of temporary special measures in accordance with article 4, paragraph 1, of the Convention. It also recommends that the State party design and implement targeted job-training programmes for different groups of unemployed women. The Committee further recommends that efforts be made to

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eliminate occupational segregation, through education and training, the application of the principle of equal pay for work of equal and comparable value, and the promotion of additional wage increases in female-dominated sectors of employment. The Committee recommends that the State party consider further amending the Parental Leave and Employment (Paid Parental Leave) Amendment Act with a view to ensuring that pregnancy under no circumstances creates an obstacle for women entering the labour market, and to removing the specific time limit which is required to qualify for paid parental leave, and to increasing the benefits level so that men are encouraged to take parental leave.

...

417. The Committee is concerned that women who complain about sex discrimination, including sexual harassment, in the workplace run a serious risk of being dismissed.

418. The Committee recommends that the State party take measures to ensure that women who file complaints against sexual harassment have a legal right to remain in their job.

- Kuwait, CEDAW, A/59/38 part I (2004) 15 at paras. 72 and 73.

72. The Committee expresses its concern at the lack of diversified employment opportunities for women despite the high level of education attained by girls and women in all areas. The Committee notes with concern that restrictions on women's employment, as well as protective employment legislation, policies and benefits for women, perpetuate traditional stereotypes regarding women's roles and responsibilities in public life and in the family.

73. The Committee urges the State party to increase its efforts towards accelerating the achievement of *de facto* equal opportunities for women and men in the area of employment through, *inter alia*, the use of temporary special measures in accordance with article 4, paragraph 1, of the Convention, and general recommendation 25. The Committee recommends that measures be taken to promote change concerning the stereotypical expectations of women's roles and to promote the equal sharing of domestic and family responsibilities between women and men.

- Bhutan, CEDAW, A/59/38 part I (2004) 21 at paras. 107-110.

107. The Committee, while welcoming the progress in promoting women's political participation and noting that several women hold high ministerial posts, expresses concern at the low representation of women in decision-making bodies in the various areas and levels of political and public life.

108. The Committee recommends that the State party adopt temporary special measures in

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accordance with article 4, paragraph 1, of the Convention and in the light of general recommendations 23 and 25, to increase the number of women at national and local decision-making levels in government, governmental bodies and public administration, provide targeted training programmes for women, and conduct, on a regular basis, awareness-raising campaigns to encourage women to participate in public life in decision-making positions.

109. The Committee is concerned about the lack of special policies and programmes to promote equal employment opportunities for women in the country. It is also concerned that the national labour legislation currently in preparation recognizes “equal pay for equal work” but not “equal pay for work of equal value”.

110. The Committee recommends that the State party implement targeted policies and programmes, including temporary special measures in accordance with article 4, paragraph 1, of the Convention and general recommendation 25, in order to increase the number of women in the formal work force. It also urges the State party to ensure that the draft Labour Act also takes into account the right to “equal pay for work of equal value” and contains provisions to facilitate women’s access to justice in instances of discrimination.

- Kyrgyzstan, CEDAW, A/59/38 part I (2004) 28 at paras. 155 and 156.

155. The Committee expresses concern about the situation of women in the labour market, including the concentration of women in traditional spheres of employment, in low-paying jobs and in the informal sectors; the wage differentials between women and men; women’s rising unemployment rate; and the employment of women in unfavourable working conditions.

156. The Committee urges the State party to ensure equal opportunities for women and men in the labour market through, *inter alia*, temporary special measures, in accordance with article 4, paragraph 1, of the Convention and general recommendation 25. The Committee urges the State party to intensify its efforts to ensure that all employment-generation programmes are gender sensitive and that women can fully benefit from all programmes to support entrepreneurship. It recommends that efforts be strengthened to eliminate occupational segregation, both horizontal and vertical; to narrow and close the wage gap between women and men; and to ensure that both women and men work under proper conditions of health and safety. It also recommends that effective measures allowing for the reconciliation of family and job responsibilities be strengthened and that further measures be taken to promote the sharing of domestic and family responsibilities between women and men.

- Ethiopia, CEDAW, A/59/38 part I (2004) 42 at paras. 261 and 262.

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261. The Committee is concerned about the discrimination faced by women in the labour market, especially in the emerging private sector.

262. The Committee urges the State party to ensure equal opportunities for women and men in the labour market through, *inter alia*, the use of temporary special measures, according to article 4, paragraph 1, of the Convention and general recommendation 25. The Committee recommends that the State party take effective measures to promote the reconciliation of family and work responsibilities between women and men...

- Nigeria, CEDAW, A/59/38 part I (2004) 49 at paras. 305 and 306.

305. The Committee expresses concern about the persistence of discriminatory legislation, administrative provisions and practices in the labour market. It is also concerned about women's higher unemployment rates, the persistent wage gap in the private and public sector and the lack of adequate social protection for women in the private sector.

306. The Committee urges the State party to ensure equal opportunities for women and men in the labour market, including through the use of temporary special measures in accordance with article 4, paragraph 1, of the Convention and general recommendation 25.

- Belarus, CEDAW, A/59/38 part I (2004) 55 at paras. 351 and 352.

351. The Committee expresses concern about the situation of women in the labour market, which is characterized, in spite of women's high level of education, by high female unemployment, the concentration of women in low-paid sectors of public employment, such as health and education, and the wage gap between women and men, in both the public and private sectors. The Committee is concerned that the State party's labour laws, which are overly protective of women as mothers and restrict women's participation in a number of areas, may create obstacles to women's participation in the labour market, in particular in the private sector, and perpetuate gender role stereotypes.

352. The Committee urges the State party to ensure equal opportunities for women and men in the labour market through, *inter alia*, temporary special measures, in accordance with article 4, paragraph 1, of the Convention and general recommendation 25. The Committee urges the State party to intensify its efforts to ensure that all job generation and poverty alleviation programmes are gender-sensitive, and that women can fully benefit from all programmes to support entrepreneurship. It recommends that efforts be strengthened to eliminate occupational segregation, both horizontal and vertical, and to narrow and close the

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wage gap between women and men through, *inter alia*, additional wage increases in female-dominated sectors of public employment. The Committee recommends that the State party conduct regular reviews of legislation, in accordance with article 11, paragraph 3, of the Convention, with a view to reducing the number of barriers women face in the labour market.

- Germany, CEDAW, A/59/38 part I (2004) 62 at paras. 380, 388 and 389.

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 Federal Act on Implementing the Concept of Equal Opportunities between Women and Men, which allows preference to be given to women under certain conditions in areas where women are underrepresented...and the Job-Aktiv Act, which expands specific labour market policy measures for women.

...

388. While noting the agreement to promote the equal opportunities of women and men in private industry, the Committee expresses concern at the high level of long-term unemployment of women, the increase in the number of women in part-time work and in low-paid and low-skilled jobs, the continuing wage discrimination women face and the discrepancy between their qualifications and occupational status. The Committee is also concerned that, notwithstanding the adoption of new regulations in the Child-raising Benefits Act, men seem to continue to resist taking parental leave.

389. The Committee calls upon the State party to intensify its efforts to increase women's *de facto* equal opportunities in the labour market, including their access to full-time employment, *inter alia*, through the use of temporary special measures in accordance with article 4, paragraph 1, of the Convention and general recommendation 25, and to promote equal pay for work of equal value. The Committee recommends that the State party continue to monitor the impact of regulations on part-time work and on parental leave and increase incentives, as necessary, so as to counteract the possible adverse consequences of part-time work for women, especially in regard to their pension and retirement benefits, and to encourage fathers to make greater use of parental leave.

- Latvia, CEDAW, A/59/38 part II (2004) 103 at paras. 43, 67 and 68.

43. The Committee welcomes progress in legislative reform, in particular the Labour Law (1 June 2002) which prohibits direct and indirect discrimination, and regulates job advertisements, job interviews and issues of equal remuneration and liability for gender-based discrimination...

...

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67. The Committee notes with concern that, despite law reform in the field of employment, the position of women in the labour market remains disadvantaged and is characterized by strong occupational segregation, a substantial wage gap, *inter alia*, between rural and urban areas, higher unemployment than that among men, and hidden gender discrimination in the workplace and in remuneration.

68. The Committee recommends that efforts be made to eliminate occupational segregation and to ensure equal opportunities for women and men in the labour market in rural as well as in urban areas through, *inter alia*, the use of gender bias-free job evaluation and wage-setting schemes and temporary special measures in accordance with article 4, paragraph 1, of the Convention. The Committee recommends that the State party design and implement special training and retraining programmes for different groups of unemployed women. It also recommends that effective measures allowing for the reconciliation of family and professional responsibilities be strengthened and that the sharing of domestic and family responsibilities between women and men be promoted...

- Malta, CEDAW, A/59/38 part II (2004) 111 at paras. 94, 109 and 110.

94. The Committee commends the State party for its extensive social measures, particularly its strong support for the reconciliation of work and family responsibilities of women and men, *inter alia*, through State kindergartens that are free of charge for children between the ages of 3 and 5.

...

109. The Committee is concerned that women are severely underrepresented in the labour market in general and in senior and decision-making positions in particular. Furthermore, the Committee notes with concern the strong occupational segregation, both horizontal and vertical, the concentration of women in part-time jobs, and the persistent wage gap between women and men. The Committee is also concerned about the lack of information on women working part-time for less than 20 hours, who seem to be less protected and seem to have access to fewer entitlements.

110. The Committee urges the State party to ensure that women have *de facto* equal opportunities in the labour market. Efforts should be made to eliminate occupational segregation in the public and private sectors through skills training and encouraging women to work in non-traditional fields and by the utilization of temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25. The Committee further requests the State party to address the wage gap, *inter alia*, through job evaluation systems...

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- Angola, CEDAW, A/59/38 part II (2004) 118 at paras. 160 and 161.

160. The Committee expresses concern at the insufficient information about women's *de facto* situation in the formal and informal labour market. In particular, the Committee lacks a clear picture with regard to women's participation in the labour force in urban and rural areas, their unemployment rates, and the effective application of existing labour legislation in the private sector, the vertical and horizontal labour force segregation and women's ability to benefit from new economic opportunities.

161. The Committee urges the State party to ensure equal opportunities for women and men in the labour market in accordance with article 11 of the Convention, and the full implementation of the provisions of the General Labour Law by the public and private sectors, including with regard to maternity protection as provided in article 4, paragraph 2 of the Convention. The Committee urges the State party to intensify its efforts to ensure that all employment-generation programmes are gender sensitive and that women can fully benefit from these programmes...

- Equatorial Guinea, CEDAW, A/59/38 part II (2004) 126 at paras. 201 and 202.

201. The Committee is concerned that the number of women in decision-making positions remains extremely low in politics, the judiciary, and the civil service. It notes with concern that the persistence of stereotypical and patriarchal attitudes may preclude women from seeking positions of leadership.

202. The Committee recommends that the State party take measures to increase the number of women in decision-making positions in all spheres. It recommends that the State party introduce temporary special measures, in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25, to strengthen and accelerate its efforts to promote and elect women to decision-making positions. To that end, the Committee urges the State party to implement and strengthen training and awareness-raising programmes to highlight the importance of women's participation in decision-making at all levels and to create enabling, encouraging and supportive conditions for such participation.

- Bangladesh, CEDAW, A/59/38 part II (2004) 134 at paras. 253-256.

253. The Committee expresses concern about the poor working conditions women endure

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in both the formal and informal sectors of the economy. It is particularly concerned about the persistence of wage disparities between women and men, and about the lack of childcare facilities for working mothers. It is also concerned that women working in the private sector and industry do not enjoy the same maternity leave benefits of women working in the public sector.

254. The Committee recommends that the State party establish a monitoring mechanism to ensure the enforcement of legislation requiring employers to provide equal pay for equal work, ensure that maternity leave is available in all public and private employment, especially through the enactment of a law on maternity leave, and expand the number of crèches available for working mothers.

255. While welcoming the measures taken to increase the number of women in the National Parliament, the Committee expresses concern that the number of women in decision-making positions remains low in politics, the judiciary, the civil service and the foreign service. The Committee is further concerned that a lack of a women-friendly environment in these sectors may contribute to women's low representation.

256. The Committee recommends that the State party adopt proactive policies for women's increased participation at all levels and, when necessary, adopt temporary special measures and establish effective policies and a timetable to increase the number of women in decision-making positions in all spheres. It also recommends that the State party introduce legislation providing for the direct election of women to the National Parliament rather than through selection by members of the Parliament. The Committee furthermore calls on the State party to sensitize government officials on the issue of gender discrimination in order to promote a women-friendly environment that would encourage the participation of women in the public life of the country.

- Dominican Republic, CEDAW, A/59/38 part II (2004) 141 at paras. 302, 303, 306 and 307.

302. The Committee notes with concern the increase in the rate of unemployment among women, which is three times the rate among men, the persistent wage gap between men and women and the lack of information on the causes of this discrepancy. The Committee is also concerned about the lack of public knowledge of the rights of female domestic workers and the lack of compliance with those rights in accordance with the provisions of Act No. 103-99 on Male and Female Domestic Workers amending the Labour Code. It is particularly concerned that compliance with the rights of female domestic workers is being left to the discretion of the employer and that there may be non-compliance in cases where the female domestic workers are hired by private companies.

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303. The Committee urges the State party to ensure *de facto* equal opportunity for men and women in the labour market through a review of labour legislation to ensure that it is consistent with article 11 of the Convention and is implemented in compliance thereof. It particularly recommends that the State party take the necessary action to guarantee equal pay for women and men in both the public and private sectors by developing policies and measures to that end, including through job evaluations, collection of data, further study of the underlying causes of the wage gap and provision of increased assistance for social partners in collective bargaining, in particular in determining wage structures in sectors dominated by women. With respect to the rights of female domestic workers, the Committee urges the State party to take practical measures to monitor closely and enforce compliance with Act No. 103-99 and assess its effectiveness. It recommends the adoption of legislative, administrative and other measures guaranteeing access to social security and other labour benefits, including paid maternity leave, for female domestic workers, temporary employees and workers in the informal and rural sectors.

...

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 that steps be taken to ensure the implementation of labour legislation in free-trade zones, in accordance with article 11 of the Convention and to prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy. The Committee also 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.

- Spain, CEDAW, A/59/38 part II (2004) 149 at paras. 342, 343, 350 and 351.

342. The Committee is concerned at the under-representation of women in senior positions in some areas of professional and public life, such as the judiciary and the Foreign Service, particularly at the highest echelons.

343. The Committee recommends that proactive policies for women's increased participation at those levels be adopted and, when appropriate, temporary special measures in accordance with article 4, paragraph 1, of the Convention and general recommendation 25 be taken to

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ensure the acceleration of the achievement of women's real empowerment on equal terms with that of men.

...

350. The Committee is concerned about the continuing high level of unemployment among women that is reported twice that of men, the high number of women in part-time and temporary jobs as well as the wage discrimination faced by women. Furthermore, the Committee is concerned at the high proportion of women in the service sector, indicating a sex-segregated labour market with a negative impact on women's wages.

351. The Committee calls upon the State party to intensify its measures to increase women's employment, to make sure that women have access to full-time and permanent jobs if they wish, and to promote equal pay for equal work and work of equal value. It also calls upon the State party to promote participation by women in sectors traditionally regarded as male and *vice versa*.

- Argentina, CEDAW, A/59/38 part II (2004) 155 at paras. 374 and 375.

374. The Committee is concerned about the poor working conditions women endure in both the formal and informal sectors of the economy. It is particularly concerned about the persistence of wage disparities between women and men, which are discriminatory, and about the lack of social benefits and services for women. The Committee is concerned that in the prevailing situation of economic difficulty and uncertainty, women may face even greater obstacles than usual in claiming their rights and taking steps against discriminatory practices and attitudes in their employment and economic activities.

375. The Committee urges the State party to make all necessary efforts to ensure the enforcement of legislation requiring employers to provide equal pay for equal work, as well as efforts to ensure that women receive adequate social benefits and services. It also calls on the State party to ensure full adherence to existing legislation so that women can use means of redress without fear of reprisals from employers.

- Samoa, CEDAW, A/60/38 part I (2005) 9 at paras. 44, 48, 49, 54 and 55.

44. The Committee commends the State party for adopting temporary special measures in the police services, where women are under-represented.

...

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

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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...The Committee encourages the Government to consult with women's organizations in the development and prioritization of such a legislative reform agenda.

...

54. The Committee is concerned about the situation of women in the employment sector and their lower level of participation in the labour force. The Committee is concerned that existing legislation is discriminatory or has significant gaps with respect to articles 11 and 13, such as lack of provisions on equal pay for work of equal value, on protection against discrimination on the basis of pregnancy and against sexual harassment in the workplace. The Committee is also concerned about the extremely limited provision of paid maternity leave in the private sector and the lack of adequate childcare services.

55. The Committee calls upon the State party to bring its legislation into compliance with article 11 of the Convention without delay and to ensure compliance with such legislation. The Committee also requests the State party to step up its efforts to address the impediments women face in entering the labour force and to implement measures to promote the reconciliation of family and work responsibilities between women and men. The Committee also urges the State party to use temporary special measures in accordance with article 4, paragraph 1, of the Convention and general recommendation 25 so as to enhance implementation of article 11 of the Convention...

- Lao People's Democratic Republic, CEDAW, A/60/38 part I (2005) 16 at paras. 106 and 107.

106. The Committee is concerned about the situation of women in the employment and labour areas, on which insufficient information was provided, especially about women's ability to take advantage of new economic opportunities and to benefit fully from the State party's reforms towards a market-based economy and its integration into the regional and world economy.

107. The Committee recommends that the State party study the impact of its economic reforms on women, with a view to improving equality between women and men in the labour market, including strengthening formal and informal mechanisms for the resolution of labour disputes through appropriate representation of women. It recommends that targeted measures be taken to upgrade and improve women's entrepreneurial skills and their access

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to technology, and to create opportunities for women in trade and commerce on the basis of equality between women and men. It also calls upon the State party to assess and to take remedial measures regarding any disadvantageous impact of economic reforms on women, including on women in the civil service.

- Algeria, CEDAW, A/60/38 part I (2005) 23 at paras. 133 and 155-158.

133. The Committee welcomes the increasing number of women in the judiciary, who now account for approximately one third of magistrates, and in leadership posts, such as the presidency of the State Council, courts and tribunals.

...

155. While welcoming the progress achieved over time in women's political participation, the Committee remains concerned about the low level of representation of women in decision-making positions, particularly their political representation at all levels and their representation in the administration and the foreign service.

156. The Committee encourages the State party to take sustained measures, including temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25, to accelerate the increase in the representation of women in elected and appointed bodies in all areas of public life. The Committee also suggests that the State party implement leadership training programmes and carry out awareness-raising campaigns on the importance of women's participation in decision-making, and that it evaluate the impact of such measures.

157. The Committee notes the absence of information on the situation of women in the informal sector and expresses concern that women constitute only 14.18 per cent of the total employed population.

158. The Committee requests the State party to undertake studies to assess the situation of women working in the informal sector...The Committee also requests the State party to step up its efforts to address impediments women face in entering the labour force and to implement measures to promote the reconciliation of family and work responsibilities of women and men. The Committee also urges the State party to use temporary special measures in accordance with article 4, paragraph 1, of the Convention and general recommendation 25 so as to accelerate implementation of article 11 of the Convention.

- Croatia, CEDAW, A/60/38 part I (2005) 30 at paras. 194 and 195.

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194. The Committee expresses concern about the serious disadvantages women face in the labour market, as reflected in women's high unemployment rate, the persistence of strong vertical and horizontal segregation, wage differentials between women and men and the predominance of women in low-wage sectors. The Committee expresses its particular concern about the situation of women older than 40 years, as well as the discriminatory treatment of pregnant women in the labour market. The Committee is also concerned that insufficient attention is being given to policies supporting the sharing of work and family responsibilities between women and men.

195. The Committee urges the State party to ensure *de facto* equal opportunities for women and men in the labour market through, *inter alia*, effective implementation of labour legislation and the use of temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25 on temporary special measures. It urges the State party to encourage women to use existing complaints mechanisms in cases of possible labour market discrimination. The Committee recommends that efforts be made to eliminate occupational segregation and age discrimination against women through education, training and retraining measures, and better use of enforcement mechanisms. It also recommends that the State party consider implementing wage increases in female-dominated public sector areas, such as the judiciary, education and health sectors. The Committee further recommends that measures allowing for the reconciliation of family and professional responsibilities be strengthened and promoted, including awareness-raising for equal sharing of domestic and family tasks between women and men.

- Paraguay, CEDAW, A/60/38 part I (2005) 44 at paras. 285 and 286.

285. While taking note of the amendments to the Labour Code in regard to domestic workers, the Committee remains concerned about the lack of enforcement of the Code in the public and private sectors, the poor working conditions for women in the informal sector, the low participation of women in the formal labour market, persistent wage disparities between women and men, and discriminatory practices *vis-à-vis* domestic workers, such as workdays of 12 hours and remuneration below the minimum wage...

286. The Committee urges the State party to put in place effective monitoring mechanisms to ensure the enforcement of existing legislation, particularly as it applies to domestic workers. It also urges the State party to implement temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25 in order to increase the number of women in the formal workforce. The Committee requests the State party to address the issue of girls performing domestic work by bringing its legislation and policies into line with its obligations under International Labour Organization Conventions No. 138 and No. 182, concerning respectively the minimum age

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of 14 years for admission to employment and the elimination of the worst forms of child labour...

- Italy, CEDAW, A/60/38 part I (2005) 51 at paras. 322-327, 332 and 333.

322. The Committee remains concerned about the persistence and pervasiveness of patriarchal attitudes and deep-rooted stereotypes regarding the roles and responsibilities of women and men in the family and society. These stereotypes undermine women's social status, present a significant impediment to the implementation of the Convention and are a root cause of women's disadvantaged position in a number of areas, including in the labour market and in political and public life...

323. The Committee calls upon the State party to adopt a large-scale, comprehensive and coordinated programme to combat the widespread acceptance of stereotypical roles of men and women, including awareness-raising and educational campaigns aimed at women and men, to help ensure the elimination of stereotypes associated with men's and women's traditional roles in the family and in society at large, in accordance with articles 2 (f) and 5(a) of the Convention. It recommends that the State party make every effort to disseminate information on the Convention among both private and public actors to increase awareness and understanding of the meaning and content of the substantive equality of women...

324. While noting with appreciation the increase in the number of Italian women in the European Parliament, the Committee remains deeply concerned about the severe underrepresentation of women in political and public positions, including in elected bodies, the judiciary and at the international level. The Committee is especially concerned that the political participation of women at the national level has fallen in recent years and remains among the lowest in Europe.

325. The Committee encourages the State party to take sustained measures to increase the representation of women in elected and appointed bodies and in the judiciary and at the international level. It recommends that the State party introduce appropriate measures, including temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25, to increase the number of women in political and public positions. It further encourages the State party to step up efforts to pass legislation under article 51 of the Constitution to increase the number of women in political and public positions, including through the use of quotas, and to ensure adequate representation in such positions of Roma and migrant women, and women from the south of the country. The Committee recommends that the State party carry out awareness-raising campaigns among both men and women on the importance of women's participation in political and public life and in decision-making, and that it create enabling, encouraging and

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supportive conditions for such participation.

326. While noting the sharp increase in the employment rate among women, the Committee is concerned about the serious disadvantages women face in the labour market, including the underrepresentation of women in senior positions, the concentration of women in certain low-wage sectors and in part-time work, the considerable wage gap between men and women and the lack of implementation of the principle of equal pay for work of equal value. While noting that Law 53/2000 recognizes the right of both parents to take leave from work to care for a child during early infancy, the Committee is concerned that a very small percentage of men take advantage of this opportunity.

327. The Committee urges the State party to accelerate and ensure equal opportunities for women and men in the labour market through, *inter alia*, temporary special measures in accordance with article 4, paragraph 1, of the Convention and general recommendation 25, and to ensure equal pay for work of equal value. It also recommends that the State party extend full social security benefits to part-time workers, the majority of whom are women, and take measures to eliminate occupational segregation, in particular through education and training. The Committee further urges the State party to give women more access to full-time employment and to improve the availability of affordable childcare facilities, and encourage men, including through awareness-raising, to take equal responsibility for childcare.

...

332. The Committee is concerned that certain groups of women, including Roma and migrant women, remain in a vulnerable and marginalized situation, especially in regard to education, employment, health and participation in public life and decision-making. The Committee is particularly concerned about the impact of Law 189/2002, which imposes far-reaching restrictions on migrant women workers, and about the absence of laws and policies concerning asylum-seekers and refugees, including lack of recognition of gender-related forms of persecution in determining refugee status.

333. The Committee urges the State party to take effective measures to eliminate discrimination against vulnerable groups of women, including Roma and migrant women, and to enhance respect for their human rights through all available means, including temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25...The Committee also encourages the State party to revisit the provisions of Law 189/2002 with a view to removing the current restrictions on migrant women, and to adopt laws and policies which recognize gender-related forms of persecution in the determination of refugee status.

- Turkey, CEDAW, A/60/38 part I (2005) 58 at paras. 373 and 374.

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373. The Committee is concerned about direct and indirect discrimination against women in the labour market, where women earn significantly less than men in both the public and private sectors. The Committee is concerned about women's high level of unemployment, very low participation in the labour force, particularly in urban areas, and their concentration in agriculture as unpaid family workers and in unregistered work with low or no income or wages and lack of social security benefits. The Committee is further concerned that a barrier to women's participation in the labour market is that too few childcare facilities exist.

374. The Committee calls on the State party to take measures to ensure full implementation of article 11 of the Convention. It recommends that the State party take measures to eliminate occupational segregation, in particular through education and training. It urges the State party to improve the availability of affordable childcare facilities for pre-school-age children to facilitate women's entry and re-entry into the labour market.

- Democratic People's Republic of Korea, CEDAW, A/60/38 part II (2005) 101 at paras. 32, 45, 46, 61 and 62.

32. The Committee welcomes the availability of such support services as nurseries, kindergartens, children's wards, kitchens in workplaces and breastfeeding breaks for working mothers, as well as the use of temporary special measures to increase the number of women in certain management positions.

...

45. The Committee is concerned that there are many instances of indirect and hidden discrimination against women, as evidenced by the fact that women do not choose to take on management positions because they have no time and are unwilling to participate in public and social life owing to ascribed duties in the family. The Committee is also concerned about the prevailing perception that the public and social spheres are "men's spheres".

46. The Committee urges the State party to recognize and analyse the persistence of indirect and hidden discrimination as an obstacle to the implementation of the Convention, and to take measures to identify where it occurs, raise awareness and be proactive in its elimination.

...

61. While noting that women make up approximately 20 per cent of the deputies to the eleventh Supreme People's Assembly, and 30 per cent of the local people's assemblies, the Committee expresses concern that the number of women in decision-making positions remains low in politics, the judiciary and the civil service. The Committee is also concerned at the low participation of women in decision-making positions in the foreign service.

62. The Committee recommends that the State party take measures to increase the number of women in decision-making positions in all spheres. It also recommends that women's

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representation in the foreign service be increased, including in missions abroad. It also recommends that the State party introduce temporary special measures, in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25, to strengthen and accelerate its efforts to promote and elect women to positions of power, supported by special training programmes and awareness-raising campaigns aimed at underlining the importance of women's participation in decision-making at all levels.

- Lebanon, CEDAW, A/60/38 part II (2005) 109 at paras. 91 and 105-110.

91. The Committee notes with satisfaction the growth in women's representation in the judiciary, where 5 of the 37 judges at the Court of Cassation and 71 of the 112 apprentice judges are now. It also welcomes the fact that in November 2004, for the first time ever, a woman judge was appointed as public prosecutor to the Court of Cassation, thus having the opportunity to enter the High Council of the Judiciary.

...

105. 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 the family, in the workplace and in society, thus constituting serious obstacles to women's enjoyment of their human rights and impeding the full implementation of the Convention.

106. The Committee urges the State party to increase its efforts to design and implement comprehensive awareness-raising programmes to foster a better understanding of and support for equality between women and men at all levels of society. Such efforts should aim at modifying stereotypical attitudes and traditional norms about the responsibilities and roles of women and men in the family, the workplace and in society, as required under articles 2 (f) and 5 (a) of the Convention, and to strengthen societal support for equality between women and men.

107. While welcoming the fact that the percentage of women deputies in the National Assembly has doubled from 2.3 per cent in 1992 to 4.3 per cent in 2005, the Committee remains concerned about the very low level of representation of women in decision-making positions, particularly in elected and appointed bodies at all levels, and their representation in the administration and foreign service.

108. The Committee encourages the State party to take sustained measures, including temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25, to accelerate the increase in the representation of women in elected and appointed bodies in all areas of public life.

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109. The Committee notes with concern that, despite law reform in the field of employment, women remain disadvantaged in the labour market, which is characterized by strong occupational segregation and the persistence of a gender wage gap.

110. The Committee requests the State party to step up its efforts to eliminate occupational segregation and to ensure equal opportunities for women and men in the labour market. It also recommends that the State party establish a monitoring mechanism to ensure the enforcement of legislation requiring employers to provide equal pay for work of equal value. The Committee requests that effective measures be taken to support the reconciliation of family and professional responsibilities and to promote the sharing of domestic and family responsibilities between women and men.

- Gambia, CEDAW, A/60/38 part II (2005) 122 at paras. 199 and 200.

199. While acknowledging the increase in women's political representation, the Committee remains concerned about the low level of representation of women in public and political life and in decision-making positions, including in the foreign service.

200. The Committee encourages the State party to take sustained measures, including temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25, to accelerate the increase in the representation of women in elected and appointed bodies in all areas of public and political life and at all levels.

- Israel, CEDAW, A/60/38 part II (2005) 129 at paras. 251 and 252.

251. While noting the increase in the number of women in the Knesset, the Committee remains concerned about the low level of representation of women in decision-making positions in local authorities. It is also concerned that the number of women in high-level positions in the civil service and foreign service remains low. The Committee is further concerned about the low level of representation of Israeli Arab women in these areas.

252. The Committee encourages the State party to take sustained measures, including temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25, and to establish concrete goals and timetables so as to accelerate the increase in the representation of women, including Israeli Arab women, in elected and appointed bodies in all areas of public life.

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- Burkina Faso, CEDAW, A/60/38 part II (2005) 144 at paras. 351 and 352.

351. While noting the increase in the number of women in the National Assembly from three in 2000 to 13 in 2005, the Committee remains concerned about the low level of representation of women in public and political life and in decision-making positions, including in the foreign service. It notes with concern the absence of temporary special measures to increase women's participation in political and public life, despite the Committee's recommendation in paragraph 273 of its previous concluding comments (see A/55/38, part one).

352. The Committee urges the State party to implement temporary special measures, including quotas, in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25, and to establish concrete goals and timetables so as to increase the number of women in political and public life and in decision-making positions. The Committee also draws the State party's attention to general recommendation 23 on the participation of women in public life and urges full implementation of the measures recommended therein.

- Ireland, CEDAW, A/60/38 part II (2005) 151 at paras. 390, 391, 394 and 395.

390. While acknowledging that the President, the Deputy Prime Minister and three members of the Cabinet are women, and that women occupy other visible decision-making positions, including three Supreme Court judges, the President of the District Court, the President of the Law Reform Commission and the Ombudsman, the Committee is concerned at the significant underrepresentation of women in elected political structures, particularly in the Oireachtas. The Committee is further concerned at the low representation of women in the civil service and in the Department of Foreign Affairs at the higher grades.

391. The Committee encourages the State party to take sustained measures to increase the representation of women in elected bodies, including temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25 on temporary special measures. It recommends that research be carried out under the aegis of a parliamentary committee into the root causes of the lack of progress in this area.

...

394. While acknowledging the initiatives taken by the State party to foster women's participation in employment, including the Equal Opportunities Childcare Programme, 2000-2006, the Committee is concerned that women remain disadvantaged in the labour market. It is particularly concerned that they are concentrated in part-time and low-paid work and that the pay gap between women and men, although recently reduced, is still significant. The Committee is further concerned about the precarious situation of migrant domestic workers,

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the vast majority of whom are women, who are excluded from the protection against discrimination extended to employees under the Equality Act, 2004.

395. The Committee recommends that further measures allowing for the reconciliation of family and professional responsibilities be adopted and implemented, including the provision of affordable childcare, and that the equal sharing of domestic and family tasks between women and men be promoted. It also recommends that the State party adopt policies and concrete measures to accelerate the eradication of pay discrimination against women and to work towards ensuring *de facto* equal opportunities for women and men in the labour market. The Committee calls on the State party to ensure that women domestic workers, including migrant women, are duly protected against discrimination.

CAT

- Greece, CAT, A/60/44 (2004) 20 at para. 46.

46. The Committee notes the following positive developments:

...

(c) The lifting of restrictive quotas (of 15 per cent) for the entry of women into the police force;

...