



Convention on the Elimination of All Forms of Discrimination against Women

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Summary record of the 1869th meeting

Held at the Palais des Nations, Geneva, on Friday, 18 February 2022, at 3 p.m.

Chair: Ms. Acosta Vargas

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The meeting was called to order at 3 p.m.

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

Eighth periodic report of the Dominican Republic (continued) ([CEDAW/C/DOM/8](#) and [CEDAW/C/DOM/QPR/8](#))

1. *At the invitation of the Chair, the delegation of the Dominican Republic joined the meeting.*

Articles 1–6 (continued)

2. **Ms. Gallardo** (Dominican Republic), speaking via video link, said that the Government had conducted four research studies in an unprecedented attempt to strengthen its response to trafficking through practical action. The studies looked at the trafficking of foreign women, adolescents and children inside the country and of Dominican women abroad. One study had produced conceptual and methodological recommendations that would help inform public policy on prevention, victim protection and prosecution of traffickers. The research had yielded a robust, three-dimensional view of the problem that would help the Government coordinate action on migration, gender and development and inform its next plan to combat trafficking and the amendment of Act No. 137-03, on the crimes of migrant smuggling and trafficking in persons.

3. In another pioneering initiative, the National Migration Institute had, in the previous four years, trained more than 1,400 government officials who had previously not received training, including migration and security officials working at the borders who were responsible for detecting trafficking. More recently, training had been provided to lawyers and psychologists from the Ministry of Women to enable them to provide services to trafficking victims.

4. **Ms. Sáenz** (Dominican Republic), speaking via video link, said that her Government recognized the current limitations of Act No. 137-03 and was cooperating with all relevant competent bodies in the legislative reform process, particularly given the importance of the Act to the Strategic Plan for a Life Free from Violence for Women. Key points of the bill included a more detailed definition of the offence of migrant smuggling and harsher penalties for offenders. It also included stronger protection for victims, taking into account their age and whether they belonged to a particularly vulnerable group, and, for the first time, made provision for comprehensive reparations. The bill was currently at the technical review stage before being submitted to Congress. Both the bill on migrant smuggling and trafficking in persons and the bill on a comprehensive response to violence against women recognized new forms of sexual exploitation involving the use of technology. In connection with the latter, the Special Prosecutor for High-Technology Crime had been working with other agencies on proposals for preventing cyberviolence and online gender violence.

5. **Mr. Marmolejos** (Dominican Republic), speaking via video link, said that the Dominican Republic divided violent deaths among women into two categories, namely femicide and homicide of a woman. Femicide was as yet not officially defined as a criminal offence in law but was taken to mean the death of a woman by sexist violence at the hands of her partner or ex-partner. Homicide of a woman meant the murder of a woman under other circumstances. In 2020 there had been 70 femicides and 134 homicides of women and in 2021, 87 femicides and 152 homicides of women. In population terms, the rates in 2020 had been 2.56 per 100,000 women for homicides and 1.34 per 100,000 for femicides and in 2021, 2.88 per 100,000 for homicides and 1.65 per 100,000 for femicides. Those were official figures from the Public Prosecution Service as cross-checked with other relevant agencies and prosecutors' offices.

6. **Ms. Jiménez** (Dominican Republic), speaking via video link, said that the State had opened 12 new shelters for women in 2021, thereby nearly tripling its capacity to support the victims of gender and intrafamily violence and women at risk of femicide. The shelters also accepted the women's children if they were aged under 14. Also in 2021, the Ministry of Women had opened a special national centre for women at risk, with space for more than 100

women and their children, and a shelter specially for girls in situations of violence, which was run in coordination with the National Council for Children and Adolescents.

7. **Ms. Núñez** (Dominican Republic), speaking via video link, said that the Ministry of Women and its partner agencies had set up a critical pathway in order to provide psychological and legal support to women in situations of violence. Support had been provided via the emergency hotline to 8,071 women at risk, legal support to 68,126 women and psychological support to 28,747 women. The National Police had also set up a special victim support corps, which had opened 14 regional offices that provided protection to victims. The Public Prosecution Service also had a gender violence and sex crimes unit and there were gender units in several ordinary prosecutors' offices.

8. **Ms. Pérez Acosta** (Dominican Republic), speaking via video link, said that, as part of efforts to eradicate early marriage and adolescent pregnancy, the Office for Children and Adolescents had coordinated the formulation of the National Policy to Prevent and Address Early Marriage and Adolescent Pregnancy. In 2022 the Government would allocate 173.5 million pesos of new funding to support coordinated action under the policy.

9. Girls' clubs ran courses for girls and adolescents in human rights, gender, and sexual and reproductive health. Local authorities and families were involved and support was provided by civil society organizations and international cooperation agencies. In addition, since 2015, the Ministry of Women, through its courses on sexual and reproductive health and prevention of pregnancy, run by the Centre for the Promotion of Comprehensive Health Care for Adolescents, had reached 44,200 girls aged between 10 and 19. In 2021, around 60 per cent of those attending courses had been girls and around 40 per cent boys. Courses were also run for adults.

10. **Ms. Dettmeijer-Vermeulen** said that she would appreciate clarification as to whether the planned amendments to Act No. 137-03 would permit prosecution of the offence of trafficking in children even where there was no evidence of fraud or coercion.

11. **Ms. Tisheva**, noting that sexual intercourse with an underage girl would amount to statutory rape, said that she would like to know how many prosecutions and convictions of that crime there had been during 2020 and 2021, and how the State party intended to guarantee prosecution of crimes under the recently adopted Act No. 1-21, which prohibited child marriage. In addition, she wondered whether the State party systematically worked with relevant non-governmental organizations (NGOs) to gather data on femicide and its root causes and contributing factors. Were such data published?

12. **Ms. Sáenz** (Dominican Republic) said that the bill to amend Act No. 137-03 would expand the definition of the crime and would penalize offences involving violence or fraud. It would also increase the protection provided to victims who were girls or adolescents.

13. **Ms. Villa Camacho** (Dominican Republic), speaking via video link, said that, as the prosecuting authority, the Office of the Attorney General carried out analyses of the incidence of femicides in collaboration with NGOs and other State bodies with a view to reinforcing its ability to prosecute that offence.

Articles 7–9

14. **Ms. Toe Bouda**, noting that the State party was still working on amendments to introduce gender parity in electoral law, said that she would be interested to know whether, in the meantime, the State party had taken any action to address the decline in women's political participation since 2020 and to change behaviours in respect of their participation in public life. She would also like to know whether any women candidates had been nominated, in particular any Dominican women of Haitian origin. She would welcome statistics on women's appointment to diplomatic posts and posts in international organizations.

15. **Ms. Narain** asked what the State party was doing to change the special registration procedure under Act No. 285-04, the General Immigration Act, which discriminated against foreign mothers and their children, and to ensure that children born to foreign women and Dominican fathers were not considered foreigners and issued a different birth certificate. She would also like to hear what action was being taken to ensure that undocumented women recognized as refugees under the mandate of the Office of the United Nations High

Commissioner for Refugees could obtain legal residence permits that would give them access to rights and services without discrimination.

16. She would welcome reassurance that the State party would ensure that the implementation of the 2010 Constitution, and Constitutional Court ruling No. 168-13, which had arbitrarily deprived thousands of individuals of their nationality, did not result in women and girls being made stateless. Would the State party provide for automatic restitution of Dominican nationality to those arbitrarily deprived of their nationality by Constitutional Court ruling No. 168-13, as ordered by the Inter-American Court of Human Rights, and would it consider acceding to and implementing the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness?

17. She would appreciate information on steps taken to determine the number of women of Haitian origin and their children who had been left out of the naturalization process and to facilitate their naturalization. It would also be useful to know whether there were still legal restrictions to obtaining citizenship for children born in the State party to foreign mothers, in particular Haitian mothers, and what the State party was doing to ensure that all children born on its territory were registered and issued with an official birth certificate.

18. **Ms. Alina Paulino** (Dominican Republic), speaking via video link, said that a child of a foreign mother and a Dominican father was registered in the usual way, without discrimination, provided the father acknowledged paternity. The children of foreign mothers who were illegally resident, on the other hand, were registered as children of foreign mothers not resident in the Dominican Republic, in accordance with article 18 of the Constitution and article 28 of Act No. 285-04.

19. **Ms. Alvarado Bolaños** (Dominican Republic), speaking via video link, said that the Ministry of Women had put in place mechanisms for coordination with women in all political parties and movements at the national and the local levels, which it had used to conduct a series of consultations and training workshops on topics such as women's leadership and empowerment in political parties and the issue of political violence. It was also consulting with women in the political parties on the amendments to the electoral law and the legislation on political parties.

20. **Ms. Hernández** (Dominican Republic), speaking via video link, said that the Central Electoral Board, through the women's political round table, was actively involved in promoting women's participation in politics. The bills to amend Organic Act No. 15-19, on the electoral system, and Act No. 33-18, on political parties, groups and movements, were aimed at ensuring women's enjoyment of their political rights by prohibiting any form of discrimination or conduct that might limit their exercise and, in the case of the former, by prescribing a penalty of 3 to 10 years' imprisonment for persons who committed acts of political violence. A project to strengthen women's leadership skills and to promote their participation in local politics and electoral processes was being carried out with the support of the Spanish Agency for International Development Cooperation.

21. **Ms. Neyra Paulino** (Dominican Republic), speaking via video link, said that the Government was in the process of reviewing its position on the ratification of various international human rights conventions. The Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness were being studied by the Office of the Legal Counsel of the Ministry of Foreign Affairs; once the necessary consultations had taken place, the matter could be referred to the competent authorities for further action.

22. **Ms. Arbaje** (Dominican Republic), speaking via video link, said that, between September 2015 and September 2021, the National Judicial College had provided training to some 4,200 persons on issues such as child abuse, access to justice, fundamental rights, gender issues, refugees, human trafficking and family and gender-based violence. The recipients of the training had included some 1,400 judicial officials, 520 public defenders, 850 judges and 1,110 members of the national legal community. Lawyers and psychologists had also benefited from training during the pandemic. The College's masters' programme included a module on gender, which referred to the Convention and other relevant international instruments.

23. **Ms. Núñez** (Dominican Republic) said that all victims of recent acid attacks had secured access to justice and that, in some cases, convictions had already been obtained against their attackers. They had also received comprehensive health and psychological care from the State. The bill on violence against women would class such attacks as a criminal offence; the Criminal Code would be amended accordingly.

Articles 10–14

24. **The Chair** said that the delegation was requested to provide written replies to the questions posed under articles 10, 11 and 12 within 24 hours following the conclusion of the interactive dialogue.

25. **Ms. Bonifaz Alfonso** said that data collected by the United Nations Educational, Scientific and Cultural Organization showed that the increasing school enrolment rate of younger girls in the State party was offset by the high dropout rate among girls between 15 and 18 years of age, which she understood might be attributable to the impact of teenage pregnancy. It would be helpful to know what steps the State party was taking to provide age-appropriate sex education for children and adolescents. She wondered whether the mathematics, science and technology clubs for girls, which she understood were proving very effective in breaking down gender stereotypes, were set to continue. She would also welcome data demonstrating the benefits for girls of the extended school day that had been implemented in the State party's schools. Lastly, she would like to hear about any efforts to reduce the digital divide in education between urban and rural areas specifically targeting girls.

26. **Ms. Dettmeijer-Vermeulen** said that, according to a 2016 study, women in the Dominican Republic spent considerably more time on unpaid work and less time on paid work than men. It would be useful to know what measures the State party was taking to remedy that inequality and to address its impact on women's economic independence. She understood that many female domestic workers living in the Dominican Republic were heads of household or single mothers who, for the most part, lived in poverty or extreme poverty. She wondered what the State party was doing to overcome the difficulties encountered in implementing the International Labour Organization (ILO) Domestic Workers Convention, 2011 (No. 189) and in setting a minimum wage for domestic workers.

27. She would like to know whether the gender quotas for persons with disabilities in the public and private sectors established in Act No. 5-13 and its implementing regulations had been fully implemented and whether compliance with those quotas was monitored. She would also appreciate information on the content and status of implementation of the amendments to the Labour Code and Social Security Act following the entry into force for the State party of the ILO Maternity Protection Convention, 2000 (No. 183).

28. Lastly, she would be grateful if the delegation would describe the measures taken by the State party to provide victims of sexual harassment in the workplace with effective remedies; prohibit and prosecute compulsory pregnancy testing and HIV/AIDS testing as a condition of employment; establish a mechanism for complaints and redress for pregnant women who were victims of discrimination in the workplace; and expand and allocate adequate resources to childcare facilities throughout the State party and introduce flexible working hours for women and men in both the public and private sectors.

29. **The Chair** said that she wished to know what measures the State party was taking to address the high maternal mortality rate in the country, whether the causes of individual maternal deaths were identified and recorded and what the top three causes were. She would likewise like to receive further information on the measures being introduced in the public and private health-care systems to reduce the high teenage pregnancy rate. She wondered whether the State party intended to lift the blanket ban on abortion to allow terminations in cases of rape, threat to the life or health of the mother, or severe fetal abnormalities. Information on the status and content of the bill to decriminalize abortion would also be appreciated, as would information on the number of women who had been deprived of their liberty for having attempted to terminate a pregnancy.

30. The Committee would also welcome information on what was being done to guarantee women and adolescents of childbearing age access to modern contraceptives, what

steps were being taken to combat the negative stereotyping of persons of diverse sexual orientations, whether special care was provided to prostitutes who contracted HIV/AIDS and whether there were specific measures in place to help reduce the incidence of HIV/AIDS among women in general and pregnant women in particular.

31. **Ms. Nadaraia** said that, although fewer Dominicans were now living in poverty, the State party's social spending remained low in comparison with the social spending levels of other countries in the region. It would be helpful to know, on average, how much of the country's gross domestic product was spent on family benefits and what measures were in place to ensure that women had equal access to those benefits. She wondered whether the State party had undertaken a gender analysis of the tax system to determine the impact of current taxation policies and public spending on women. She would also like to know what measures the State party was taking to ensure that women had equal access to bank loans, mortgages and other forms of financial credit. In addition, she would be interested to learn what percentage of women were involved in recreational activities, such as sport, and all aspects of cultural life.

32. **Ms. Peláez Narváez** said that she wished to know whether rural women and women from disadvantaged groups had been consulted in connection with the post-pandemic recovery needs assessment recently conducted by the State party. If so, how had the needs of those women been reflected in the associated post-pandemic recovery strategy and when would the strategy be implemented?

33. She would appreciate information on the measures taken by the State party to reduce the poverty experienced by women living in rural areas; improve rural and disadvantaged women's access to health care, including sexual and reproductive health services; expand services for victims of gender-based violence in rural areas and improve their access to justice; provide digital literacy training to disadvantaged women; and ensure the participation of rural and disadvantaged women in designing, implementing and evaluating policies that concerned them directly.

34. The Committee was concerned by reports that, in recent months, women of Haitian descent, including pregnant women, had been detained and subjected to mass deportation, contrary to international human rights standards. She wondered what steps the State party was taking to align its migration, refugee and asylum policies with international standards and how it planned to combat the severe discrimination suffered by women of Haitian descent and to ensure that they had access to essential services.

35. She would like to know how many women with disabilities lacked legal capacity in the Dominican Republic, how access to justice for those women was ensured and whether free and informed consent was required before women with disabilities underwent any medical or other intervention. Did the State party plan to put an end to forced sterilization?

36. She would be interested to hear what the State party was doing to combat hate speech against lesbian, bisexual and transgender women and intersex persons and the discrimination they suffered at the hands of the police, judicial officials and health workers. She would also like to know how the State party went about protecting women living with HIV/AIDS, including those in an irregular migration situation, from discrimination and ensuring they had access to essential services. The Committee was concerned by the reported use of force by police officers against pro-abortion activists and the alleged arbitrary detention of several women who had attempted to obtain access to sexual and reproductive health services. If those reports were accurate, what was the State party doing to remedy those violations?

37. **Ms. Méndez** (Dominican Republic), speaking via video link, said that women who led micro-, small and medium-sized enterprises, including disadvantaged women living in border areas, could obtain a special certification from the Ministry of Industry, Trade, and Micro-, Small and Medium-Sized Enterprises to enjoy access to business opportunities, skills development training and credit from public and private banks. A project to build the leadership capacity of female entrepreneurs living in border areas had recently been launched. Participants had received training and seed capital to start a business.

38. **Mr. Lizardo** (Dominican Republic), speaking via video link, said that, as part of the "Supérate" (Get Ahead) poverty reduction programme, an entrepreneurship scheme had been

launched with the specific aim of promoting the economic and financial inclusion of women. The Single Beneficiary System was playing an active role in identifying women who currently had no access to banking services and, together with partners in the banking sector, providing them with innovative banking solutions so that they could participate in the entrepreneurship scheme.

39. **Ms. Jiménez** (Dominican Republic) said that the Women's Sectoral Office for Agriculture was responsible for ensuring the inclusion and participation of rural women in all agricultural and livestock production activities, including through the provision of technical and financial assistance.

40. **Mr. Suero** (Dominican Republic), speaking via video link, said that, in 2016, the Council of the Judiciary had agreed to implement an equality policy for persons with disabilities in the judiciary with a view to ensuring greater autonomy and improved access to justice for such persons. Disability training was provided by the National Judicial College and an agreement on the employment of persons with disabilities had been concluded. The 2020–2024 Institutional Strategic Plan set out guidelines for removing barriers to achieve a more inclusive justice system.

41. **Ms. Hernández** (Dominican Republic) said that the recently adopted inclusion policy of the Central Electoral Board aimed to remove all barriers to access to political participation for persons with disabilities and was implemented by a round table that counted civil society representatives among its members. The Central Electoral Board's work to eliminate such barriers included improvements to its website to render it more accessible, the recruitment of a sign language interpreter and the provision of training for more than 400 persons on interaction and dignified treatment of persons with disabilities. Those unable to travel to the Board's offices benefited from a mobile identity and electoral documentation service.

42. **Ms. Rivas** (Dominican Republic), speaking via video link, said that since 2019 the National Statistical Office had gathered information on persons with disabilities in accordance with the guidelines of the Washington Group on Disability Statistics. It maintained a database of the results of multiple indicator cluster surveys, which in 2021 had included questions for all household members on physical disability and related matters, such as accessibility. The 2022 Population and Housing Census would include a section on disability aimed at collecting information that would enable the State to improve policies benefiting persons with disabilities.

43. **Ms. Jiménez** (Dominican Republic) said that the National Judicial College ran a training programme on disability and on the Brasilia Regulations Regarding Access to Justice for Vulnerable People that provided instruction in sign language to judges and public defenders. To date, 41 sign language interpreters had received certification. The Ministry of Women had provided sign language training to its legal and psychological support teams.

44. **Mr. Camacho** (Dominican Republic), speaking via video link, said that in June 2020 the female poverty rate had been 27.9 per cent, as compared with the male rate of 24 per cent. Women were less active in the labour market, mainly because 40 per cent of them were engaged in unpaid domestic work. That was an impediment not only to their own personal development but also to the country's development. As part of the drive to reduce poverty, particularly rural poverty, the Government was piloting the "Care Communities" project in three regions. The project was intended to provide targeted support to women and empower them to enter the labour market and improve their quality of life. The Government was also supporting local authorities in drawing up development plans. A fund had been created that would reduce poverty and inequality at the local level by providing resources and public investment. In addition, a project was under development that would support vulnerable households and those living in extreme poverty in rural areas, a large proportion of which were women-led. As part of the "Supérate" programme, technical assistance and support was provided for family farms, including support for marketing their products, thereby increasing the incomes of vulnerable households and those living in poverty.

45. **Mr. Lizardo** said that the coverage of the Family Health Insurance scheme had been made universal in response to the COVID-19 pandemic, and a further 2 million persons had been enrolled, most of them women. Improvements to the coverage of the country's social security system were under discussion.

46. **Ms. Pujol** (Dominican Republic), speaking via video link, said that vulnerable families received housing support through a range of programmes, including a national plan to provide adequate housing that had so far received around 164,000 applications, of which more than 60 per cent had been submitted by women and one fifth by single mothers. The Executive Unit for the Renovation of Neighbourhoods and Surrounding Areas was working to modernize housing in several districts and had provided apartments and other support to women heads of household. Another unit had been created to address the lack of land titles in the country; one of its central functions was to grant titles to vulnerable groups, thereby enabling them to access credit. More than 28,000 land titles had been issued to women between 2020 and February 2022.

47. **Ms. Jiménez** (Dominican Republic) said that the State fully respected the constitutional right to protest. The aggression suffered by the women who had attended a demonstration on abortion legislation had been an isolated incident that did not have the support of the State; indeed, for 63 days members of women's organizations had set up camp near the offices of the executive branch to protest the same cause and had faced no aggression. While the matter of the rights of lesbian, bisexual and transgender women and intersex persons posed challenges, the State upheld the rights of all members of the population and had conducted awareness-raising and capacity-building activities with a view to ensuring that public officials respected those rights.

Articles 15 and 16

48. **Ms. Reddock** said that, despite the abrogation of legal provisions that had allowed for child marriage, it remained a problem in the State party. She would like to know how the authorities planned to address the underlying and intersecting social, ethnic, gender and economic causes of the phenomenon and whether the State party would consider regulating de facto unions by setting the minimum age for entering into such unions at 18, without exception, and establishing a system to register them. She understood that the Criminal Code voided the crime of sexual exploitation of young girls by adult men or persons more than five years older than the victim if the abuser married the girl. Was that the case?

49. The Committee was gravely concerned by the 2014 law which had stripped thousands of Haitians and Dominicans of Haitian descent of their Dominican nationality. The focus on pregnant women as a category in migration control was also cause for concern. She wished to know the status of the Protocol of Understanding on Repatriation Mechanisms between the State party and the Republic of Haiti and the implementing regulations for the General Immigration Act. The Committee had received reports of summary deportations that rendered women unable to make arrangements for their children, who might be left to live with persons who kept them as unpaid household servants. She would like to hear how the State party would ensure that all deportations were undertaken according to the legally established procedures, whether women could challenge deportation orders and whether they could access the Public Defence Fund. Lastly, she understood that unaccompanied minors were sometimes reportedly deported by the State party, and she wished to know the State party's position on such deportations.

50. It was not clear whether the children of Dominican fathers whose mothers lacked identity documents could access education, health and other services. She wondered what mechanisms and incentives existed to encourage Dominican fathers to acknowledge their children and how such acknowledgement was recorded. Statistics on the number of fathers who had acknowledged their Haitian-Dominican children, and on those who refused to do so, would be appreciated, as would information on the technological methods used to establish paternity, such as DNA testing.

51. **Ms. Santana** (Dominican Republic), speaking via video link, said that discrimination did not form part of the Government's migration policy, as established in the General Immigration Act and the Constitution. The legal provisions under which undocumented migrants were deemed to be residing in the country illegally were non-discriminatory and based on international law. Migration control operations ensured that the rights of children and pregnant women were respected. The Directorate General of Migration was drawing up a protocol for such operations that would guarantee due process and ensure that the needs of particular groups, including pregnant women, were met. Migration officers received training

on human rights, and the Directorate endeavoured to ensure that families were not separated. If unaccompanied minors of Haitian nationality were detained during a migration control operation, they were referred to the National Council on Childhood and Adolescence, which, in coordination with the Haitian authorities, took all possible measures to reunite them with their families and ensure that their best interests were protected. The Government did not deport unaccompanied minors.

52. **Ms. Núñez** (Dominican Republic) said that, under Dominican law, adults who engaged in sexual relations with a minor could be prosecuted, and minors did not have the capacity to consent to such relations. Additional information would be provided in writing.

53. **Ms. Jiménez** (Dominican Republic) said that her Government stood ready to accept any recommendations made by the Committee that would contribute to its progress in the area of women's equality and human rights. It remained committed to resolving the challenges that the country faced in advancing the rights of women and girls in the Dominican Republic.

54. **The Chair** said that the constructive dialogue had afforded the Committee a deeper understanding of the situation of women and girls in the Dominican Republic. The State party had made commendable progress, and she encouraged it to adopt all necessary measures to give effect to the Committee's recommendations in order to achieve broader implementation of the Convention. She invited the State party to accept, as soon as possible, the amendment to article 20 (1) of the Convention concerning the Committee's meeting time.

The meeting rose at 5.05 p.m.