



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

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**Committee on the Elimination of Discrimination
against Women
Thirty-eighth session**

Summary record of the 787th meeting

Held at Headquarters, New York, on Friday, 25 May 2007, at 10 a.m.

Chairperson: Ms. Šimonović

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

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

Initial report of Mauritania (CEDAW/C/MRT/1; CEDAW/C/MRT/Q/1 and Add.1)

1. *At the invitation of the Chairperson, the members of the delegation of Mauritania took places at the Committee table.*

2. **Ms. Mint Khattri** (Mauritania) said that she wished to focus, in her introduction of her country's report, on developments since the submission of the report. The enrolment of girls in primary education continued to rise, as did the rate in secondary education but not as fast. More HIV/AIDS monitoring and treatment centres had been opened, with particular focus on HIV among women. Handicapped women benefited from the new law on the protection of handicapped persons. Her ministry, the Ministry for the Advancement of Women and the Protection of Children and the Family, relied heavily on the dissemination of information, awareness campaigns and training in its efforts to strengthen the protection of women, children and the family. Conciliation services for family disputes had been expanded and now covered child support claims as well. Leadership training programmes had been established to enhance the skills of women in office or seeking office. A community nutrition programme had been set up to assist pregnant and nursing women.

3. Temporary special measures included scholarships for young women and prizes for the most successful female students. Quotas had been set for women in municipal councils and Parliament, and financial incentives for parties promoting female candidates were to be established. The quotas had in most cases been exceeded in the recent elections.

4. Mauritania was large and underpopulated, with few natural resources and poor communications, and was plagued with drought and desertification, all of which hampered effective solutions to economic and social problems, including the disadvantages that women faced. Statistics at all levels were inadequate, as was much of the economic and social infrastructure, and financial and trained human resources were in short supply. Solutions to those problems were often further impeded by erroneous interpretations of

religious texts that opposed the empowerment of women.

5. Her Ministry had set itself various legislative and policy targets for the advancement of women, including strategies on gender and domestic violence, policies for children and rural women and laws on gender training, nationality, reproductive health and female genital mutilation. The Ministry was also working on establishing a database on women.

Articles 1 and 2

6. **Ms. Dairiam** noted that, although the Mauritanian Constitution contained provisions prohibiting direct discrimination, it had no clear-cut definition of discrimination and did not deal with indirect discrimination. Groups such as women that were already disadvantaged found that they were unable to benefit equally from what seemed to be identical treatment. Neutrality could have a discriminatory effect despite its good intentions. The Convention required States parties to take practical measures, not just legal ones, to promote the advancement of women and progress needed to be monitored. She asked for more information on such practical measures.

7. **Ms. Shin** asked how many women had submitted complaints to the Ombudsman. Noting that complaints could not be submitted directly to the Ombudsman but had to be routed through members of parliament or mayors, which could have an intimidating effect on women, she asked why complaints could not be submitted directly. She asked how the Government reached out to the masses of women, often rural and often illiterate, to inform them of their rights.

8. **Mr. Flinterman**, noting that Mauritania had submitted a general reservation on the Convention to the effect that it accepted the obligations imposed by the Convention to the extent that they were not contrary to the Constitution and the sharia, pointed out that article 28 of the Convention stipulated that reservations could not be incompatible with the object and purpose of the Convention. He urged the Government to withdraw its reservation or at least to specify the articles to which the reservation related. He welcomed the fact that the Convention could be directly invoked and asked whether there had been court cases where the Convention had been invoked.

9. **Ms. Maiolo** asked to what extent religious law and practices were an impediment to the full implementation of the Convention.

10. **The Chairperson**, speaking as a member of the Committee, asked who decided whether Mauritania's reservation applied to a particular article. She further enquired whether any studies had been carried out on the compatibility of Mauritania's laws with international human rights instruments and which Ministry was responsible for such assessments. She also requested information on the process of preparing the report and how civil society had been involved.

11. **Ms. Mint Khattri** (Mauritania) said that her country had entered an important stage in its development with the successful holding of fair and transparent elections. Her Ministry had devoted a great deal of attention to voter awareness and enrolment campaigns, especially among women. With regard to the reservation made by her Government, she said that Islamic law had always been the main source for Mauritanian legislation. It was felt that there was no contradiction in general between the Convention and Islamic law and problems of detail would be worked out with time. A commission was reviewing laws and she hoped that the reservation could be withdrawn soon.

12. **Mr. Ould Baidy** (Mauritania) said that the Constitution of Mauritania prohibited all forms of discrimination based on race or gender and guaranteed everyone access to public office. The Office of the Ombudsman had existed since 1994 but was not well known and it was difficult to bring complaints. Mauritania had for several years been reviewing its laws to make them compatible with human rights conventions and with the sharia. Efforts by the Ministry for the Advancement of Women focused on sensitization, especially through cooperation with civil society on such issues as violence against women and family disputes. Since the State could not do everything, civil society's participation was needed.

13. **Mr. Ould Tolba** (Mauritania) expressed thanks for the praise offered for Mauritania's report and said that in Mauritania there was no more discrimination against women than against other marginalized groups. With regard to discrimination against disabled persons, Mauritania had mechanisms both in Government and in civil society to protect the disabled, especially disabled children and street children. Problems existed but were

being addressed, particularly with respect to persons who descended from slaves. The Government cooperated with organizations opposing traces of slavery. All groups vulnerable to discrimination were being protected, both by the Government and thanks to the values of Mauritanian society. Women in Mauritania enjoyed freedom, could participate actively in all activities, locally and nationally, and were responsible for a large share of the national product.

14. Regarding access to the Ombudsman, an institution inherited from colonial times, the present policy was to decentralize services in order to reach rural areas. Such local offices existed in 13 provinces. All governmental services cooperated with the Ministry for the Advancement of Women in making such services available.

15. It was Mauritania's view that, if women enjoyed freedom and could exercise their rights, all development goals could be more effectively achieved. But women had to be informed and made aware of their rights. Mauritania's educational policy focused on girls and female students at universities.

16. Consistency between the general principles of Islam and specific laws concerning women was not as great a concern as it might be in other areas because Mauritania's understanding of Islam was dynamic, not rigid, and based on common values which Islam shared with other religions.

17. **Ms. Mint Mohamed Mahmoud** (Mauritania) said that the Mauritanian Government was committed to portraying a positive image of women consistent with the principles of the Convention and the Islamic values of its society. The aim was a genuine interpretation of the religious texts, the Koran and the Traditions of the Prophet. Those texts were for the most part consistent with the spirit of the Convention. To reach women with its message about the Convention, especially in rural areas, the Government used educational campaigns conducted through the Ministry for the Advancement of Women in cooperation with NGOs. A small percentage of women had little access to education, knowledge and the mass media; information campaigns sought to address that problem. The Ministry for the Advancement of Women gave priority in its Plan of Action to rural women and was seeking to reach women in remote rural areas, as Mauritania was a vast country.

Article 3

18. **Ms. Gabr**, congratulating Mauritania on the holding of a democratic presidential election, said that its oral report confirmed its commitment to fully implementing the Convention. She requested specific details regarding the respective functions of the Ministry for the Advancement of Women, the Ombudsman and the Commission on Human Rights. Mauritania's report dealt with the budget of the Ministry but not those of the Ombudsman or the Commission. How were those budgets determined? How did the three organs relate to civil society? Which organ was entrusted with harmonizing legislation? She requested figures concerning the complaints received by the Ministry.

19. **Ms. Tavares da Silva** enquired, with regard to the obligation of a State party to promote all appropriate measures for the advancement of women and full equality, what were Mauritania's institutional mechanisms for that purpose, and what were its policies and plans. Appropriately, the new Ministry, formerly a Secretariat, was no longer styled "of Women, Children and the Family", as if only women were responsible for children and families. Of the Ministry's four divisions, one was a Directorate for Action for Women, and one of its support structures was a Gender Monitoring Group. What was that Group's task and what was its relationship to the Directorate? Mauritania's new 2005-2008 strategy for the advancement of women had a cross-cutting multisectoral approach with six priorities. What were those priorities? Was it possible to give a qualitative evaluation of the results of the new approach that involved other actors and greater complementarity with other strategies, compared to the first strategy?

20. **Ms. Neubauer** said that Mauritania was to be commended for placing mechanisms for the advancement of women at a high level. Its national machinery for the status of women had been entrusted with many tasks. Did those tasks use the legal framework of the Convention to develop plans and programmes? Since the Ministry was responsible for pursuing and monitoring gender mainstreaming, was there a systematic structure to monitor gender mainstreaming at the Government and regional levels?

21. **Ms. Chutikul** asked whether the new Ministry, like the former Secretariat, had nine areas of responsibility. Of the constraints identified in

implementing its National Strategy for the Advancement of Women, two were institutional weakness: problems of inter-ministerial cooperation, and difficulties in establishing effective partnerships with civil society and the private sector. Had the Ministry been able to overcome the former? How was it approaching the latter? The proposed future monitoring and evaluation system described in the delegation's responses to questions was most impressive and, if completed, would provide a good model. Was that system still being pursued, how were staff being trained to implement it, and were resources forthcoming for it? How would it fit into the Ministry's structure? Another constraint mentioned was the absence of an information and communications strategy to combat women's illiteracy and ignorance of their rights. Could Mauritania use oral tradition, such as folk plays and folk songs, to address that problem, possibly with assistance from UNICEF and the United Nations Development Fund for Women?

22. **Ms. Mint Khattri** (Mauritania) said that, despite the problems mentioned in the report, Mauritania had numerous achievements to its credit, for example in education, reproductive health, gender perspective, political participation, the national policy to implement the Convention, and the Civil Status Code. The Ministry did discharge the same responsibilities as the former Secretariat, but had been institutionally enhanced, currently being on a par with other ministries. Moreover, whereas the Secretariat had focused on infants, the Ministry was concerned with children of all ages, in addition to family and women's issues.

23. **Mr. Ould Mohamed** (Mauritania) said that there were plans to amend the mandate of the Ombudsman in order to make that remedy more accessible to women, and a variety of other remedies were available. The Ombudsman was funded by the State.

24. Regarding harmonization, with help from the United Nations Development Programme, a commission under the Ministry of Justice was engaged in bringing domestic provisions into line with international obligations. There were plans to conduct sensitization campaigns for lawyers and magistrates to make them aware of the importance of implementing the provisions of the Convention.

25. Mauritania's laws did not contain a precise definition of discrimination, but did contain provisions

referring to equality of rights between men and women. Mauritania was contemplating introducing a definition in conformity with that contained in the Convention.

26. **Ms. Mint Boida** (Mauritania) said that NGOs were involved in all sensitization and evaluation activities. For example, a nutrition programme had involved 18 NGOs in every step from initial assessment through implementation. The Ministry was implementing a programme with the United Nations Population Fund (UNFPA) under which NGOs conducted activities themselves. The Ministry also worked with religious associations.

27. **Mr. Ould Tolba** (Mauritania) said that the recent presidential election campaign bore witness to women's involvement in public life. Women's organizations had negotiated with all political parties and obtained an agreement under which there would be a quota for the representation of women in legislative and executive organs.

28. **Ms. Mint Mohamed Mahmoud** (Mauritania) said that the new Ministry, through its various departments, was responsible for all efforts to protect and promote women's rights in Mauritania. A Department of Economic Affairs and Development had programmes for economic advancement through women's mini-enterprises and cooperatives to which the Ministry granted microcredit. There was a department dealing with family disputes, to which any woman facing violence or divorce issues could turn for help and legal aid. The Ministry also sensitized women to their rights to alimony and child support in divorce cases. The new competencies of the Ministry could be expected to bring about cooperation and coordination between it and other ministries. While the Ministry's budget was modest, it did enable the Ministry to achieve some of its objectives, in coordination with its development partners. The Ministry had staff with graduate degrees in law or economics, specializing in women's issues. It conducted a year-round programme to enhance their skills, in coordination with its partners, typically offering two refresher courses a year to familiarize the staff with new systems and new approaches to gender, sensitization or other topics.

29. Regarding dissemination of information on women's rights, a variety of methods had been used: well-attended popular plays; television programmes and seminars; a special UNFPA-funded radio station

broadcasting to rural areas. In certain villages that could be influenced only by religion, the Imam or local notables would be asked to make presentations about such issues as female circumcision or violence against women. The Convention had been printed in booklet format, and a media campaign had been conducted in 2003 using all means to publicize the Convention.

30. **Mr. Ould Baidy** (Mauritania) said that the Strategic Framework for Poverty Reduction included a component specifically focused on women. With regard to gender mainstreaming, a national committee had been set up, comprising representatives of all Government ministries, to ensure that the gender perspective was incorporated into all the policies and programmes of each ministry. There were also regional structures responsible for ensuring that gender issues were taken into account in the implementation of all policies at the regional level.

Article 4

31. **Ms. Gaspard**, having welcomed the establishment of a 20 per cent quota for the representation of women in legislative and local bodies, asked whether the Order establishing that quota had also set a quota for the number of women in Government posts. The level of participation of women in public service was low. In particular, she wished to know what explanation could be given for the total absence of women judges, given that, to her knowledge, women took part in the competitive examination for posts. Women were likely to face particular difficulties when they came before the courts because of the lack of female judges. She asked whether the State party planned to introduce a quota for the number of women in the judiciary. She also invited the State party to read the Committee's general recommendation 25, which would provide guidance on the application of article 4 of the Convention. Lastly, she wished to know whether quotas were to be introduced in other areas such as membership of associations.

32. **Ms. Mint Khattri** (Mauritania) said that there was political will to increase the participation of women in the administration. The number of female Secretaries of State had recently been increased from two to four. There was a plan to create a database containing information on women that could be used to enhance Government efforts to strengthen the capacities of women and achieve their full participation

in political life. There were no obstacles under Mauritanian law to the participation of women in political life or in the legal profession, including as judges.

33. **Mr. Ould Mohamed** (Mauritania) said that a number of women had taken part in the recent competitive examination for judge positions, which remained the only way to become a judge. Their lack of success could probably be ascribed to inadequate performance rather than discrimination against them. A number of other posts in the judiciary were held by women, and it was expected that the number would increase significantly in the near future.

34. **Mr. Ould Tolba** (Mauritania) said that the Government had taken a decision to incorporate specific components on gender and on combating illiteracy into all national, regional and sectoral development programmes. The Government was determined to increase the participation of women in all areas of national life. All employment sectors were open to women, but many of them were accessible only through competitive processes in which women were required to have the necessary qualifications on an equal footing with men. There were no legal barriers to the participation of women.

35. **The Chairperson** said that in many countries the law did not discriminate against women, but women were nonetheless underrepresented. That was why temporary special measures were called for under the Convention. She reiterated the suggestion that the State party should use the Committee's general recommendation 25 for guidance on that issue.

Article 5

36. **Ms. Simms** welcomed the State party's efforts to change traditional attitudes by harnessing the media and by engaging with imams and other religious leaders. However, practices such as female genital mutilation and force-feeding that were harmful to women and girls had nothing to do with religion, but were rather customs designed to keep women in a certain position in society and to control their bodies and their reproductive rights. Although female genital mutilation was outlawed in Mauritania, no data had been provided on prosecutions of perpetrators. If the act in question was a crime, then the perpetrators, including parents who performed the procedure on their own daughters, must be brought to justice. She

had information that women sometimes carried out female genital mutilation in return for payment. Such women should be provided with alternative employment or prosecuted if they refused to discontinue the practice. She wished to know what further measures the State party intended to take to eliminate female genital mutilation and other forms of violence against women.

37. **Ms. Shin** said that insufficient information was provided in the State party's report and responses on the issue of violence against women. She asked whether a study had been carried out on the various forms of such violence, including their prevalence and causes, and, if not, whether there was any plan to do so, perhaps with funding from developed countries or United Nations agencies. The responses to the list of issues and questions indicated that no women or girls lived in slavery-like conditions in Mauritania (CEDAW/C/MRT/Q/1/Add.1, p. 14). However, the situation of a teenage girl kept as a domestic servant and subjected to abuse and exploitation could be described as slavery-like. She recommended that the State party should consult the Secretary-General's in-depth study on all forms of violence against women (A/61/122/Add.1), which described good practices employed by various countries to combat the problem.

38. **Ms. Pimentel** requested more information on the implementation of the laws that prohibited violence, and in particular on cases that had been brought before the courts involving the specific forms of violence against women mentioned in the responses to the list of issues (CEDAW/C/MRT/Q/1/Add.1, p. 11). Some of the practices mentioned could be classified as torture; were they ever characterized as such in court to support the plaintiff's case? The State party should also indicate whether the Convention, the Committee's general recommendation 19 on violence against women, the Convention on the Rights of the Child or the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment were ever cited in court cases relating to violence against women.

39. **Ms. Begum** asked whether the laws in place prohibiting violence against women were effectively enforced and how many people had been arrested and convicted under those laws. The Special Rapporteur on violence against women, its causes and consequences had noted that, in Mauritania, the police and the judiciary rarely intervened in cases of domestic abuse

and that women usually relied on family or ethnic group members to resolve such cases. The State party should indicate what steps were being taken to enforce the law and whether shelters for women victims of violence existed or were planned. She also wished to know which department of the Ministry for the Advancement of Women and the Protection of Children and the Family was responsible for assisting victims and requested more details on the type of shelter, counselling and medical and legal assistance available. Lastly, she asked whether the State party planned to conduct a study of the economic and social situation of the descendants of slaves, including how many of them had title to land.

40. **Ms. Gaspard**, having welcomed the campaigns already conducted to combat violence and other practices detrimental to women, encouraged the State party to continue its efforts in that regard, drawing on the support of its strong civil society, including its dynamic women's organizations. It was particularly important to raise awareness among police officers, judges and teachers of the need to combat violence against women and to eliminate stereotypes.

41. **Ms. Arocha Domínguez** expressed concern at the implication that women bore responsibility for taking action to achieve the full enjoyment of their rights (CEDAW/C/MRT/1, para. 124) and that one of the obstacles to progress was women's ignorance of the law (CEDAW/C/MRT/Q/1/Add.1, pp. 8-9). Given that the State party was obliged, under article 5 of the Convention, to eliminate prejudices, a broad-based programme should be introduced to promote cultural change.

42. **Ms. Mint Khattri** (Mauritania) said that the Government was taking action to increase awareness of the Convention among the public in general and among women specifically. Women living in urban areas were relatively easy to reach, but the task was more difficult in rural areas, where illiteracy and poverty constituted major obstacles. The right to cite the Convention in court was enshrined in the Constitution. With regard to violence against women, she said that fatwas issued by Muslim leaders confirmed that traditional practices such as female genital mutilation were not Islamic practices and should not be regarded as such.

43. **Mr. Ould Baidy** (Mauritania) said that campaigns had been conducted throughout the country, with the support of United Nations agencies and the

German Agency for Technical Cooperation, to raise awareness of the harmful effect of female genital mutilation on the health of young girls. The Penal Code for minors prohibited female genital mutilation only in cases where it would have a negative impact on the health of the girl involved. However, a law on female genital mutilation was being drafted with a view to punishing not only the perpetrators but also any person who knew of a case but failed to report it to the authorities.

44. Various laws were in place prohibiting sexual violence and violence within marriage. Women victims of violence were often accompanied to court by a representative of the Ministry for the Advancement of Women and the Protection of Children and the Family or by a representative of a non-governmental organization that dealt directly with such cases.

45. **Mr. Ould Tolba** (Mauritania) said that women were slow to take responsibility for their own advancement not because of some inherent incapacity but through lack of knowledge of their rights, which itself was a result of their high rate of illiteracy and their poverty. Awareness-raising was for that reason a priority, and action was being taken accordingly, at all levels of education, in rural and urban areas alike. Campaigns were also being conducted, by political and religious leaders, against the practice of female genital mutilation (FGM). The practice of using young girls as domestic servants was often dictated by the need for girls without schooling to obtain an income. It did not amount to slavery, although it bore traces of that practice and, as such, was being combated, with the help in particular of an anti-slavery NGO which had been invited to Mauritania for that purpose. Reports of force-feeding were exaggerated; in any case, it was strongly discouraged for reasons not only of human rights but also of health. On the question of violence, he referred the Committee to a recent study of 10 countries including Mauritania, carried out by UNFPA, which provided detailed information on how much was being done to address the phenomenon in the country.

46. **Ms. Mint Boida** (Mauritania) said that shelters existed for women victims of domestic violence, who also had access to effective legal remedies through family services legal departments operated throughout the country. While much had been done to eliminate female genital mutilation, further measures were needed, in particular through the building of synergy among all the actors involved.

47. **Mr. Ould Tolba** (Mauritania) welcomed the presence at the meeting of a prominent Mauritanian religious leader, who was particularly active in support of the cause of women.

48. **The Chairperson** said that the association of such persons with the Committee's deliberations was to be encouraged.

Article 6

49. **Ms. Chutikul** welcomed several positive developments in Mauritania, including its recent accession to the Palermo Protocol against trafficking in persons; its adoption in 2003 of an Act on the suppression of trafficking in persons, containing a clear definition of the term; and the efforts being made by an inter-ministerial committee to develop a strategy to address the legacy of slavery. She was puzzled however by what seemed to be a contradiction between the statement in the responses (CEDAW/C/MRT/Q/1/Add.1, p. 14) that there were no women or girls living in slavery-like conditions in the country and the simultaneous reference to the realities on the ground. The Committee wished to know exactly how the State party stood in relation to the issue of trafficking. Fuller information would also be appreciated about the use of the clause in the Labour Code prohibiting forced labour. Was it ever invoked to protect girls employed in domestic service?

50. **The Chairperson**, speaking as a member of the Committee, enquired whether there were specific programmes to enable poor girls employed as domestic servants to resume their education and to reintegrate them into normal life.

51. **Ms. Mint Khattri** (Mauritania) said that, while slavery did not exist in the country in the true sense, traces of it remained, because of ignorance and poverty. Multisectoral programmes were needed to address the phenomenon.

52. **Mr. Ould Mohamed** (Mauritania) said that some NGOs instrumentalized the question of slavery for political reasons. Efforts were being made to remove all traces of it in the country, which shared that legacy with other countries in the Sudano-Sahelian region. The national strategy referred to would soon be in operation and would include a law against slavery-like practices as well as ending impunity for perpetrators. Legal aid was available to all persons without resources upon their being taken into custody.

53. **Ms. Mint Mohamed Mahmoud** (Mauritania) said that throughout the region the education of girls was a general problem, not confined to any particular category of the population. However, great strides were being made to make up for the huge differences existing between boys and girls in education, thanks in particular to awareness-raising campaigns, with financial assistance from the World Bank.

54. **Mr. Ould Tobla** (Mauritania) said that the social legacy of Mauritania included significant disparities between rich and poor, educated and uneducated, and urban and rural population. Efforts were being made as a matter of policy to overcome that legacy, as would be apparent to any visitor to the country. Programmes were in place to protect children from early employment; solar power was becoming available throughout the country, offering the possibility of labour-saving devices in the home; and increasing number of childcare centres were being established, enabling children to attend school instead of having to take care of their younger siblings.

Articles 7 and 8

55. **Ms. Gabr** recommended that the State party should learn from the experience of other Islamic countries. She had never heard of a Mauritanian woman serving as a diplomat or employed in the independent media and hoped that that situation would soon change.

56. **Ms. Neubauer** stressed the obligation under article 7 for State parties to ensure the equal participation of women in public and political life. While, therefore, Mauritania was to be commended for its adoption of a 20 per cent quota for women candidates for election to legislative and municipal bodies, it needed to do still more. Gender equality meant not only equality of access and opportunity but also equality of results. She called in particular for women magistrates and asked what concrete measures were planned by the Government to increase the number of women in high-level decision-making posts and in public office.

57. **Ms. Begum** asked whether any study was planned on the causes of the persistent underrepresentation of women in public and political life, considering the Government's expressed will to improve the situation. Was it planning any time-bound, targeted measures to ensure equal participation? Did it

have any programme to train women for high-level posts in the judiciary and in public decision-making? She referred again in that connection to the possibility of special temporary measures.

58. **Ms. Belmihoub-Zerdani** congratulated the State party on all the measures it had taken for the advancement of women, while stressing that the aim was not merely to improve the representation of women but to ensure gender parity in public and political life. She had every hope that Mauritania would continue to make significant progress in all areas covered by the Convention. Religion was not an obstacle and could not be regarded as such. She called, in particular, for women to be recruited to the judiciary, which had a crucial role to play in protecting and promoting women's rights, as well as at all levels of government.

The meeting rose at 1.05 p.m.