



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

Distr.: General  
23 March 2012

Original: English

---

## Committee on the Elimination of Discrimination against Women

Fifty-first session

13 February – 2 March 2012

### Concluding observations of the Committee on the Elimination of Discrimination against Women

#### Jordan

1. The Committee considered the fifth periodic report of Jordan (CEDAW/C/JOR/5) at its 1032nd and 1033rd meetings on 23 February 2012 (CEDAW/C/SR.1023 and 1033). The Committee's list of issues and questions is contained in CEDAW/C/JOR/Q/5 and the responses of the Government of Jordan are contained in CEDAW/C/JOR/Q/5/Add.1.

#### A. Introduction

2. The Committee expresses its appreciation to the State party for its fifth periodic report, which generally followed the Committee's guidelines for the preparation of reports and for its written replies to the list of issues and questions raised by the Committee's pre-session working group.

3. The Committee appreciates the participatory process of the preparation of the report, which was coordinated by the Jordanian National Commission for Women and involved various Ministries and governmental departments, as well as numerous civil society organizations.

4. The Committee commends the State party for its delegation, which was headed by Rajab Sukairi, Permanent Representative to the United Nations in Geneva, and which included representatives of Government ministries and different departments as well as the National Commission for Women. The Committee appreciates the constructive and sincere dialogue that took place between the delegation and the members of the Committee.

#### B. Positive aspects

5. The Committee welcomes the adoption of several legislative measures aimed at eliminating discrimination against women, including:

(a) The amendments of the Labour Code in 2008 and 2010 which widened its scope of application to migrant, domestic workers and other groups of workers;

(b) The Domestic Violence Protection Act in 2008, which also introduced some legal procedures to protect women victims of domestic violence:

(c) The Human Trafficking Act in 2009 which stipulates that exploitation of individuals for forced labour, slave or quasi-slave labour, or for the purposes of prostitution or any form of sexual exploitation is a criminal offence;

(d) The amendment of the Penal Code in 2010, which ensures that perpetrators of so called honour crimes cannot benefit from mitigating circumstances; and

(e) The Temporary Social Security Act in 2010 that included women domestic workers under its ambit, and stipulated the establishment of a Maternity Fund so as to endorse women's right to work after giving birth.

6. The Committee also notes with satisfaction that the State party ratified a number of international instruments relating to women's human rights protected by the Convention during the reporting period, in particular:

(a) The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, in 2007;

(b) The Convention on the Rights of Persons with Disabilities and its Optional Protocol in 2008; and

(c) The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, in 2009.

### **C. Principal areas of concern and recommendations**

7. **The Committee recalls the obligation of the State party to systematically and continuously implement all the provisions of the Convention and views the concerns and recommendations identified in the present concluding observations as requiring the priority attention of the State party between now and the submission of the next periodic report. Consequently, the Committee urges the State party to focus on those areas in its implementation activities and to report on actions taken and results achieved in its next periodic report. The Committee calls upon the State party to submit the present concluding observations to all relevant ministries and Government departments, to the Parliament of Jordan, as well as to the judiciary, so as to ensure their full implementation.**

#### **Parliament**

8. **While reaffirming that the Government has the primary responsibility and is particularly accountable for the full implementation of the obligations of the State party under the Convention, the Committee stresses that the Convention is binding on all branches of the State apparatus. It invites the State party to encourage its Parliament, in line with its procedures, where appropriate, to take the necessary steps with regard to the implementation of the present concluding observations and the State party's next reporting process under the Convention.**

#### **Reservations**

9. While commending the State party for withdrawing its reservation to article 15, paragraph 4, of the Convention and while aware of the information provided during the dialogue on its intention to introduce a permanent Passport Act, the Committee reiterates its concern about the State party's reluctance to lift the remaining reservations to articles 9, paragraph 2, and 16, paragraph 1 (c), (d) and (g). The Committee is not convinced of the

political and cultural constraints preventing the lifting of the above-mentioned reservations as argued by the State party.

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

(a) **Accelerate its efforts in enacting the permanent Passport Act in order for Jordanian women to be able to travel without the consent of their spouses;**

(b) **Revise its law on nationality and remove its reservation to article 9 paragraph 2; and**

(c) **Intensify its efforts in discussing with religious communities and their leadership with a view to lifting its reservation to article 16, paragraph 1 (c), (d) and (g), based on practices of other State parties in the region and in the Organization of Islamic Cooperation (OIC) who found that article 16 is compatible with sharia law and, thus, opted not to introduce or to withdraw their reservation to the concerned article.**

#### **Implementation and visibility of the Convention**

11. While noting that, according to article 33 of the Constitution and article 24 of the Civil Law, international treaties, such as the Convention on the Elimination of All Forms of Discrimination against Women, which have been ratified and published in the official *Gazette* form an integral part of and takes precedence over national law, the Committee is concerned that in legal practice, it has not been given sufficient visibility as the legal basis for measures, including legislation and policy measures, for the elimination of all forms of discrimination against women and the promotion of gender equality. The Committee notes also the absence of information about court proceedings during which provisions of the Convention were directly invoked or applied, which indicates a continuing lack of awareness among women and among the judiciary and legal professions about the rights of women under the Convention and the Committee's general recommendations.

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

(a) **Ensure that legislative measures to eliminate discrimination against women are based upon and in conformity with the Convention, which the State party recognizes as a legally binding instrument;**

(b) **Ensure the primacy of the Convention over national laws, and its direct applicability and enforceability within the national legal framework;**

(c) **Ensure that the Convention and the Committee's general recommendations are made an integral part of the training for judges, lawyers, prosecutors, police and other law enforcement officers; and**

(d) **Ensure that information on the Convention is made available to all women, including through the use of information campaigns in the media, which would enhance women's awareness of the means of access to justice at the national and local levels.**

#### **Definition of non-discrimination against women**

13. While noting the recent review of the Jordanian Constitution that aimed at enhancing people's enjoyment of their civic and political rights, the Committee is deeply concerned that women were not included in the composition of the Royal Committee mandated to review the Constitution and proposing amendments to the Parliament; that women's demands were not taken up by the Royal Committee; and essentially, that the prohibition of discrimination on gender basis was not incorporated in article 6 of amended Constitution in 2011. The Committee is further concerned about the absence of the prohibition and definition of gender discrimination in national legislation in accordance with article 1 of the Convention.

14. **The Committee recommends that the State party revisit its Constitution and to insert the word gender or sex in article 6 as a prohibited ground of discrimination, and to adopt and effectively implement comprehensive legislation on gender equality, including a prohibition of discrimination against women in accordance with articles 1 and 2 of the Convention. The Committee further encourages the State party to pursue its intent, as declared by the delegation during the dialogue, to appeal to the Constitutional Court, once established in accordance with the amended Constitution, to issue a legal opinion on the material scope of the application of the term “Jordanians” as used in article 6 of the Constitution, so as to ensure the equal applicability of the principle of equality before the law on all Jordanian men and women.**

#### **Discriminatory laws**

15. While commending the State party on forming the National Dialogue Commission in 2011 to carry out legal reforms of national legislation in response to popular demand, the Committee is highly concerned that women were substantially underrepresented in the Commission’s composition; legal reform was not progressing at the pace desired; discriminatory provisions in various domestic laws persisted, including in the Penal Code, Personal Status Act, Labour Code and Nationality Act; and, that women’s demands were not fully incorporated in the proposals made by the Commission to the Parliament.

16. **The Committee urges the State Party to accelerate its efforts in repealing all remaining discriminatory provisions in its domestic legislations with the aim of ensuring full compliance with the provisions of the Convention, in accordance with article 2. In this regard, the Committee calls upon the State party to, inter alia, raise significantly the number of women members in the National Dialogue Commission and to incorporate women’s demands in conformity with the Convention, in the Commission’s proposals to the Parliament while fully cooperating with civil society.**

#### **Legal complaint mechanism**

17. The Committee is concerned about the lack of clarity regarding the mandates of the numerous complaints mechanisms in the State party and the possible overlap of the mandates of each entity. The Committee also expresses its concern that despite the fact that the National Human Rights Centre is mandated to receive complaints from women, it failed to provide disaggregated data on crimes investigated and prosecuted before the courts as well as the outcomes of complaints about discrimination, including domestic violence, brought by women to the National Human Rights Centre and to the courts.

18. **The Committee requests the State party to facilitate effective access to justice and recommends that the State party:**

**(a) Facilitate the submission of complaints by women victims of discrimination, in particular by providing victims with clear guidelines and necessary legal assistance;**

**(b) Monitor the incidence of all crimes against women, including acts of domestic and sexual violence, disaggregated by sex, age and nationality; and**

**(c) Collect data on the sentences imposed on perpetrators of such crimes.**

#### **National machinery for the advancement of women**

19. The Committee welcomes the efforts of the Jordanian National Commission for Women (JNCW) that aim at advancing women in all settings through implementation of Jordan’s National Strategy for Women, as well as the development of other departmental and intergovernmental coordinating mechanisms on women’s equality. However, the Committee is concerned that the JNCW is not provided with sufficient financial and human

resources to effectively coordinate and monitor the State party's initiatives to promote gender equality and the full implementation of the Convention. Moreover, the Committee remains concerned at the lack of clarity about the impact of the activities of the national machinery on gender equality, and the resources of all related mechanisms.

20. **The Committee encourages the State party to further strengthen the JNCW as a key tool for the advancement of gender equality. In this regard, it recommends that the State party, inter alia, provides the JNCW with adequate support to mainstream gender equality throughout all policies of the ministries and Government offices, and that the State party provides the JNCW with the necessary human, financial and technical resources to enable it to carry out its role for the empowerment of women in all areas and for it to be able to open branch offices in all governorates, in particular in the rural areas. The Committee further recommends that the State party indicate in its next periodic report, the impact of the activities of the individual components of the national machinery on gender equality, and the human and financial resources allocated to them.**

#### **Temporary special measures**

21. The Committee welcomes State party's efforts in applying temporary special measures with regard to the political participation of women, such as the provisions in the Elections Act, and the amended Municipalities Act of 2011 that raised women's quota to 25 per cent in local government, as well as the quota in the Judicial Institute Regulations of 2007 ensuring that 15 per cent of accepted applicants are women. However, the Committee is concerned that temporary special measures are not sufficiently applied as a necessary strategy to accelerate the achievement of substantive equality between women and men in other areas covered by the Convention, especially employment and education.

22. **The Committee encourages the State party to enlarge the use of temporary special measures, in accordance with article 4, paragraph 1, of the Convention and as interpreted in the Committee's general recommendation No. 25 on temporary special measures (2004), in all areas covered by the Convention, where women are underrepresented or disadvantaged. To that end, it recommends that the State party:**

(a) **Raise awareness among members of Parliament, Government officials, employers and the general public about the necessity of temporary special measures; provide comprehensive information on the use of such measures and their impact in its next periodic report; and**

(b) **Set time-bound targets and allocates sufficient resources for the implementation of strategies, such as outreach and support programmes, creation of quotas and other proactive measures aimed at achieving substantive equality of women and men in all areas, in particular employment and vocational training.**

#### **Stereotypes and discriminatory practices**

23. The Committee expresses its serious concern about the persistence of harmful practices and traditions, including polygamy, patriarchal attitudes and deep-rooted stereotypes, regarding the roles, responsibilities and identities of women and men in all spheres of life. In particular, the Committee regrets that the mere reference to women in the amended article 6, paragraph 4, of the Constitution was in the context of motherhood protection. The Committee is concerned that such practices and stereotypes perpetuate discrimination against women and girls which leads to the persistence of violence against women.

24. **The Committee urges the State party:**

(a) **To put in place, without delay, a comprehensive strategy to modify or eliminate patriarchal attitudes and stereotypes that discriminate against women, in**

conformity with the provisions of the Convention. Such measures should include efforts, in collaboration with the civil society and community and religious leaders, to educate and raise awareness on this subject, and target women and men at all levels of society;

(b) To accelerate its efforts in launching information campaigns with the media to strengthen understanding of gender equality, and continue eliminating all discriminatory images of women's identity and roles through the educational system to enhance a positive and non-stereotypical portrayal of women; and

(c) To monitor and review the measures taken in order to assess their impact.

#### **Violence against women**

25. While commending the State party for accepting and facilitating the visit of the United Nations' Special Rapporteur on violence against women, its causes and consequences, that took place in November 2011 and while noting the State party's intention to address effectively the Special Rapporteur's recommendations after its careful study with relevant bodies, the Committee expresses concern at the high prevalence of violence against women in the State party, in particular domestic and sexual violence, and that this remains considerably underreported and undocumented. While welcoming the enactment in 2008 of the Domestic Violence Protection Act, the Committee is deeply concerned at the absence of specific legislation to eliminate violence against women in all settings, including a definition of violence, and at the prevalent recourse in the context of the new Act to reconciliation in cases of domestic violence, which can lead to re-victimization of women who have suffered from violence.

26. **The Committee urges the State party:**

(a) To ensure compliance with the recommendations of the report of the Special Rapporteur on violence against women, its causes and consequences, and give high priority to putting in place comprehensive measures to address all forms of violence against women and girls;

(b) To undertake measures in order to encourage victims of violence to report their cases to the authorities, including by, sensitizing police officials on how to deal in such cases with the necessary sensitivity and confidentiality, and accordingly, developing and disseminating appropriate and user friendly reporting guidelines, and investigate effectively all cases of violence against women;

(c) To collect statistical data on domestic and sexual violence disaggregated by sex, age, nationality and relationship between the victim and perpetrator;

(d) To enact a law on violence against women in accordance with the Committee's general recommendation No. 19 on violence against women (1992), one which defines violence; criminalizes all its forms; and establishes grounds for prevention of violence and protection of women; and

(e) To provide mandatory training for judges, prosecutors and the police, especially those who conduct mediation in cases of domestic violence, on the strict application of legal provisions dealing with violence against women, so as to ensure protection of victims' best interests.

27. The Committee is concerned about the remaining discriminatory provisions in the Penal Code, such as articles 98, 99 and 308, as well as at the limited protection, counselling, rehabilitation and reintegration assistance and services the State party provides to girls and women victims of violence, including the insufficient number of shelters for victims of domestic violence, and the lack of shelters for victims of sexual abuse and for women facing death threats on grounds of so-called family honour.

28. **The Committee calls upon the State party:**

(a) **To strengthen its efforts in training the judiciary, prosecution and police officials on the Penal Code amendments, in particular article 340, so as to ensure that so-called honour crimes are seriously investigated and that perpetrators do not benefit from mitigating circumstances, and thus are prosecuted and punished accordingly;**

(b) **To repeal remaining discriminatory provisions of the Penal Code in line with article 2(g), with a view to bringing it in full compliance with the Convention; and**

(c) **To take all appropriate measures to ensure that victims of all forms of violence have access to assistance, in particular in rural areas, and provide them with, inter alia, legal, medical and psychological assistance and rehabilitation, including adequate and sufficient shelters.**

**Trafficking and exploitation of prostitution**

29. While welcoming the adoption by the State party of the Human Trafficking Act in 2009 and consequently the adoption of a national strategy to combat human trafficking, the Committee expresses its concern that the new Act does not define adequately human trafficking, and at the continuing prevalence of trafficking in women and girls in the State party, as well as at the low reporting rate and the lack of data on the magnitude of human trafficking. The Committee is also concerned at the lack of shelters and counselling assistance for victims of trafficking and prostitution.

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

(a) **Include in its Act on Human Trafficking a comprehensive definition of trafficking, as well as safeguards for investigation, prosecution and punishment of such acts in accordance with the Protocol to Prevent, Suppress and Punish, Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and adopt effective measures for the implementation of the Act and its national strategy, including by providing training to the judiciary, prosecution and police officials on this law to ensure its strict application;**

(b) **Collect data on incidents of trafficking and on victims who have been detained, prosecuted or deported since 2009 for acts such as prostitution; and**

(c) **Ensure that trafficked women and girls, including foreign domestic workers who had become victims of trafficking, have access to quality medical care, counselling and shelter.**

**Participation in political and public life**

31. While aware of the State party's use of temporary special measures to accelerate women's participation in political life, the Committee is concerned about the considerable gap between the quota allocated for women's representation at national and municipal levels. The Committee is also concerned about the small number of women in the Parliament, cabinet and political parties as well as in decision-making positions.

32. **The Committee recommends that the State party increase the quota for women's representation at municipal and national levels to a minimum of 30 per cent, so as to ensure that women are effectively involved in the development of the State party at all levels. The Committee calls upon the State party to create effective incentives for women in order to encourage them to take part in public life, such as the provision of free day-care facilities to women candidates, and to ensure that political parties have women in high decision-making positions. The Committee, while recalling its general recommendation No. 23 on women in political and public life (1997), recommends that the State party implements awareness-raising activities for**

**society as a whole on the importance of women's participation in decision-making, and to develop targeted training and mentoring programmes on leadership and negotiation skills for current and potential women candidates and women holding public office.**

#### **Nationality**

33. The Committee expresses its serious concern that under the Nationality Act, Jordanian women are not entitled to pass on their nationality to their foreign spouses and their mutual children. The Committee is also concerned that measures to facilitate residence permits to foreign spouses of Jordanian women as well as access to education and health services to their children, are protracted and that in many instances members of these families fall out of these services' ambit.

34. **The Committee urges the State party:**

(a) **To review the Nationality Act, while taking into consideration practices of neighbouring State parties that have successfully amended their nationality laws, to ensure equality between women and men with regard to the acquisition, change and retention of nationality and to enable Jordanian women to pass their nationality to their foreign spouses and their mutual children; and**

(b) **To accelerate its efforts in facilitating provision of residence permits to foreign spouses of Jordanian women and access to health and education services to their children, as a temporary special measure until the Nationality Act is amended accordingly.**

#### **Education**

35. The Committee commends the State party for the gains achieved in the education of girls and women, as reflected in the high literacy rate (90 per cent), and for raising the age for free and compulsory education to 16 years. The Committee is, however, concerned about the limited access married young women have to school education, and about the segregation of fields of study at the post-secondary level, with women and girls concentrated in traditionally feminine areas, as well as about their underrepresentation in technical-vocational education and its consequences on their representation in the paid labour force. While aware of the ongoing review of school curricula and textbooks, the Committee is also highly concerned about the remaining traditional images of women's roles and responsibilities in school books and curricula that perpetuate girls and women's disadvantaged status.

36. **The Committee urges the State party:**

(a) **To amend the regulations of the Ministry of Education so as to allow young women's access to compulsory and free education without discrimination;**

(b) **To give high priority in implementing measures to eliminate traditional stereotypes and structural barriers that might deter the enrolment of girls in non-traditional fields of education at the secondary and tertiary levels of the education system, and in providing career counselling for girls that expose them to options related to non-traditional career paths in science-related professions and that correspond to market demands; and**

(c) **To intensify its efforts in reviewing school textbooks and curricula of all school levels to avoid conveying stereotyped images of the roles of women.**

#### **Employment**

37. The Committee expresses its concern about the high rate of unemployed women (21.7 per cent in 2010); the persistent gender wage gap especially in the private sector (30 per cent) and the lack of a provision in the Labour Code that entails equal pay for men and

women for work of equal value; as well as, the continuous horizontal and vertical gender segregation in labour market. The Committee, while welcoming the State party amendment to the Labour Code in 2008 that sanctions sexual harassment in work place and the new Civil Services Statute No. 30/2007 that deems sexual harassment in public service to be an offence against honour, it remains concerned about the limitation of sexual harassment in workplace to cover only cases where the perpetrator is the employer.

**38. The Committee recommends that the State party intensify its efforts to create an encouraging environment that enables women to become more economically viable, including by sensitizing employers in private and public sectors on the importance of women's empowerment; adopt legislation guaranteeing equal pay for work of equal value in order to narrow and close the wage gap between women and men, in accordance with the ILO Equal Remuneration Convention, 1951 (No. 100); collect sex-disaggregated data on the situation of women in the private sector and take effective measures to monitor and improve the working conditions of women in this sector; and, ensure that the Labour Code covers all cases of sexual harassment in workplace.**

### **Health**

39. The Committee is highly concerned that abortion in the State party remains illegal in cases of rape and incest, and thus, women seek unsafe and illegal abortions. The Committee is also concerned at the limited access to sexual and reproductive health and rights education for young, unmarried and rural women. The Committee further expresses its concern at the insufficient health and rehabilitation services for women victims of sexual abuse and at the State party's overreliance on civil society actors in that respect.

**40. The Committee recommends that the State party, in line with its general recommendation No. 24 on women and health (1999), amend its Public Health Law and allow abortion in cases of rape and incest with a view to protecting the best interests of the victim, and remove punitive measures imposed on women who undergo abortion in such cases. The Committee calls upon the State party to ensure the provision of skilled medical aid and health facilities to women and girls suffering from health complications due to unsafe abortions; expand the provision of education on sexual and reproductive health and rights, in particular to young women and also in rural areas; and, assume primary responsibility in providing health assistance and rehabilitation services to women victims of sexual abuse while maintaining cooperation with civil society actors.**

### **Rural women**

41. The Committee expresses its concern at the disadvantaged position of women in rural and remote areas who are characterized by poverty, difficulties in accessing health and social services and a lack of participation in decision-making processes at the community level. The Committee is also concerned at the prevalence of discriminatory practices which particularly prevent rural women from inheriting or acquiring ownership of land and other property. The Committee further expresses its concern at the lack of information on suicide among girls and women in rural areas and lack of effective investigation into these deaths.

**42. The Committee calls on the State party:**

**(a) To pay special attention to the needs of rural women; ensure that they have access to health, education; and intensify income-generating projects;**

**(b) To address negative traditional practices which affect the full enjoyment of rural women's right to property, and launch awareness-raising campaigns on their legal right to inheritance; and**

(c) **To collect data on suicide among girls and women in rural areas and launch effective police investigations in such occurrences.**

#### **Migrant women**

43. While welcoming the various measures adopted by the State party to protect migrant workers' rights including the amendment of the Labour Code and the 2009 recruitment agencies' regulations, the Committee remains concerned at the persistent economic and physical exploitation of women migrant workers; the lack of regular inspection visits to monitor their working conditions; the lack of shelters for victims of exploitations; and, the overall ineffective enforcement of the labour Code on migrant workers.

44. **The Committee recommends that the State party ensure regular inspection visits to migrant workers' workplaces and dormitories; provide shelters for victims of exploitations; intensify its efforts in applying the Labour Code and numerous related regulations so as to ensure that women migrant workers have access to justice regarding the violation of their rights. The Committee also recommends that the State party accede to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990), and ratify the ILO Convention concerning decent work for domestic workers No. 189 (2011).**

#### **Women with disabilities**

45. While noting the State party's denial that women with disabilities undergo compulsory or voluntary sterilizations that are not for medical reasons, the Committee remains concerned by information provided from alternative sources on the prevalence of such practices by families who have girls with mental disabilities, and at the absence of a comprehensive law protecting women with mental disabilities from forced sterilization.

46. **The Committee urges the State party to adopt a comprehensive law protecting women, in particular girls with mental disabilities, from forced sterilization, and to ensure that rights of women with disabilities are mainstreamed within the national strategies and action plans for women, as well as to intensify its efforts in providing social and health services support to families with girls and women with disabilities.**

#### **Refugees and stateless women**

47. While appreciating the continuous efforts by the State party to host refugees and asylum-seekers from neighbouring countries, the Committee notes with concern that refugees and asylum-seekers who are unable to obtain legal residency have no access to formal employment opportunities or to basic social services.

48. **The Committee encourages the State party:**

(a) **To regularize the status of refugees recognized under the UNHCR mandate in order to provide them with basic rights and services, especially for refugee women;**

(b) **To consider acceding to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, and adopt an asylum law;**

(c) **To consider acceding to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness; and**

(d) **To strengthen cooperation with regional and international aid organizations, including the United Nations' entities, with a view to seeking the required technical and financial resources to enable it to host the increased number of refugees.**

### **Discriminatory laws in marriage and family**

49. The Committee notes with concern the continued application of the discriminatory provisions contained in the State party's Personal Status Act, in particular the permissibility of polygamy, the requirement of *walis* (guardians) for women for the marriage notwithstanding the woman's consent, and the restrictions on women's right to work and to divorce. The Committee is further concerned that early marriage remains lawful and, that girls can marry in exceptional cases at the age of 15 years, which, among other things leads to girls dropping out of school. The Committee is also concerned about the persistent discrimination against women and girls in inheritance, both as daughters and as widows. The Committee also notes that property relations are governed by a regime of separate property, and that this could discriminate against women. The Committee further notes the lack of a civil code for family matters.

50. **The Committee recommends that the State party review the discriminatory provisions of the Personal Status Act and, in particular:**

(a) **Discourage and prohibit polygamous marriage in practice and in law, in accordance with the Committee's general recommendation No. 21 on equality in marriage and family relations (1994);**

(b) **Ensure equal rights between men and women with regards to marriage contract and divorce, as well eliminate restrictions on married women's right to work;**

(c) **Prevent the practice of early marriage in all societal groups, with a view to prioritizing the best interests of girls, inter alia, their right to education;**

(d) **Continue its efforts to enable girls and women to inherit on an equal basis with their male counterparts, and to enact legal provisions to ensure that upon dissolution of marriage, women have equal rights over acquired property during marriage in line with article 16 of the Convention; and**

(e) **Consider the possibility of introducing an optional system of civil marriage and divorce available for all.**

### **Optional Protocol**

51. **In the light of its previous recommendation to ratify the Optional Protocol to the Convention, and taking note of the delegation's intent to reinforce its national human rights mechanism as a preparatory step for the accession to the Convention's Optional Protocol, the Committee encourages the State party to accelerate its efforts to accede to the Optional Protocol in order to facilitate women's full enjoyment of the rights guaranteed under the Convention.**

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

52. **The Committee urges the State party, in the implementation of its obligations under the Convention, to fully utilize the Beijing Declaration and Platform for Action, which reinforce the provisions of the Convention, and requests the State party to include information thereon in its next periodic report.**

### **Dissemination**

53. **The Committee requests the wide dissemination in the State party of the present concluding observations in order to make the people, including Government officials, politicians, parliamentarians and women's and human rights organizations, aware of the steps that have been taken to ensure de jure and de facto equality of women and the further steps that are required in that regard. The Committee recommends that this dissemination extend to the local community level. The State party is encouraged to organize a series of meetings to discuss progress achieved in the**

implementation of the present observations. The Committee requests the State party to continue to disseminate widely, in particular to women's and human rights organizations, the Committee's general recommendations, the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly on the theme "Women 2000: gender equality, development and peace for the twenty-first century".

#### **Ratification of other treaties**

54. The Committee notes that the adherence of the State party to the nine major international human rights instruments<sup>1</sup> would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the State party to consider ratifying the treaties to which it is not yet a party, namely the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990) and the International Convention for the Protection of All Persons from Enforced Disappearance (2006).

#### **Follow-up to concluding observations**

55. The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 14 and 28 above.

#### **Preparation of the next report**

56. The Committee requests the State party to ensure the wide participation of all ministries and public bodies in the preparation of its next periodic report and, at the same time, to consult a variety of women's and human rights organizations.

57. The Committee requests the State party to respond to the concerns expressed in the present concluding observations in its next periodic report under article 18 of the Convention. The Committee invites the State party to submit its next periodic report in February 2016.

58. The Committee invites the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents that were approved at the fifth inter-committee meeting of the human rights treaty bodies, in June 2006 (HRI/MC/2006/3 and Corr.1). The treaty-specific reporting guidelines adopted by the Committee at its fortieth session in January 2008 (A/63/38, part one, annex I) must be applied in conjunction with the harmonized reporting guidelines on a common core document. Together, they constitute the harmonized guidelines on reporting under the Convention on the Elimination of All Forms of Discrimination against Women. The treaty-specific document should be limited to 40 pages, while the common core document should not exceed 80 pages.

---

<sup>1</sup> The International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Rights of the Child; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Convention on the Rights of Persons with Disabilities.