



Convention on the Elimination of All Forms of Discrimination against Women

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Summary record of the 1835th meeting

Held at the Palais des Nations, Geneva, on Wednesday, 3 November 2021, at 10 a.m.

Chair: Mr. Safarov (Vice-Chair)

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Mr. Safarov (Vice-Chair) took the Chair.

The meeting was called to order at 10 a.m.

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

Fifth periodic report of Kyrgyzstan (continued) (CEDAW/C/KGZ/5;
CEDAW/C/KGZ/Q/5 and CEDAW/C/KGZ/RQ/5)

1. *At the invitation of the Chair, the delegation of Kyrgyzstan took places at the Committee table.*

2. **Ms. Akizuki** said that she welcomed the news that women's participation in the parliament and local councils had increased, but asked what the position was in other decision-making bodies and whether there were any specific measures to improve women's representation at all levels of government, and in the judiciary and academia. Since the Committee was concerned by reports of widespread scepticism with regard to women's suitability for political life and of opposition to their holding of public office, it would like to know whether the State party undertook nationwide campaigns, with media support, targeted at all relevant State officials, employers and political parties to make them aware of the importance of women's political participation. What awareness-raising measures were aimed at the general public with a view to eliminating discriminatory stereotypes of women's role in public and political life? She would be interested to learn whether the State party ran mentoring programmes on leadership and negotiation skills for women in the public sector. She wondered whether any measures were in place to protect female candidates from gender-based violence and harassment during elections. Was there any data on the subject? She would like to know whether there were any legal mechanisms to protect and promote the work of women human rights defenders, including those advocating rural women's human rights. What was done to secure their right of peaceful assembly and freedom of association?

3. **The Chair** said that he wished to know when the State party intended to ratify and implement the Convention on the Reduction of Statelessness and the Convention relating to the Status of Stateless Persons. He would also like to know when the State party was going to establish a fair and effective national statelessness determination procedure to ensure the protection of the most vulnerable stateless persons, including stateless women, women of undetermined nationality and their children. He would be grateful for information about the registration of persons from ethnic minority backgrounds, such as the Roma/Lyuli people, and the provision of identity documents that would give them access to medical, social and legal services.

4. **Ms. Alybaeva** (Kyrgyzstan) said that, in accordance with the Constitution, electoral laws were not discriminatory. Quotas had been established to enhance women's participation in political and social life. As a result, 60 per cent of members of parliament were women. The Deputy Speaker was a woman and three parliamentary committees were chaired by women. At the local government level, 37 per cent of the members were women. There was one woman minister in the Cabinet. Two major towns had women deputy mayors. Out of 18,000 civil servants, 7,000, or 39 per cent, were women, while 36 per cent of the legislature, 41 per cent of the executive branch and 34 per cent of the judiciary and prosecution service were women.

5. **Mr. Smanaliev** (Kyrgyzstan) said that more than 42 per cent of judges were women, half of the judges of the Supreme Court were women and 4 of the most senior judges were women.

6. **Ms. Altymysheva** (Kyrgyzstan) said that the State party had acceded to seven out nine of the core international human rights instruments. It had ratified the Convention on the Rights of Persons with Disabilities in 2019. The ratification of the two conventions mentioned by the Chair was being considered by competent State bodies as part of a national human rights plan. In 2019 Kyrgyzstan had been the first State in the world to eradicate statelessness. Over 13,000 stateless persons had been issued with identity documents.

7. **Ms. Bonifaz Alfonzo** said that she wished to know what measures had been taken by the State party to provide the same educational opportunities for girls and boys, especially in

rural areas. Were there any factors that impeded girls' access to the same level of education as boys? She would welcome information about measures in schools to combat gender stereotyping. She asked whether gender equality training was provided in the formal education system. She was curious to know what impact the coronavirus disease (COVID-19) pandemic had had in rural areas and how it had affected the education of children from the poorest families. What catch-up measures were planned? Lastly, she wished to know whether girls were given sex education at school.

8. **Mr. Beishenaliev** (Kyrgyzstan) said that, in accordance with the Constitution, rural girls had the same right to primary and secondary education as boys. Sex education was not a specific subject on the curriculum, but it was included in social studies and in anatomy and ethics lessons. Moreover, there were books on the subject. His country had been highly successful in providing online teaching during the pandemic. In some rural areas without internet access children had received tuition via two television channels. In addition, 540 books had been digitalized. The State party was in the process of setting up e-schooling for children with disabilities and for sick and infirm children. Despite all those efforts, there had been a drop in the quality of education during the pandemic owing to difficulties in establishing digital platforms and training teachers how to use them. Higher, vocational, secondary and primary education was now fully available online.

9. **Ms. Alybaeva** (Kyrgyzstan) said that, in 2019 and 2020, special information resources and videos had been developed for girls and their mothers on the topic of harassment and sexual violence. Over 1,000 school counsellors had been trained and 11,000 girls and about 5,000 mothers had attended such courses. Special guidance on how to combat sexual violence had been issued for use by school counsellors.

10. **Ms. Tisheva** said that women's employment rate and wages were still indicative of gender inequality and stereotyping. She therefore wished to know if there was a timeline for amending Act No. 184 on State Guarantees of Equal Rights and Equal Opportunities for Men and Women to incorporate the principle of equal pay for work of equal value in order to provide protection against hidden discrimination. When did the State party intend to amend articles 218 and 303 of the Labour Code, which restricted women's access to certain categories of work? In that connection, it should be remembered that gender equality also meant protecting men against harmful working conditions. She would appreciate hearing more about the services available for safeguarding the reproductive role of women. She would like to hear how the State party intended to combat negative stereotyping and promote women's employment through education and training and wondered whether any temporary special measures were envisioned for young women entering male-dominated or cutting-edge professions and occupations. She would welcome details of the action taken to include in the above-mentioned Act a comprehensive definition of sexual harassment that would encompass intimidating, hostile or humiliating working environments, along with provisions establishing reliable procedures for access to justice for women whose rights under the Act had been violated. She wished to know how many cases concerning violations of the Act had been brought before the courts and registered with the National Council on Gender Development in 2019 and 2020.

11. She would be grateful for information about steps to ensure women's maternity protection not only in the public and private sectors, but also in the informal economy. Were any measures planned to provide for and encourage paternity leave? The Committee would like to know when the State party intended to ratify the Maternity Protection Convention, 2000 (No. 183), the Workers with Family Responsibilities Convention, 1981 (No. 156) and the Violence and Harassment Convention, 2019 (No. 190) of the International Labour Organization (ILO). Did the State party intend to conduct any research into the impact of the pandemic on women's access to employment? Lastly, she asked what measures were in place to tackle limited and poor employment opportunities for women from minorities, women with disabilities and women in other vulnerable situations.

12. **Ms Narain** said that she wished to congratulate the State party on the decreasing maternal mortality rate, but noted that it was still high compared with other countries in the region. She therefore asked whether there were any plans to improve the health-care system, enhance women's access to affordable services and remove discrimination against them by medical staff. The Committee wished to know if any steps were being taken to ensure the

provision of high-quality health services for women and girls in rural and remote areas and to address the specific health issues faced by migrant women. It would like to receive an assurance that mandatory health insurance would be extended to refugees and asylum-seekers and that, as vulnerable categories of persons, they would be given subsidized access to health care, including sexual and reproductive health services and information. She would welcome details of action taken by the State party to provide treatment for women living with AIDS. What measures were in place to provide adequate health care for pregnant women? She wondered why so many women suffered from anaemia. She was curious to know what measures existed for the early detection of breast and other gynaecological cancers. Did sufferers receive chemotherapy or immunotherapy?

13. She also wished to know whether abortion was used as a family planning method and whether adolescents resorted to backstreet abortions because they were afraid to seek parental consent for an abortion. The Committee would welcome information about moves to ensure the access of women and girls to affordable, modern, contraceptive methods and family planning services. Was there a comprehensive sex education policy for adolescent girls? Lastly, she asked whether COVID-19 vaccines were freely available to all women who wished to be vaccinated, especially those who were vulnerable, older women or women who had comorbidities.

14. **Ms. Bethel** said the Committee wished to hear what the State party was doing to counter the paternalistic approach to the social protection of women and whether it was employing measures and policies designed to offer protection that was sensitive to the differing needs of women and men, in line with international standards. She wondered if it intended to establish social protection floors, since they were fundamental elements of social security that made for greater gender equality and women's empowerment and helped to reduce other inequalities. As women's share of unpaid domestic work and family care was much greater than men's in Kyrgyzstan, she would like to know what progress had been made towards the adoption of a law on a national care system. She asked whether the State party was prepared to adopt transformative fiscal policies and strategies to reduce the burden of family care on women, particularly rural women, by offering wider access to high-quality, affordable and gender-responsive public services. Was the State party prepared to compile statistics and data on unpaid care work and to monetize it, in order that women could be compensated for it? She pointed out that the challenges faced by rural women were amplified by several factors and that unpaid care work made it difficult for them to take advantage of employment opportunities in agriculture and elsewhere.

15. Rural women's access to productive resources, such as land, agricultural inputs, financing and credit and technology was often restricted. It would be useful to hear more about the specific measures in place to improve women's food security and nutrition, increase the productivity of women smallholder farmers, improve women's access to resources, services and technology, broaden their income opportunities and access to high-value product markets and ensure women's participation and leadership in decision-making and in shaping responses to the challenges posed by, inter alia, unpaid care work and food insecurity.

16. Entrepreneurship, particularly at the micro and small enterprise level, was becoming an important pathway to economic empowerment and improved livelihoods for women in Kyrgyzstan. However, most women entrepreneurs tended to work in low-value added sectors or from home, on account of women's disproportionate responsibilities for unpaid care. She wished to know what the State party was doing to enable women to bring their goods and products to regional and international markets, especially women who owned small businesses specializing in traditional crafts and in textiles and clothing. She would also like to learn more about the measures in place to protect the generational intellectual property of women, especially in the area of textile, artisanal and craft production.

17. **Ms. Alybaeva** (Kyrgyzstan) said that, in Kyrgyzstan, the female unemployment rate currently stood at 42 per cent. A new employment programme adopted for the period 2021–2026 would focus on the critical level of unemployment among women aged between 20 and 29 years, which currently stood at 32 per cent. Most women were employed in the informal or agricultural sectors. However, a positive trend had been observed whereby an increasing number of women were gaining employment in the processing industry, where wages and

productivity were higher. Women were also well represented in the education and health-care sectors and their presence in the industrial sector was increasing.

18. A task force had been set up to devise a proactive strategy to help young people, women, persons with disabilities and returning migrants to find jobs. Under newly enacted employment legislation, women who had been unemployed for a prolonged period owing to motherhood could be included as a separate category of jobseeker. Under that legislation, women on maternity leave would be able to register as jobseekers and be able to undertake vocational training, retrain or reskill with a view to rejoining the labour market. Moreover, in the civil service, women who had taken maternity leave or who had been obliged to stop working to take care of their children or ill relatives would be given priority access to training activities. The list of harmful and/or dangerous professions that women, including pregnant women and breastfeeding mothers, were forbidden from practising had been analysed by ILO and was due to be reviewed by the Government.

19. Kyrgyzstan was working towards ratifying ILO Convention No. 183 and the Night Work Convention, 1990 (No. 171); it had already ratified the Underground Work (Women) Convention, 1935 (No. 45). A maternity protection road map was being developed. Kyrgyzstan had ratified the Convention on the Rights of Persons with Disabilities in 2019 and was in the process of approving an accessibility programme for persons with disabilities and persons with reduced mobility. A personal assistant allowance had been introduced for mothers who spent their time caring for children with disabilities; those women were entitled to a stipend and to pension benefits.

20. **Ms. Nadaraia** said that, in Kyrgyzstan, rural and disadvantaged groups of women continued to face intersecting forms of discrimination. While the State party was to be commended on the progress it had made in adopting measures to combat poverty among rural women and to ensure that they had access to essential resources and services, that they could own and make use of land and that they could participate on an equal footing with men in community decision-making processes, equality for those women was far from being achieved.

21. An assessment had revealed that a large proportion of laws, regulations and documents on agricultural policy and access to land, water, forests, commercial markets, rural institutions, consulting services and rural employment were gender blind. That gender blindness was exacerbating the gender gap and multiplying inequalities in rural areas. She understood that many rural women did not have access to safe drinking water, adequate sanitation or water for irrigation, or to land or agricultural inputs. Moreover, they seldom held assets or owned land or property. Rural women were less likely to be employed under a contract or to lead small agribusinesses, as that sector continued to be dominated by men. Rural women were likewise underrepresented in associations governing access to essential resources and seldom held leadership positions in such associations. She wished to know whether the recommendations made following the 2018 study on the prevalence of negative gender stereotypes of rural women had been acted upon and what was being done to combat the stigmatization of rural women in urban communities.

22. Lesbian, bisexual, transgender and intersex women were often victims of hate speech and had their right of peaceful assembly restricted, as they were perceived as proponents of a pro-Western ideology that undermined the traditional values of the Kyrgyz population. Furthermore, women living with HIV/AIDS often suffered discrimination and stigmatization and struggled to meet their basic needs.

23. The Committee had learned from alternative sources that women who faced intersecting forms of discrimination had been unable to benefit from a food support programme launched during the pandemic because they did not have identity documents or a permanent place of residence. Furthermore, she understood that a change to the State party's civil status law was effectively preventing transgender women from changing their gender marker. She wondered whether an official procedure had been put in place whereby transgender women could change their gender marker on identity documents. The fact that the State party had still not enacted comprehensive anti-discrimination legislation that would offer protection to women from disadvantaged groups was a major cause for concern.

24. **Ms. Alybaeva** (Kyrgyzstan) said that, in 2015, the Cabinet of Ministers had declared 18 June as Rural Women's Day. In Kyrgyzstan, more than 2 million women, or 65 per cent of the total female population, lived in rural areas. More than 50 per cent of those women were economically active, and the 38 per cent of them who had jobs worked mostly in the agricultural and social sectors or in local government. Following the most recent round of elections to local councils, the proportion of women deputies had increased to 38 per cent. Information campaigns on financial management were conducted in conjunction with the country's banks on a regular basis. Women working in remote areas received all the social benefits to which they were entitled. Women civil servants were entitled to medical insurance, which covered the cost of medical check-ups, treatment and rehabilitation. Those women also had employment insurance, which covered workplace accidents and occupational hazards.

25. Victims of domestic violence could seek assistance at any of the 17 crisis centres operating in the country. Those crisis centres also played a role in strengthening family ties and reuniting family members. Both victims and perpetrators of domestic violence took part in rehabilitation programmes. Measures had been taken to expand the social and economic rights of rural women, raise their living standards, increase their income and food security and enhance their participation in the public life of their communities. Nearly 4,000 women had received microcredits. Most of the population had access to safe drinking water. In view of the pandemic, steps had been taken to improve the efficiency of the national economy, including by increasing the yield of various crops. The new women's entrepreneurship programme for the period 2021–2026 provided for legislative and regulatory improvements, increased access to financial services for women entrepreneurs, the promotion of an entrepreneurial culture and greater financial awareness among women entrepreneurs. The programme was currently being approved. A new microfinance credit line had been introduced for women entrepreneurs. To date, 50 women had received credit totalling \$138,000. A further microfinance credit scheme to improve agricultural production using an overdraft system had also been launched.

26. **Ms. Nadaraia** said that she would appreciate more information on the measures taken to improve the situation of women belonging to ethnic minority groups, women refugees, asylum-seeking women, migrant women, older women, women with disabilities, women living with HIV/AIDS, women drug users, lesbian, bisexual and transgender women and women heads of household.

27. **Ms. Zhusupbekova** (Kyrgyzstan) said that all pregnant women, including those living in remote areas, were treated free of charge. Medical centres providing obstetric services operated in all remote areas. However, those centres provided first and foremost emergency care; women in need of tests or specialized care were referred to regional medical centres. Women with higher risk pregnancies were advised to attend an obstetric clinic when they were close to giving birth. Pregnant women were tested for HIV free of charge in the first and third trimester. If HIV was detected, it was recommended that the woman should start antiretroviral treatment immediately to reduce the risk of mother-to-child transmission. Antiretroviral treatment was offered free of charge at all HIV centres and family medical centres. Several civil society organizations offered services to women drug users.

28. **Ms. Okoeva** (Kyrgyzstan) said that persons with disabilities were entitled to social benefits under the State Benefits Act, and the same benefits were provided to persons in all three categories of disability. They currently received social benefits ranging from €15 to €60. A Presidential Decree issued on 1 October 2021 provided for a 100 per cent increase in social benefits from 1 January 2022. All children born with disabilities had been entitled since 2018 to a single payment at birth of about €400 and to double that amount for twins.

29. **Ms. Alybaeva** (Kyrgyzstan) said that 65 per cent of the population lived in rural areas. Agriculture accounted for 30 per cent of male employment and 35 per cent of female employment. Women played a major role in food production and household care, but they had limited access to means of production, services and decent employment. Rural women belonged to the poorest and most vulnerable population groups. There were more than 428,000 farms, of which 20 per cent were managed by women. The registration of women's title to land was at times at variance with customary law, which stood in the way of their inheriting land or retaining it after a divorce.

30. Women were poorly represented in forestry and pastoral management. According to the Ministry of Agriculture, Water Resources and Regional Development, only 11 of the 459 pasture committees were headed by women. Access to irrigation water for women was quite complicated. They accounted for less than 10 per cent of the members of 477 water users' organizations. The additional risks relating to climate change encountered by women entrepreneurs in rural areas increased the feminization of poverty. Women in charge of households were less mobile and more vulnerable to natural disasters, pollution and epidemics.

31. With regard to the ethnic composition of local governments, Kyrgyz nationals accounted for 86 per cent of members, Russians for 2 per cent, Uzbeks for 7 per cent, Tajiks for 0.56 per cent, Kazaks for 0.61 per cent, and other ethnic groups for about 3 per cent.

32. **Ms. Dettmeijer-Vermeulen** said that the State party was reconsidering amendments to the list of 400 professions in the Labour Code that were prohibited for women. Such professions were often more highly paid. She therefore wished to know how the State party would address the discriminatory provisions of the Labour Code and ensure equality before the law.

33. According to the report, restrictions could be imposed on citizens' rights to freedom of movement and choice of place of residence within the country only where justified by law. She would welcome data on cases in which the law would justify restrictions and wondered whether they were similar for women and men. Records were kept of citizens' place of residence to ensure that they could exercise their rights and fulfil their responsibilities to other citizens. She would appreciate an explanation of such measures from a gender perspective.

34. Pursuant to the Act on Prevention and Defence against Domestic Violence, the police had issued almost 5,400 protection orders in 2019, but there had only been 18 registered misdemeanours for non-compliance. She would appreciate an explanation of the discrepancy and asked whether there was any strategy to render the Act more effective.

35. In 2021 the Office of the Prosecutor had drafted new versions of the Criminal Code and the Code of Criminal Procedure, which seemed to increase the risk of unequal treatment. She would like to know what the current status of the new legislation was.

36. There had been an alarming increase in the incarceration of women, mostly in connection with drug abuse, from 563 in 2019 to 633 in 2020. There had also been a significant increase in the number of crimes registered between January and April 2021, and possession of drugs without intent to sell had accounted for 43 per cent of the increase. In a context of poverty, unemployment and increased violence, exacerbated by the COVID-19 epidemic, women were more likely to use drugs to prevent stress, depression and pain. She would welcome comments from the State party on the increase in such crimes.

37. **Ms. Manalo** said that she was concerned that many women, especially those married solely under religious law, failed to benefit from all rights protected under the Family Code and were denied economic protection in the event of the dissolution of a marriage not registered with the civil registry. She therefore wished to know what steps had been taken to expedite the adoption of the amendment to the Act on Religious Belief and Practice so that religious wedding ceremonies could be administered only after formal marriages had taken place in order to ensure registration in line with the Constitution. She also asked whether legislative measures had been adopted to protect the rights of women upon the dissolution of religious or customary marriages, regardless of their registration status, in line with the Committee's general recommendation No. 29 on the economic consequences of marriage, family relations and their dissolution.

38. As she was concerned about the persistence of enforced child marriages, she would welcome information on proactive measures to combat such marriages, in accordance with joint general recommendation No. 31 of the Committee and No. 18 of the Committee on the Rights of the Child on harmful practices.

39. The Committee's general recommendation No. 21 urged States parties to ensure that women were free of gender-based violence in both public and family life. She asked to what extent the State party had taken action to reduce domestic violence to the minimum. She was interested in hearing whether polygamous marriages were still tolerated and, if so, how they

were legally regulated, for instance in terms of the rights and responsibilities of the spouses. In cases where women and men were not legally married, what were their responsibilities to each other and to their children? She wished to know whether women had the same rights as men to choose an occupation or profession and whether such rights were affected by marriage.

40. **Ms. Isakova** (Kyrgyzstan) said that the State had ratified the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages. The Family Code, the Children's Code and the Criminal Code contained provisions aimed at preventing forced and child marriages. Harsher penalties of imprisonment for 5 to 7 years were prescribed in the Criminal Code for the crime of abduction of minors for marriage. Article 178 of the Criminal Code criminalized violations of the law on marriageable age for religious ceremonies. Law enforcement officers were being trained to ensure an expedited response to such crimes and increased video surveillance equipment had been installed for preventive purposes. A special State institution was mandated to prohibit the registration of religious marriages involving minors.

41. **Ms. Zhushupbekova** (Kyrgyzstan) said that when minors contacted medical institutions, the competent authorities were immediately notified and medical assistance was provided.

42. **Mr. Esenkanov** (Kyrgyzstan) said that the legislation prohibiting the employment of women in certain professions was designed to protect them from harmful working conditions. The increase in the number of incarcerated women was a matter of concern. About 40 per cent of the inmates had been imprisoned on charges of fraud, which were offences triggered primarily by the difficult economic circumstances. Terms of imprisonment were usually imposed for drug-related offences and the penalties could be quite harsh for grievous crimes, even if the perpetrators were women.

43. **Ms. Isakova** (Kyrgyzstan) said that the issue of the consumption of narcotics was not addressed in the Criminal Code, but the Contravention Code prescribed fines for consumption of psychotropic substances or drugs in public places.

44. **Mr. Smanaliev** (Kyrgyzstan) said that there were 370 women in the prison system, of whom 245 had been convicted and 92 had been arrested following investigations. The 161 women who had been convicted for the first time included one minor. The 66 women who were recidivists also included one minor. There were 41 female inmates in the 18–24 age group, 46 in the 25–31 age group, 103 in the 32 to 44 age group, 68 over 55 years of age and 1 under 18 years of age. A total of 73 inmates were married, 247 were single or divorced and 73 were widows. Women accounted for 5.2 per cent of the total number of prisoners and minors accounted for 0.01 per cent. The facilities available to inmates included laundries, gymnasiums, libraires, clubs, general, technical and vocational education programmes, health-care centres, rehabilitation programmes and canteens.

45. **Ms. Alybaeva** (Kyrgyzstan) said that the first plan for the implementation of the Preventing Early Marriage Act in 2018 and 2019 had been successfully implemented, and the second plan for 2020 and 2021 was currently being implemented. The COVID-19 pandemic had impeded the monitoring process, but it was currently being undertaken and appropriate recommendations would be issued.

46. Awareness-raising campaigns concerning gender equality and early marriage were regularly conducted among law enforcement officers, school and university students, members of religious institutions and media professionals.

47. The list of professions from which women were banned owing to harmful working conditions would be reviewed. A wide-ranging analysis of the existing labour legislation had been conducted in order to prevent discrimination against women. A report containing recommendations aimed at promoting gender equality in the workplace and reflecting proposals and recommendations received from ILO and other national and international experts had been published.

48. **Ms. Dettmeijer-Vermeulen** said that the goal of protecting women from harmful working conditions failed to justify their inequitable treatment in legal terms. While she was

pleased to hear that the list would be reviewed, she wished to know whether the primary goal was protection or equality.

49. **Ms. Isakova** (Kyrgyzstan) said that the ILO had recommended producing a list of professions in which pregnant and breastfeeding women should not be employed owing to harmful conditions. It had recommended that the existing list of banned professions should be discarded. Gender equality would be a key issue and all international obligations would be taken into account.

50. **Ms. Alybaeva** (Kyrgyzstan) said she wished to assure the Committee that her Government would take all necessary measures to protect and promote the rights of women and girls and to guarantee the availability of political, economic, social and other resources and opportunities to all persons nationwide. It would accord high priority to the implementation of the National Strategy for the Achievement of Gender Equality.

The meeting rose at 11.50 a.m.