



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

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## Committee on the Elimination of Discrimination against Women

### Concluding observations on the seventh periodic report of Malawi\*

1. The Committee considered the seventh periodic report of Malawi ([CEDAW/C/MWI/7](#)) at its 1351st and 1352nd meetings, on 6 November 2015 (see [CEDAW/C/SR.1351](#) and 1352). The Committee's list of issues and questions is contained in [CEDAW/C/MWI/Q/7](#) and the responses of Malawi are contained in [CEDAW/C/MWI/Q/7/Add.1](#).

#### A. Introduction

2. The Committee appreciates the submission by the State party of its seventh periodic report. It also appreciates the State party's written replies to the list of issues and questions raised by the pre-sessional working group and welcomes the oral presentation by the delegation and the further clarifications provided in response to the questions posed orally by the Committee during the dialogue.

3. The Committee commends the State party on its delegation, which was headed by the Minister of Gender, Children, Disability and Social Welfare, Patricia Kaliati, and also included representatives of the Ministry of Gender, Children, Disability and Social Welfare, the Ministry of Justice and Constitutional Affairs, the Malawi Human Rights Commission, the Law Commission, the Malawi Police Service and the parliament.

#### B. Positive aspects

4. The Committee welcomes the progress achieved since the consideration in 2010 of the State party's sixth periodic report ([CEDAW/C/MWI/6](#)) in undertaking legislative reforms, and notes the enactment of several new laws, including:

- (a) Marriage, Divorce and Family Relations Act, in 2015;
- (b) Trafficking in Persons Act, in 2015;
- (c) Gender Equality Act, in 2013.

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\* Adopted by the Committee at its sixty-second session (26 October-20 November 2015).



5. The Committee welcomes the State party's efforts to improve its institutional and policy framework aimed at accelerating the elimination of discrimination against women and promoting gender equality, such as the adoption or approval of the following:

- (a) National gender policy, in 2015;
- (b) National girls education strategy (2014-2018).

6. The Committee welcomes the fact that, in the period since the consideration of the previous report, the State party has ratified or acceded to the following international and regional instruments:

- (a) Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, in 2010;
- (b) Southern African Development Community Gender and Development Protocol, in 2013.

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

### **Parliament**

7. The Committee stresses the crucial role of the legislative branch in ensuring the full implementation of the Convention (see the statement by the Committee on its relationship with parliamentarians, adopted at the forty-fifth session, in 2010). It invites the parliament, in line with its mandate, to take the necessary steps regarding the implementation of the present concluding observations between now and the next reporting period under the Convention.

### **Data collection and analysis**

8. The Committee commends the State party's National Statistical Office for currently generating sex-disaggregated data as standard practice, but regrets the limited availability of such data, which are necessary to assess the impact and effectiveness of policies in all areas of the Convention, in particular regarding harmful practices and gender stereotypes, violence against women, education, employment, economic empowerment and health.

9. Reiterating its previous recommendation (see CEDAW/C/MWI/CO/6, para. 45), the Committee recommends that the State party expeditiously establish a comprehensive system to collect data on all areas covered by the Convention, disaggregated by, inter alia, age, sex, geographical area and socioeconomic background, and systematically analysed. The State party should use such data as a basis for designing policies to implement the Convention and assessing progress achieved towards that objective.

### **Definition of discrimination and legislative framework**

10. The Committee welcomes the adoption of the Gender Equality Act, which prohibits sex discrimination, but is concerned:

- (a) That some statutory and customary laws and regulations, such as the Witchcraft Act, the Citizenship Act, the Penal Code and Police Service Standing

Order 31, still contain discriminatory provisions that are incompatible with the Convention;

- (b) That the provisions of the Convention have not yet been fully incorporated into the national legal system and are therefore not directly applicable in the courts;
- (c) That the Penal Code Amendment of 2011 criminalizes same-sex relationships between women;
- (d) That knowledge about gender equality and women's rights under the Convention remains generally limited.

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

- (a) **Carry out a gender impact analysis of its legislation and amend all laws and regulations that still discriminate against women, in particular the Witchcraft Act, the Citizenship Act, the Penal Code and Police Service Standing Order 31;**
- (b) **Ensure that the provisions of the Convention are duly incorporated into the national legal system and directly applicable in the courts;**
- (c) **Explicitly prohibit all forms of discrimination against women in all areas covered by the Convention;**
- (d) **Envisage decriminalizing sexual relationships between adult women;**
- (e) **Strengthen its efforts to promote understanding of the concept of the substantive equality of women and men by conducting awareness-raising campaigns for members of the legal professions, law enforcement agencies and the general public.**

**Access to justice and legal aid**

12. The Committee notes the adoption of the Legal Aid Act in 2010. The Committee is, however, concerned that women continue to face multiple barriers in obtaining access to justice, including the unavailability of courts, legal fees and women's lack of legal literacy, especially in rural areas. It is particularly concerned that customary judicial mechanisms, to which women have to resort, are not gender-sensitive and continue to apply discriminatory provisions. The Committee notes with concern that insufficient human, technical and financial resources have been allocated to the Legal Aid Bureau and that its services are not yet available in all areas of the State party.

**13. Recalling its general recommendation No. 33 (2015) on women's access to justice, the Committee recommends that the State party:**

- (a) **Ensure that women have effective access to justice throughout the State party, by establishing courts, including mobile courts, and by enhancing women's legal literacy, raising awareness of their rights, providing legal aid and ensuring that fees are reduced for women with low incomes and waived for women living in poverty;**
- (b) **Enact legislation to regulate the relationship between formal and customary justice mechanisms and strengthen measures to ensure that customary judicial mechanisms comply with the Convention, including gender-sensitive training and capacity-building for customary justice authorities;**

(c) Provide adequate human, technical and financial resources to the Legal Aid Bureau to ensure its effective functioning and facilitate access to it for all women, with particular attention to remote areas;

(d) Monitor and assess the impact on women of efforts to improve access to justice, including gender-sensitive customary justice mechanisms.

#### **National machinery for the advancement of women and gender mainstreaming**

14. The Committee welcomes the approval of a revised national gender policy by the Cabinet in September 2015. It is, however, concerned that the Ministry of Gender, Children, Disability and Social Welfare continues to lack sufficient human, technical and financial resources to effectively coordinate gender mainstreaming in all areas and at all levels and that its status as a line ministry may not give it the authority necessary to influence decisions made by the Cabinet. It is also concerned that the Gender Equality Act is not effectively implemented in practice, partly owing to the delay in finalizing its implementation and monitoring plan and inadequate dissemination among key stakeholders, such as the judiciary and the police.

15. Recalling its previous recommendation (see CEDAW/C/MWI/CO/6, para. 19), the Committee calls upon the State party to:

(a) To ensure the expeditious adoption and effective implementation of the revised national gender policy;

(b) To further strengthen its national machinery for the advancement of women by providing it with cabinet status, clearly defining the mandate and responsibilities of its various components, enhancing cooperation and coordination among them and with civil society, and ensuring that it has adequate human and financial resources to work effectively for the promotion of women's rights at all levels;

(c) To ensure that the national machinery is represented at the local level, in particular in remote areas;

(d) To ensure the effective implementation of the Gender Equality Act throughout the State party, including by operationalizing its implementation and monitoring plan, widely disseminating the Act and enhancing capacity-building for the Administration and the judiciary.

#### **National human rights institution**

16. The Committee is concerned that the Malawi Human Rights Commission, which is mandated to implement the Gender Equality Act, does not function fully independently and lacks sufficient financial, technical and human resources. It is further concerned that, of the seven appointments made to the Commission in August 2015, only one was of a woman and that there is no adequate mechanism in place for the effective consideration of the Commission's recommendations.

17. The Committee calls on the State party to ensure that the Malawi Human Rights Commission enjoys full independence, in accordance with the Principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), and is provided with adequate financial and human resources to carry out its mandate effectively. The State party should also ensure the effective collaboration of the Commission with the Ministry of

**Gender, Children, Disability and Social Welfare and take the steps necessary to increase the number of women commissioners, in line with the Gender Equality Act. The Committee further recommends that the State party establish an effective mechanism for the consideration and implementation of the Commission's recommendations.**

#### **Temporary special measures**

18. The Committee notes that the Gender Equality Act introduces a gender-neutral quota system in some sectors, including the public service and education. Nevertheless, it is concerned that the temporary special measures provided for in the Act do not cover all areas of the Convention and are not consistently applied, such as in the recruitment of commissioners of the Human Rights Commission and in the case of the Legal Aid Bureau.

**19. The Committee recommends that the State party ensure the effective implementation of the quota system contained in the Gender Equality Act. The State party should also increase significantly the use of temporary special measures, including quotas, in all areas covered by the Convention in which women are underrepresented or disadvantaged. Such measures should include specific targets and time frames, in accordance with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, to ensure the achievement of substantive equality of women and men.**

#### **Stereotypes and harmful practices**

20. The Committee welcomes the fact that the Gender Equality Act and the Child Care, Protection and Justice Act prohibit harmful practices. Nevertheless, it expresses deep concern about the persistence of discriminatory stereotypes and deep-rooted patriarchal attitudes regarding the roles and responsibilities of women and men in the family and in society. It also remains seriously concerned at the high prevalence of harmful practices, such as child and/or forced marriage, female genital mutilation in certain communities, polygamy, "widow cleansing", initiation rites, ceremonies for girls which lead to abuse and the practice of prescribing sex with girls or women with albinism as a cure for HIV.

**21. The Committee urges the State party to effectively implement the existing legal provisions prohibiting harmful practices, ensuring that all harmful practices, including those specified in paragraph 20 above, are covered, investigated and adequately punished and that victims of harmful practices have access to effective remedies and adequate protection mechanisms. Recalling its previous recommendation (see CEDAW/C/MWI/CO/6, para. 21) and in line with article 5 (b) of the Convention, the State party should expeditiously adopt a comprehensive strategy to eliminate discriminatory stereotypes relating to the roles and responsibilities of women and men in society and in the family, as well as harmful practices that discriminate against women, and should create an enabling and supportive environment for women to exercise their human rights. The strategy should include comprehensive education and awareness-raising programmes targeting women and men at all levels of society, with a particular focus on traditional leaders. The State party should also monitor and regularly assess the impact of its measures.**

### **Violence against women**

22. The Committee expresses deep concern that violence against women, including domestic violence, remains widespread in the State party. It is particularly concerned about the non-criminalization of marital rape, the “corroboration rule” practised by courts, according to which the testimony of a witness is required for convictions in cases of sexual offences, and the insufficient protection, support and rehabilitation services available to women who are victims of violence.

23. **Recalling its general recommendation No. 19 (1992) on violence against women, the Committee urges the State party:**

- (a) **To expedite the revision of the national plan of action to combat gender-based violence (2014-2018) and ensure its systematic and effective implementation, including by putting in place interministerial coordination mechanisms and implementing all laws relating to violence against women, and monitor and assess their impact;**
- (b) **To specifically criminalize marital rape and ensure, in law and in practice, that evidentiary requirements in criminal cases relating to sexual offences do not lead to impunity for the perpetrators;**
- (c) **To encourage women to report incidents of violence, including domestic violence, to law enforcement bodies by destigmatizing victims, provide capacity-building programmes for judges, prosecutors, police officers and other law enforcement officials on the strict application of criminal law provisions on violence against women and raise awareness among the general public about the criminal nature of such acts;**
- (d) **To ensure that all cases of violence against women are thoroughly and effectively investigated, including by increasing the use of modern forensic methods and technology, and that perpetrators are prosecuted ex officio and adequately punished;**
- (e) **To strengthen services for women who are victims of violence, including by establishing shelters throughout the territory of the State party and ensuring the availability of psychosocial rehabilitation and reintegration programmes.**

### **Trafficking and exploitation of prostitution**

24. The Committee welcomes the adoption of the Trafficking in Persons Act. Nevertheless, it is concerned at the large and growing number of cases of trafficking in women and girls, the lack of awareness about the new law and the limited protection and assistance available to victims. The Committee is further concerned at the various forms of discrimination and criminal sanctions faced by women in prostitution and at the insufficient programmes for women wishing to leave prostitution.

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

- (a) **Effectively implement the Trafficking in Persons Act, including by establishing a time frame for its implementation, ensuring its wide dissemination, carrying out public awareness-raising and providing capacity-building to relevant professional groups;**

- (b) Establish appropriate mechanisms aimed at early identification, referral and support for victims of trafficking, including through provision of access to shelters and adequate legal, medical and psychosocial assistance;
- (c) Step up efforts aimed at bilateral, regional and international cooperation, including exchange of information, to prevent trafficking and facilitate the prosecution of traffickers;
- (d) Study and address the root causes of trafficking in women and girls and the exploitation of prostitution;
- (e) Ensure that traffickers and other actors involved in the exploitation of prostitution are prosecuted and adequately punished;
- (f) Repeal discriminatory provisions, such as sections 180 and 184 of the Penal Code, and eliminate discriminatory practices faced by women in prostitution, including when accessing health-care services;
- (g) Institute measures to discourage the demand for prostitution and develop exit programmes for women in prostitution, including alternative income-generating opportunities;
- (h) Ensure systematic monitoring, including by strengthening its database, and evaluation of the impact of all measures taken.

#### **Participation in political and public life**

26. The Committee notes the measures taken by the State party to promote the participation of women in political and public life, such as the 50:50 Campaign. It is, however, concerned that women remain significantly underrepresented at all levels of decision-making, including in the National Assembly, the executive, political parties, the diplomatic and public service and at the local level.

27. Recalling its previous recommendation (see [CEDAW/C/MWI/CO/6](#), para. 27), the Committee calls upon the State party to strengthen its efforts to increase the representation of women in political and public life. In particular, it recommends that the State party:

- (a) Expedite the process of amending the relevant electoral laws to introduce minimum quotas for female candidates on political parties' electoral lists and for the executive structures of political parties, including sanctions for non-compliance with such quotas;
- (b) Ensure the effective implementation of the measures contained in the Gender Equality Act;
- (c) Address the underlying causes of women's limited participation in political and public life, such as negative and discriminatory attitudes towards women;
- (d) Provide financial support and capacity-building programmes on leadership skills for potential women candidates;
- (e) Effectively monitor and evaluate the impact of these measures.

### **Nationality**

28. Notwithstanding the administrative practice of not withdrawing the citizenship of women who marry foreign men, the Committee remains concerned about discriminatory provisions in the Citizenship Act, including with regard to the ability of Malawian women to confer their nationality on foreign spouses. It is further concerned that the Act does not contain sufficient safeguards to ensure that children who are otherwise stateless can acquire Malawian nationality, in particular the children of Malawians who migrated to Zimbabwe and children born to Mozambicans who live in the State party. The Committee notes with concern that children born in Malawi to parents who are not of African descent are explicitly excluded from the right to acquire citizenship by birth.

**29. The Committee urges the State party to expeditiously revise the Citizenship Act to ensure that women and men enjoy equal rights to acquire, change, transfer and retain nationality and to introduce safeguards to ensure that children born in its territory who would otherwise be stateless are granted nationality. The State party should also consider acceding to the 1961 Convention on the Reduction of Statelessness.**

### **Education**

30. The Committee welcomes the adoption of the Education Act and the national girls education strategy and commends the State party for achieving almost universal primary education. The Committee is, however, concerned at:

- (a) The persistence of structural and other barriers to girls' access to quality education, in particular at the secondary level, owing, inter alia, to the lack of school infrastructure, including adequate sanitary facilities;
- (b) The low percentage of the national budget allocated to education, with no explicit plan for an increase in order to improve capacity, especially for girls and particularly in rural areas;
- (c) Significantly high dropout and low transition and completion rates among schoolgirls at the primary and secondary levels as a result of child and/or forced marriage, early pregnancy and traditional attitudes, notwithstanding the adoption of a readmission policy;
- (d) The persistence of sexual abuse and harassment of girls by peers and teachers at and on their way to and from school and the absence of clear procedures in the teachers' code of conduct to ensure prosecution of criminal cases, resulting in perpetrators being lightly sanctioned and therefore being treated with impunity.

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

- (a) **Strengthen its efforts to improve the quality of education, in particular in rural areas, including by providing adequate school infrastructure such as adequate sanitary facilities and by increasing the number of qualified teachers, with particular attention to qualified female teachers;**
- (b) **Increase the budget allocated to education for the construction of additional schools, especially in rural areas;**
- (c) **Further promote the retention of girls in school, including by reinforcing its policy on the readmission to school of pregnant girls and young**

**mothers, especially in rural areas, and addressing the stigmatization faced by these girls upon return to school;**

(d) **Effectively address sexual abuse and harassment at and on the way to and from school, including by enforcing a zero-tolerance policy, as previously recommended by the Committee (see CEDAW/C/MWI/CO/6, para. 31), and ensure that the policy includes preventive, protective and socioeducational measures, such as counselling, awareness-raising and effective mechanisms for women and girls to report such abuse;**

(e) **Review the teachers' code of conduct to ensure that sanctions applied for violations are in accordance with the gravity of the incident and that criminal acts perpetrated by teachers are not treated with impunity.**

### **Employment**

32. The Committee remains concerned at the persistent discrimination against women in the labour market. In particular, it is concerned at continuing horizontal and vertical occupational segregation and the overrepresentation of women in low-paid jobs, the lack of implementation of the principle of equal pay for work of equal value, the persistent gender wage gap and insufficient maternity protection. It also regrets the lack of information on labour inspections of women's working conditions.

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

(a) **Adopt effective measures, including skills training, incentives for and encouragement of women to work in non-traditional fields and temporary special measures, to achieve de facto equal opportunities for women and men in the labour market and eliminate occupational segregation, both horizontal and vertical, in the public and private sectors;**

(b) **Adopt measures to effectively implement the principle of equal pay for work of equal value and to narrow and close the gender wage gap, including by applying gender-neutral analytical job classification and evaluation methods and regular pay surveys;**

(c) **Establish and provide adequate human and financial resources for labour inspectorates to monitor and sanction discriminatory practices against women in the field of employment, including in the private and informal sectors;**

(d) **Systematically monitor and evaluate the implementation of these measures;**

(e) **Consider seeking technical assistance from the International Labour Organization in this regard.**

### **Health**

34. The Committee expresses concern at:

(a) **The prevalence of a very high maternal mortality ratio, in particular among rural women and adolescents, notwithstanding a significant drop from 675 deaths per 100,000 live births before 2013 to 460 deaths per 100,000 live births;**

(b) **The criminalization of abortion, except when the life of the pregnant woman or girl is at risk, and the impact that such criminalization has on the maternal**

mortality ratio, as well as compelling women, in particular women under 25 years of age and girls, to resort to unsafe abortion;

(c) The high number of teenage pregnancies;

(d) The lack of comprehensive age-appropriate education on sexual and reproductive health and rights and family planning services, and the limited access in the State party to modern contraceptives.

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

(a) **Reduce maternal mortality by ensuring the provision of adequate sexual and reproductive health services, in particular access to antenatal, delivery and postnatal services, including in rural areas;**

(b) **In this regard, consider the technical guidance of the Office of the United Nations High Commissioner for Human Rights on the application of a human rights-based approach to the implementation of policies and programmes to reduce preventable maternal morbidity and mortality ([A/HRC/21/22](#) and Corr.1 and 2);**

(c) **Amend legal provisions regulating abortion to legalize it, ensuring its legal and practical availability, without restrictive reporting requirements, at least in cases in which the life and/or health of the pregnant woman or girl is at risk, and in cases of rape, incest and serious impairment of the fetus;**

(d) **Address the large number of teenage pregnancies by ensuring access to age-appropriate education on sexual and reproductive health and rights for girls and boys, including out-of-school children;**

(e) **Ensure the availability and accessibility of modern forms of contraception and reproductive services to all women in the State party.**

**HIV/AIDS**

36. The Committee remains concerned at the high prevalence of HIV/AIDS among women and girls in the State party. It is also concerned at contentious provisions in the draft HIV and AIDS (prevention and management) bill, including the separation of the issue of HIV/AIDS management from that of prevention; disclosure of a person's HIV status by medical practitioners in certain circumstances without consent; compulsory HIV testing for pregnant women, women in prostitution and women in polygamous unions; mandatory pre-service testing for members of the uniformed services and domestic workers; and the non-inclusion of provisions relating to young women, girls and persons with disabilities.

**37. The Committee recommends that the State party expeditiously amend the HIV and AIDS (prevention and management) bill with a view to ensuring comprehensive coverage of HIV/AIDS prevention, treatment, care, support and management, and its full compliance with the Convention and other relevant international standards.**

**Economic empowerment of women**

38. The Committee notes the measures taken by the State party to reduce poverty and ensure social protection, including a social cash transfer scheme and the adoption of a national social welfare policy. Nevertheless, it is concerned that the measures are

not adapted to the specific needs of women and that the availability of financial assistance and credit for women is limited. The Committee is also concerned at the limited support for women's entrepreneurial activities, such as women-owned enterprises in the mining sector.

**39. The Committee recommends that the State party ensure that its poverty reduction and social protection programmes produce sustainable results, empower women and do not increase dependency, paying special attention to women in rural areas. The State party should also increase its efforts to improve women's access to credit, financial services and technical assistance and encourage and support women's entrepreneurship by providing capacity-building programmes, including in the mining sector.**

#### **Impact of natural disasters on women**

40. The Committee notes the measures taken by the State party to ensure a gender-sensitive response to disaster management, but concerned that, following the devastating floods in 2015, women and girls have been disproportionately affected by increased exposure to violence and food insecurity.

**41. The Committee calls upon the State party to ensure that a gender perspective is integrated into the development and implementation of policies and programmes on disaster preparedness and response and other emergencies in order to guarantee that women, in particular rural women, fully benefit from such measures according to their needs. The State party should also ensure the involvement of women, in particular rural women, in decision-making in relation to disaster management and disaster risk reduction.**

#### **Rural women**

42. The Committee is concerned that the delay in the passage of the customary land bill jeopardizes rural women's access to use of land for food crops and income-generating opportunities. It is also concerned that rural women are disproportionately affected by malnutrition and food insecurity.

**43. The Committee recommends that the State party expedite the adoption of the customary land bill to ensure the protection of women's customary land rights, access to land, including for food crops and income-generating opportunities, and control over productive resources, and promote their participation in decision-making regarding land allocation. The Committee also recommends that the State party expedite the adoption of its revised nutrition policy, effectively implement the recommendations made by the Special Rapporteur on the right to food in his report ([A/HRC/25/57/Add.1](#)) and, in particular, strengthen the integration of a gender perspective into food and nutrition security strategies and programmes.**

#### **Women with albinism**

44. The Committee is deeply concerned about the stigmatization of persons with albinism, including women and girls, and severe threats to and attacks on their physical integrity, such as ritual killings, abductions and mutilation.

**45. The Committee urges the State party to reinforce its measures to protect women and girls with albinism from all forms of violence and address the**

**discrimination, stigmatization and social exclusion faced by them. In particular, it calls upon the State party to effectively investigate, prosecute and punish those responsible for such crimes, expand its awareness-raising efforts to combat those superstitious beliefs that are detrimental to the well-being of women and girls with albinism and ensure that those women and girls have access, without discrimination or fear, to education, employment, health care and other basic services.**

#### **Older women**

46. The Committee is deeply concerned at reports that older women are subjected to violence for being suspected of practising witchcraft and teaching it to children.

**47. The Committee urges the State party to amend its Witchcraft Act to bring it into line with international human rights standards, strengthen its measures to protect women accused of witchcraft from violence, carry out awareness-raising, in particular in rural areas, on the criminal nature of such attacks, and effectively punish the perpetrators.**

#### **Refugee women**

48. The Committee is concerned at the delay in promulgating the revised Refugee Act and at the absence of a policy framework, resulting in discriminatory treatment of refugee women and girls, including with regard to access to basic services.

**49. The Committee recommends that the State party expeditiously promulgate the revised Refugee Act and ensure that its provisions are in line with the Convention and general recommendation No. 32 (2014) on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women. The State party should take all the measures necessary to remove barriers to access for refugee women and girls to basic services, including by lifting its reservations to the 1951 Convention relating to the Status of Refugees.**

#### **Equality in marriage and family relations**

50. The Committee welcomes the fact that the Marriage, Divorce and Family Relations Act sets the minimum age of marriage at 18 years for girls and boys. It is, however, concerned at inconsistencies between the provisions of the Act and those of the Constitution that are not in line with article 16 (2) of the Convention. The Committee is also concerned at the lack of legislation on polygamy.

**51. The Committee recommends that the State party take all the necessary measures, including by amending its Constitution, for the harmonization of the minimum legal age of marriage of 18 years for girls and boys, as provided for in the Marriage, Divorce and Family Relations Act and in accordance with the Convention. The State party should also take steps to discourage and prohibit polygamy and ensure that the rights of women in existing polygamous unions are protected, in accordance with the Committee's general recommendations No. 21 (1994) on equality in marriage and family relations and No. 29 (2013) on article 16 of the Convention (Economic consequences of marriage, family relations and their dissolution).**

**Optional Protocol and amendment to article 20 (1) of the Convention**

52. The Committee encourages the State party to ratify the Optional Protocol to the Convention and to accept, as soon as possible, the amendment to article 20 (1) of the Convention concerning the meeting time of the Committee.

**Beijing Declaration and Platform for Action**

53. The Committee calls upon the State party to use the Beijing Declaration and Platform for Action in its efforts to implement the provisions of the Convention.

**2030 Agenda for Sustainable Development**

54. The Committee calls for the realization of substantive gender equality, in accordance with the provisions of the Convention, throughout the process of implementation of the 2030 Agenda for Sustainable Development.

**Dissemination**

55. The Committee recalls the obligation of the State party to systematically and continuously implement the provisions of the Convention. It urges the State party to give priority attention to the implementation of the present concluding observations and recommendations between now and the submission of the next periodic report. The Committee therefore requests that the present concluding observations be disseminated in a timely manner in the official language of the State party, to the relevant State institutions at all levels (national, regional and local), in particular to the Government, ministries, the parliament and the judiciary, to enable their full implementation. It encourages the State party to collaborate with all stakeholders concerned, such as employers' associations, trade unions, human rights and women's organizations, universities, research institutions and the media. It further recommends that the concluding observations be disseminated in an appropriate form at the local community level to enable their implementation. In addition, the Committee requests the State party to continue to disseminate the Convention, the Optional Protocol thereto and relevant jurisprudence, as well as the Committee's general recommendations, to all stakeholders.

**Technical assistance**

56. The Committee recommends that the State party link the implementation of the Convention to its development efforts and that it avail itself of regional or international technical assistance in this respect.

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

57. 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 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the International Convention for the Protection of All Persons from Enforced Disappearance, to which it is not yet a party.

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

58. The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 19 and 35 (a) and (c) above.

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

59. The Committee invites the State party to submit its eighth periodic report in November 2019.

60. The Committee requests 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 ([HRI/GEN/2/Rev.6](#), chap. 1).

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<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.