**Political Participation in the Asia and Pacific Region**

 Compilation of jurisprudence from United Nations
Human Rights Mechanisms

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**UDHR Article 21**

(1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

 (2) Everyone has the right of equal access to public service in his country.

 (3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

**ICCPR Article 25**

Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions:

1. To take part in the conduct of public affairs, directly or through freely chosen representatives;
2. To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors;
3. To have access, on general terms of equality, to public service in his country.

**CESCR Article 8**

1. The States Parties to the present Covenant undertake to ensure:

1. The right of everyone to form trade unions and join the trade union of his choice, subject only to the rules of the organization concerned, for the promotion and protection of his economic and social interests. No restrictions may be placed on the exercise of this right other than those prescribed by law and which are necessary in a democratic society in the interests of national security or public order or for the protection of the rights and freedoms of others;
2. The right of trade unions to establish national federations or confederations and the right of the latter to form or join international trade-union organizations;
3. The right of trade unions to function freely subject to no limitations other than those prescribed by law and which are necessary in a democratic society in the interests of national security or public order or for the protection of the rights and freedoms of others;
4. The right to strike, provided that it is exercised in conformity with the laws of the particular country.

2. This article shall not prevent the imposition of lawful restrictions on the exercise of these rights by members of the armed forces or of the police or of the administration of the State.

3. Nothing in this article shall authorize States Parties to the International Labour Organisation Convention of 1948 concerning Freedom of Association and Protection of the Right to Organize to take legislative measures which would prejudice, or apply the law in such a manner as would prejudice, the guarantees provided for in that Convention.

**CEDAW Articles 7 & 8**

**Article 7**

States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:

1. To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;
2. To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;
3. To participate in non-governmental organizations and associations concerned with the public and political life of the country.

**Article 8**

States Parties shall take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations.

**CERD Article 5(c)**

In compliance with the fundamental obligations laid down in article 2 of this Convention, States Parties undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, notably in the enjoyment of the following rights:

(c) Political rights, in particular the right to participate in elections-to vote and to stand for election-on the basis of universal and equal suffrage, to take part in the Government as well as in the conduct of public affairs at any level and to have equal access to public service;

**CRPD Article 29**

States Parties shall guarantee to persons with disabilities political rights and the opportunity to enjoy them on an equal basis with others, and shall undertake to:

1. Ensure that persons with disabilities can effectively and fully participate in political and public life on an equal basis with others, directly or through freely chosen representatives, including the right and opportunity for persons with disabilities to vote and be elected, inter alia, by:
2. Ensuring that voting procedures, facilities and materials are appropriate, accessible and easy to understand and use;
3. Protecting the right of persons with disabilities to vote by secret ballot in elections and public referendums without intimidation, and to stand for elections, to effectively hold office and perform all public functions at all levels of government, facilitating the use of assistive and new technologies where appropriate;
4. Guaranteeing the free expression of the will of persons with disabilities as electors and to this end, where necessary, at their request, allowing assistance in voting by a person of their own choice;
5. Promote actively an environment in which persons with disabilities can effectively and fully participate in the conduct of public affairs, without discrimination and on an equal basis with others, and encourage their participation in public affairs, including:
6. Participation in non-governmental organizations and associations concerned with the public and political life of the country, and in the activities and administration of political parties;
7. Forming and joining organizations of persons with disabilities to represent persons with disabilities at international, national, regional and local levels.

***Pacific Region***

**Australia**

**Christopher Alger v Australia (13 July 2017), Human Rights Committee, CCPR/C/120/D/2237/2013**

The author claimed that the fine imposed by the Australian Electoral Commission due to his failure to vote at the 2010 federal elections in application of the Commonwealth Electoral Act constitutes a violation by Australia of his right under articles 17 and 18, read alone and in conjunction with article 2(2) and (3), 26 and 50 of the Covenant.

*7.3 The Committee observes that the author’s claims under article 25, in particular about the coercive character of the fine imposed on him, ultimately questions the compatibility of the compulsory voting system in the State party, as applied to the author at the 2010 federal elections, with the Covenant. In this connection, the Committee recalls its General Comment No 25 to the effect that although the Covenant does not impose any particular electoral system, any system operating in a State party must be compatible with the rights protected by article 25 and must guarantee and give effect to the free expression of the will of the electors.1 It must guarantee, inter alia, that persons entitled to vote must be free to vote for any candidate for election, and free to support or to oppose government; and the secrecy of the vote. The Committee therefore considers that a voting system must allow electors to vote for any candidate or none of them, including submitting a blank or non-complaint ballot paper; and ensure that voting is conducted by secret ballot. The Committee also considers that any sanction for the failure to vote must be established by law, reasonable and proportionate, and must not affect the enjoyment or exercise of the rights under the Covenant.*

*7.4 The Committee notes in this respect the State party’s observations (see 4.2 and 4.3 above) that within its compulsory voting system, electors are free to vote for any candidate for election or for no one at all, including casting a blank or non-compliant ballot paper, without undue influence or coercion of any kind; that voting is conducted by secret ballot; and that electors will only be liable for a penalty of AU$ 20 where they fail to submit a ballot paper by one of the available methods without a valid and sufficient reason for not voting.*

*7.5 In the present case, the Committee observes that in order to fulfill his duty as elector at the 2010 federal elections, the author was obliged to attend a polling place and place his vote in the ballot box under the principle of secret ballot. According to the author, should an elector wish to vote for none of the candidates, as in his case, the elector has to cast an informal vote, with an ambiguous legal status. However the Committee observes that a blank vote is provided for in section 268 of the CEA. It further observes that the author has not explained why a blank vote would not have genuinely reflected his will as an elector to support none of the candidates at the 2010 federal elections. Nor has the author provided convincing arguments to the Committee that the fine imposed to him was unreasonable or disproportionate. Accordingly, the Committee considers that the facts before it do not reveal a violation of article 25(b) of the Covenant.*

**Gemma Beasley v Australia (1 April 2016), Committee on the Rights of Persons with Disabilities, CRPD/C/15/D/11/2013\***

The author is deaf and requires Australian Sign Language (Auslan) interpreting of formal communications in order to communicate with others. She was summoned on 30 October 2012 to serve as a juror in the criminal jurisdiction of the District or Supreme Courts of New South Wales. On contacting the Sheriff’s Office to explain that she was deaf and would require an Auslan interpreter to participate in the jury selection process and jury duty, she was informed that such support could not be provided, owing to concerns with confidentiality of jury deliberation. The author was therefore precluded from serving as a juror under a provision that allows exclusion where ‘some disability associated with that person would render him or her, without reasonable accommodation, unsuitable for or incapable of effectively serving as a juror’.

*3.5 As regards her claim under article 29 of the Convention, the author asserts that the participation in jury duty is a “political right” and that, as a component of the public administration of justice, the jury system is an aspect of the “conduct of public affairs”* *within the meaning of the article. Consequently, the author considers that the Sheriff’s refusal to permit Auslan interpretation amounts to a violation of her right (a) to enjoy political rights and the right to have access to public service on an equal basis with others; and (b) to non-discrimination in the enjoyment of her political rights.*

*8.9 As regards the author’s claims under articles 13 (1) and 29 of the Convention, the Committee notes the State party’s argument that this claim is without merit, as it considers that “effective access to justice” refers to accessibility to the justice system and that the terms “direct” and “indirect” participants do not encompass jury duties. The State party also argues that the “reasonable accommodation” standard does not apply to article 13. The author in turn asserts that the term “direct and indirect participants” relates to individuals taking part in the legal system and that obligations under article 5 to provide “reasonable accommodation” apply for the realization of those rights. The Committee recalls that, pursuant to article 13, States parties have to ensure effective access to justice for persons with disabilities on an equal basis with others, in order to facilitate their effective role as “direct and indirect participants in all phases of legal proceedings”, including through the provision of procedural and age-appropriate accommodation. The Committee notes that the performance of jury duty is an integral part of the Australian judicial system and, as such, it constitutes “participation” in legal proceedings. The Committee further recalls that article 29 (b) requires States to “promote actively an environment in which persons with disabilities can effectively and fully participate in the conduct of public affairs, without* *discrimination and on an equal basis with others, and encourage their participation in public affairs”. Attention must therefore be given to the participation of persons with disabilities in the justice system in capacities besides those of claimant, victim or defendant, including in jury service, on an equal basis with others. In view thereof, the Committee considers that the decision of the Sheriff not to provide Auslan interpretation amounted to a violation of article 13 (1) read alone and in conjunction with articles 3, 5 (1), and 29 (b) of the Convention.*

The Committee concluded that the State party was under obligation to enable the author to participate in jury duty, and to provide reasonable accommodation in the form of an Auslan interpreter in a manner that respects the confidentiality of proceedings at all stages of jury selection and court proceedings, and to ensure that similar violations are prevented in future by amending relevant laws, regulations, policies and programs, providing training, and carrying out thorough, objective, and comprehensive assessments of requests for adjustments by those with disabilities.

**Michael Lockrey v Australia (1 April 2016), Committee on the Rights of Persons with Disabilities, CRPD/C/15/D/13/2013**

The author is deaf and requires real-time steno-captioning of formal communications in order to communicate with others. The author was summoned to serve as a juror on two occasions in 2012, and repeatedly requested for steno-captioning from the Office of the Sheriff in order to participate in the jury selection process on an equal basis with others. He was advised that steno-captioning would not be provided to him, and that he would not be permitted to participate in the jury selection process as he was deaf. The author was summoned a third time to serve as a juror on 15 August 2012, and again reiterated his willingness to serve provided that steno-captioning was made available for him. He was informed that participation in the jury process by individuals with a hearing impairment is only possible through the use of hearing loops.

The author asserted a violation of Article 29 of the Convention, noting that the term ’conduct of public affairs’ is a wide concept, which ‘embraces the exercise of governmental power by all arms of government, including the administration of justice. Jurors play a part in the judicial power of the government as they directly participate to determine guilt or innocence in a criminal trial or liability in a civil trial. They are therefore engaged in the conduct of public affairs and of a public service, that being the public administration of justice. The author concludes that his exclusion from jury duty was not based on reasonable and objective grounds and that it was arbitrary and discriminatory’.

*8.9 As regards the author’s claims under articles 13 (1) and 29 of the Convention, the Committee notes the State party’s argument that this claim is without merit, as it considers that “effective access to justice” refers to the accessibility to the justice system and that the terms “direct” and “indirect” participants do not encompass jury duties. The State party also argues that the “reasonable accommodation” standard does not apply to article 13. The author in turn asserts that “direct and indirect participants” relate to individuals taking part in the legal system and that obligations under article 5 to provide “reasonable accommodation” apply for the realization of these rights. The Committee recalls that, pursuant to article 13, States parties have to ensure effective access to justice for persons with disabilities on an equal basis with others in order to facilitate their effective role as “direct and indirect participants, in all phases of legal proceedings”, including through the provision of procedural and age-appropriate accommodations. The Committee notes that* ***the performance of jury duty is an integral part of the Australian judicial system and, as such, it constitutes “participation” in legal proceedings****. The Committee further recalls that article 29 (b) requires States to promote actively an environment in which persons with disabilities can effectively and fully participate in the conduct of public affairs, without discrimination and on an equal basis with others, and encourage their participation in public affairs. Attention must therefore be given to the participation of persons with disabilities in the justice system in capacities besides those of claimant, victim or defendant, including in jury service, on an equal basis with others. In view thereof, the Committee considers that the decision of the Sheriff not to provide the author with steno-captioning amounted to a violation of article 13 (1), read alone and in conjunction with articles 3, 5 (1), and 29 (b), of the Convention.*

**Concluding Observations - CEDAW/C/AUL/CO/7 (CEDAW, 2010)**

34. The Committee notes with appreciation the positive developments in increased women’s representation in senior ranks of public office, that 30 percent of all Australian parliamentarians are women, that women constitute 58 percent of the public service and that three out of seven High Court judges are women. The Committee, however, remains concerned that the measures taken to enhance the participation of Aboriginal and Torres Straits Islander women and women with disabilities in public life remain inadequate.

35. The Committee recommends that the State party adopt targeted measures, including temporary special measures with clear time frames, in accordance with article 4, paragraph 1 of the Convention and the Committee’s general recommendation No. 25, to ensure the equal participation and representation of women in public and political life, with a particular focus on Aboriginal and Torres Straits Islander women and women with disabilities.

**Concluding Observations - CRPD/C/AUS/CO/1 (CRPD, 2013)**

11. The Committee recommends that the State party, in partnership with persons with disabilities — including children with disabilities — through their representative organizations, establish mechanisms to ensure meaningful participation in the development and implementation of legislation and policies to implement the Convention.

51. The Committee is concerned that persons with disabilities, in particular those with intellectual or psychosocial disabilities, are automatically excluded from the electoral roll. The Committee is further concerned that persons with disabilities face significant barriers in the voting process.

52. The Committee recommends that the State party enact legislation to restore presumption of the capacity of persons with disabilities to vote and exercise choice, and ensure that all aspects of voting in an election are made accessible to all citizens with disabilities.

**Report by the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, James Anaya A/HRC/15/37/ADD.4 (2010)**

79. All efforts should be made to increase the number of indigenous peoples’ representatives in legislative, executive, and judicial institutions at all levels. The Special Rapporteur welcomes the Government’s support in establishing a national indigenous representative body and emphasizes the importance of indigenous participation in the ongoing design, development and functioning of this mechanism.

80. The Council of Australian Governments should look to integrate the proposed national representative indigenous body into its structure for decision-making and design of strategic initiatives, for the purpose of coordinating policies and strategies relating to Aboriginal and Torres Strait Islander peoples.

81. The Commonwealth and state governments should, in cooperation with the indigenous peoples concerned, enhance efforts to strengthen Aboriginal and Torres Strait Islander peoples’ own governance structures, and increase the capacity of indigenous leadership at all levels

**UPR Recommendations - A/HRC/31/14 (UPR, 2016)**

* 136.88 Take necessary measures to ensure consultation and participation of indigenous peoples in the processes of the elaboration of public policies that is of interest to them (Paraguay).

**UPR Recommendations - A/HRC/17/10 (UPR, 2011)**

* 86.49. Further ensure that everyone is entitled to equal respect and to a fair participation with full enjoyment of equal rights and opportunities in economic, political, social and cultural developments as incorporated in the laws and plans of action (Cambodia).
* 86.110. Strengthen efforts and take effective measures with the aim of ensuring enjoyment of all rights for indigenous people, including participation in decision-making bodies at all levels (Bosnia and Herzegovina).

**Cook Islands**

**Concluding Observations - CEDAW/C/COK/CO/1 (CEDAW, 2007)**

28. The Committee is concerned about the lack of a legal mandate for the application of temporary special measures, and the low levels of participation of women in public and political life, especially at the highest levels of decision making, in particular in Parliament, local governance, especially the Outer Islands Councils, public service, boards and in religious life. It is also concerned that prevailing social and cultural attitudes constitute barriers to women’s full participation in all spheres of public life. It expresses concern about the Cook Islands’ resistance to the application of temporary special measures in accordance with article 4, paragraph 1, of the Convention. It also notes with concern that the draft bill intended to replace the Outer Islands Local Government Act 1987 does not include requirements for equal representation of women and men in decision making.

29. The Committee requests that the Cook Islands take all appropriate measures to increase the number of women in elected and appointed office at all levels, so as to comply with article 7 of the Convention. The Committee encourages the Cook Islands to take concrete measures, including temporary special measures in accordance with article 4, paragraph 1, of the Convention, and the Committee’s general recommendation 23, on women in political and public life, and 25, on temporary special measures, and to establish concrete

**Concluding Observations - CRPD/C/COK/CO/1 (CRPD, 2015)**

7. The Committee is concerned that the State party’s approach to seeking input from persons with disabilities and their representative organizations is insufficient and is dependent on the discretion of the State party. The Committee is also concerned that the State party does not routinely invite persons with disabilities and their representative organizations to all meetings where decisions are taken that will affect their lives.

8. The Committee recommends that the State party:

Establish a legally recognized formal mechanism with funding to ensure the effective participation of persons with disabilities and their representative organizations in the process of developing, drafting and implementing laws and policies concerning all persons with disabilities, especially persons with psychosocial or intellectual disabilities, children with disabilities, women with disabilities, and older persons with disabilities ;Ensure that persons with disabilities and their representative organizations are invited to international meetings and engagements that involve decision-making on issues of disability.

11. The Committee is concerned that the State party does not adequately address the question of promoting the full inclusion of women and girls with disabilities in all spheres of life, particularly in health, education and employment.

12. The Committee recommends that the State party improve its measures to promote the full inclusion of women and girls with disabilities by:

(a) Establishing a formal consultation mechanism to ensure that women and girls with disabilities across the country, and their representative organizations, are meaningfully consulted and are enabled to participate in the legislative and political spheres;

51. The Committee is concerned that the Electoral Act both denies the right to vote and to stand for election to some groups of persons with disabilities, and fails to systematically protect the right to vote in private at polling stations. Furthermore, it is concerned that elections are not accessible to persons with disabilities.

52. The Committee recommends that the State party repeal provisions of the Electoral Act 2004 to ensure that all persons with disabilities, irrespective of their disability, can vote in private at polling stations and stand for election. It also recommends that the State party ensure access to polling booths for persons with disabilities, supply tools and instruments such as Braille voting sheets, make the ballot papers available to persons with disabilities via accessible technology, and have available sign language interpreters, so that persons with disabilities can vote in all elections, independently and secretly and, if needed, with a support person of their own choice.

61. The Committee is concerned at the absence of an independent monitoring framework and the lack of civil society involvement.

62. The Committee recommends that the State party designate an independent monitoring framework aligned to the Paris Principles, with an allocated budget, and that it ensure the participation of persons with disabilities as required by article 33 (3).

**Federated States of Micronesia**

**UPR Recommendations - A/HRC/16/16 (UPR, 2011)**

* 61.50. Take measures to promote the participation of women in the decision-making process (Algeria) – Supported.
* 61.19. Withdraw its reservations to the Convention on the Elimination of All Forms of Discrimination against Women and adopt constitutional and legal reforms in conformity with the principles of the Convention, with a view to eliminating all forms of discrimination against women and girl children, which remain in education, employment, the family and political life
* 61.51. Increase efforts to reduce poverty and address existing gender gaps, including political participation, to combat violence against women and to promote equal remuneration in the workplace (Brazil) – Supported.

**Fiji**

**Concluding Observations - CEDAW/C/FJI/CO/4 (CEDAW, 2010)**

26. The Committee notes that the participation of women in political and public life continues to be a major challenge and that the efforts of successive governments to achieve 30 percent representation have failed. The Committee remains concerned about the continuing underrepresentation of women in public, political and professional life and in decision-making positions, especially in rural areas and outer islands, where stereotypes about the role of women are most firmly entrenched.

27. The Committee urges the State party to take the measures necessary to ensure the participation of women in the ongoing constitutional reform and upcoming electoral processes. The Committee recommends that the State party pursue sustained policies, including the setting of quotas, aimed at the promotion of women’s full and equal participation in decision-making in all areas of public, political and professional life. In line with the State party’s intention to adopt a new constitution in 2012, the Committee recommends the inclusion of temporary special measures in the new constitution. The Committee also recommends that the State party fully utilize its general recommendation No. 23 concerning women in public life and calls upon the State party to adopt, wherever necessary, temporary special measures, in accordance with article 4, paragraph 1, of the Convention, in order to accelerate women’s full and equal participation in public and political life. The Committee recommends the implementation of activities to raise awareness about the importance of women’s participation in decision-making for society as a whole, as well as the development of targeted training and mentoring programmes for women candidates and women elected to public office, and programmes on leadership and negotiation skills for current and future women leaders. The Committee also recommends that the State party carefully monitor the effectiveness of measures taken and results achieved and to inform the Committee thereof in its next report.

34. The Committee notes that the Social Justice Act provides for affirmative action in support of certain groups of women, including widows and single mothers, and that non-governmental organizations provide most of the very limited social services available in the State party. This is of particular concern to the Committee, given the increase in poverty; the demand for affordable housing, especially among female heads of households; the growth in urbanization; and the de facto preference for males in terms of land ownership, inheritance and access to credit loans. Noting that rural women constitute the majority of women in the State party and of the workforce in the agricultural and fisheries sector, the Committee is concerned at the very limited information and statistical data provided regarding the situation of women in rural and remote areas, including older women, particularly with respect to the issues of labour and employment, access to justice and participation in socio-political life.

35. The Committee urges the State party to pay special attention to the needs of rural women and women heads of households to ensure that they participate in decision-making processes and have full access to justice, health, education and credit. The Committee also encourages the State party to take appropriate measures to eliminate all forms of discrimination against women, including older women, with respect to the ownership and inheritance of land. The Committee requests that the State party include in its next periodic report comprehensive data on the situation of rural women, including those in the outer islands, in all areas covered by the Convention.

**Concluding Observations - CERD/C/FJI/CO/18-20 (CERD, 2012)**

12. The Committee takes note of the data provided by the State party on the representation of various groups of the population in public administration, police and the army. It reiterates its concern about the very low level of representation of minorities in public and political life. While taking note of the argument that recruitment is merit based (CERD/C/FJI/18-20, para. 28), the Committee is of the view that the State party should pay particular attention to the underrepresentation of minorities in public services, assess the reasons for this phenomenon and address it effectively (arts. 1, 2 and 5).

Reiterating its previous recommendations (CERD/C/FJI/CO/17, para .18) and recalling its general recommendation No. 32 (2009) on the meaning and scope of special measures in the International Convention on the Elimination of All Forms of Racial Discrimination , the Committee recommends that the State party take special measures to improve the level of participation of persons belonging to minority groups in public administration and politics.

**Concluding Observations - CERD/C/FJI/CO/17 (CERD, 2008)**

10. Notwithstanding the State party’s intention to finalize a peoples’ charter for change and progress as a guideline for future policies through consultation and dialogue with various stakeholders including civil society, the Committee is concerned that this needs to be an inclusive process.

The Committee recommends that the State party guarantee the participation of all ethnic communities in the elaboration of the draft peoples’ charter for change and progress. It also expresses the hope that this process is in conformity with the Convention and the Committee’s recommendations. The Committee further encourages the State party to hold free and fair elections as soon as possible so as to form a Government based on the 1997 Constitution, which provides for power-sharing between the ethnic communities while ensuring that indigenous forms of governance are respected.

18. While noting the statistical information provided by the State party on the representation of the different ethnic communities in the military and police forces and the State party’s explanation of these data, the Committee remains concerned about the lower levels of representation of Indo Fijians in these forces and in the public administration in general (arts. 2 (2) and 5 (c)).

The Committee recommends that the State party consider adopting measures to ensure that all ethnic groups are duly represented in State institutions and the public administration, including special measures aimed at achieving adequate representation of all communities, particularly in the military, taking into account its role during the recent political turmoil in the State party.

**UPR Recommendations - A/HRC/28/8 (UPR, 2014)**

* 99.38 Ensure equality and non-discrimination between men and women as regards access to land, employment, and economic and political participation (Ghana);
* 99.39 Take further measures to ensure equality and non-discrimination of men and women in law and practice, including in access to land, employment and economic and political participation (Netherlands);
* 99.40 Promote actively women’s participation in different sectors of the society, especially in public services (Thailand);
* 99.72 Ensure free, transparent and broad-ranging participation of civil society, minorities and ethnic communities in the national public debate (Chile);
* 99.73 Ensure greater civic education on electoral and Constitutional rights to ensure that referendums are useful and effective (Swaziland);
* 99.74 Adopt measures to continue to democratize local government elections, based on equal suffrage (United Republic of Tanzania);

**UPR Recommendation - A/HRC/14/8 (UPR, 2010)**

* 11. To make every effort to achieve a sustainable return to democracy and constitutional rule at the earliest time possible ( Republic of Korea );
* 20. To re-establish, peacefully and without further delay, the constitutional order in the country, engaging in a genuine dialogue with all ethnic communities, through free and fair democratic elections as the only means for the Government’s legitimacy, the return of the rule of law and respect for human rights. The underlying issues that have led to Fiji ’s political instability should be duly addressed ( Slovakia );
* 21. To return to constitutional rule, to restore a democratic form of Government, to reinstate an independent judiciary, to repeal the Public Emergency Regulations and to reinstate the full independence of the Human Rights Commission (Norway);
* 22. To instigate an open and inclusive national dialogue leading to early and credible elections ( United Kingdom );
* 23. To hold free elections, given the importance of democracy for the full realization of human rights ( Brazil );
* 25. To take immediate steps towards holding democratic elections and returning Fiji to constitutional rule ( New Zealand );
* 26. To guarantee the right to universal suffrage with a view to holding genuinely free, competitive and democratic elections as soon as possible, and to extend a standing invitation to international electoral observers (Spain);
* 33. To repeal the Public Emergency Regulations and to establish conditions allowing for freedom of expression, assembly and democratic dialogue, including by ensuring protection from harassment and freedom for political activists and human rights defenders ( Canada );
* 83. To hold free and fair elections guaranteeing for all persons the right to participate in the country’s Government ( Sweden );
* 85. To take the measures necessary to ensure the free and fair election of a new legislative power, and to take the steps necessary to re-establish an independent judiciary in accordance with international human rights standards (Netherlands);
* 95. To take further steps to strengthen the rule of law and democratic governance (Philippines);
* 99. To request the international community to do its part and show its goodwill by believing in and expressing support for democratic and human rights reform in Fiji ( Maldives );

**Kiribati**

**UPR Recommendations - A/HRC/29/5 (UPR, 2015)**

* 84.79. Promote and support the participation of women in decision-making at all levels (New Zealand).
* 84.80. Continue policies and programs aiming at the improvement of women’s participation in the political life and decision-making processes, including through measures aimed at reserving a quota in positions in the Parliament and Administrations for women, following international good practices (Costa Rica).

**UPR Recommendations - A/HRC/15/3 (UPR, 2010)**

* 66.12. Guarantee that its laws and policies are in conformity with the Convention on the Elimination of All Forms of Discrimination against Women, and take measures to combat practices that perpetuate discrimination against women and their marginalization, particularly with regard to their inheritance and citizenship, and adopt specific legislation properly penalizing domestic violence and promoting the participation of women in political life (France).
* 66.48. Adopt additional legislative measures on gender equality to ensure equal participation for women in all decision-making positions in all areas of public administration (Spain).
* 66.49. Promote and support the participation of women in decision-making at all levels (New Zealand).

**Nauru**

**UPR Recommendations - A/HRC/31/7 (UPR, 2015)**

* 85.36 Seek to increase women’s political participation and representation in decision-making and women’s economic empowerment (Maldives).

**UPR Recommendations - A/HRC/17/3 (UPR, 2011)**

* 79.56. Ensure that the National Sustainable Development Strategy consider, in particular, the role of women in national development, including their participation in the political process, at all levels (Trinidad and Tobago).
* 79.58. Adopt measures to fight domestic violence and promote the role of women in public life (Algeria);
* 79.80. Continue its efforts and take the necessary measures to address the lack of women representation in Parliament (Morocco);

**New Zealand**

**Concluding Observations - CCPR/C/NZL/CO/6 (CCPR, 2016)**

46. The State party should:

1. Strengthen the role of the Treaty of Waitangi in the existing constitutional arrangements;
2. Guarantee the informed participation of indigenous communities in all relevant national and international consultation processes, including those directly affecting them;
3. Implement technical capacity programmes for indigenous communities aiming at their effective participation in all relevant consultation and decision-making processes.

**Concluding Observations - CEDAW/C/NZL/CO/7 (CEDAW, 2012)**

28. The Committee notes the high level of participation of women in public life and that the State party was ranked sixth out of 135 countries in The Global Gender Gap Report for 2011 and fifteenth out of 134 countries for women’s representation in Parliament. Despite this high level of representation of women at the central and local government levels as well as in the Foreign Service, the Committee is concerned that women continue to be underrepresented in senior management positions and higher positions within the legal profession, especially in the judiciary, and that there has been a reduction in representation of women public chief executives since the last report of the State party. The Committee notes that while there is cooperation between the Government and the private sector to identify targets for the advancement of women in decision-making positions, the targets, goals and time frames set are not sufficient and may be a symptom of regression rather than progress in women’s representation.

**Concluding Observations - CEDAW/C/NZL/CO/6 (CEDAW, 2007)**

31. The Committee requests the State party to take concrete action and establish goals and time frames to increase the number of women in decision-making positions at the local level, in civil service, political parties, district health boards, statutory boards and the judiciary. It also urges the State party to implement measures to increase the participation of Maori, Pacific and minority women in political decision-making positions at all levels, including temporary special measures in accordance with the Committee’s general recommendation 25.

**Report of the Special Rapporteur on the rights of indigenous peoples, James Anaya A/HRC/18/35/Add.4 (SR Indigenous, 2011)**

68. The Special Rapporteur welcomes New Zealand’s efforts to secure Maori political participation at the national level. However, these efforts should be strengthened, and the State should focus special attention on increasing Maori participation in local governance. The Government should consider reversing its decision to reject the findings of the Royal Commission on Auckland Governance and guarantee Maori seats on the Auckland City Council.

**UPR Recommendations - A/HRC/26/3 (UPR, 2014)**

* 128.90. Strengthen efforts to secure Māori political participation at the national level aiming on increasing Māori participation in local governance (Slovenia) – supported.

**Palau**

**UPR Recommendations - A/HRC/32/11 (UPR, 2016)**

* 104.79 Take measures to facilitate greater participation and representation of women in public offices (Israel) – supported.

**UPR Recommendations - A/HRC/18/5 (UPR, 2011)**

* 61.47. Take steps to increase the number of women in decision - making positions ( Norway );
* 61.48. Continue efforts aimed at increasing the participation of women in the economic and political spheres as well as to consider ratification of CEDAW (Malaysia) – supported.

**Papua New Guinea**

**Concluding Observations - CEDAW/C/PNG/CO/3 (CEDAW, 2010)**

33. The Committee welcomes the preparation of the Equality and Participation Bill, now on Notice Paper in Parliament, which provides for 22 reserved seats for women in Parliament (1 per province, representing each of the 22 provinces). However, the Committee expresses its concern about the very low representation of women in Parliament and by the low levels of participation of women in other areas of public and political life, especially at the highest levels of decision-making, local government, the judiciary, including the village courts, and the international civil service. The Committee is also concerned about the practice of family voting, whereby one family member (usually the male head of the household) casts votes on behalf of other family members, or family members enter the voting booth together.

34. The Committee urges the State party to expeditiously adopt, through its Parliament, the Equality and Participation Bill with 22 reserved seats for women in Parliament. The Committee also calls on the State party to take all appropriate measures to increase the number of women in elected and appointed office at all levels, so as to comply with articles 7 and 8 of the Convention. The Committee encourages the State party to take concrete measures, including temporary special measures, in accordance with article 4, paragraph 1, of the Convention, the Committee’s general recommendations Nos. 23 and 25, and to establish concrete goals and timetables in order to accelerate the increase in the representation of women in all spheres of public life. It also encourages the State party to implement awareness raising campaigns, including on the purpose of introducing temporary special measures as a necessary strategy for accelerating realization of women’s de facto equality, such as quotas, and to highlight the importance to society as a whole of women’s full and equal participation in leadership positions in all sectors and at all levels. The Committee also calls on the State party to take measures to empower women in the outer islands so that they can participate in island matters on an equal footing. The Committee recommends that the State party carefully monitor the effectiveness of measures taken and results achieved and encourages it to continue to use targets and quotas, where appropriate, in this respect.

51. The Committee, being cognizant of the need to sustain peace and reconciliation in the post-conflict society and situation in the Autonomous Region of Bougainville, expresses its concern about the limited involvement of women in the formal decision-making processes in the post-conflict area and is concerned that women and men war veterans may not have benefited from equal recognition and rehabilitation, including general and mental health care.

52. The Committee calls on the State party to take the necessary measures to ensure women’s involvement in the establishment of peace and reconciliation in Bougainville, including through their equal opportunity and participation in the decision-making processes in all spheres of development. It also calls on the State party to ensure that both women and men war veterans benefit from equal recognition and rehabilitation, including general and mental medical care. The Committee further calls on the State party to ensure that the Autonomous Bougainville Government adopts measures that take due account of Security Council resolution 1325 (2000) on women and peace and security.

**UPR Recommendations - A/HRC/33/10 (UPR, 2016)**

* 104.67 Continue to improve the representation of women in Parliament at both national and local levels (New Zealand);
* 104.68 Take active measures to ensure full and effective participation of women at all levels of public and political life (Namibia) – supported.
* 104.69 Strengthen relevant provisions for the promotion of women’s rights, notably for their participation in political life (Morocco) – noted.
* 104.71 Continue to put in place policies and programmes aimed at eliminating all discrimination against women and achieving gender equality, including active promotion of higher education for women and improving the number of women holding decision-making positions in public and private sectors (Malaysia);
* 104.97 Enact further measures in order to address gender-based violence and achieve gender equality, including by increasing participation of women in decision-making (Slovenia) – supported.
* 104.152 Take measures to guarantee full respect of human rights to indigenous peoples, in particular through the establishment of mechanisms for their prior and informed consent on issues that affect them (Mexico);

**UPR Recommendations - A/HRC/18/18 (UPR, 2011)**

* 78.49 Take measures to ensure greater representation in Parliament for women (New Zealand);
* 79.20 Amend its legislation to include the principle of equality between men and women; Parliament should adopt the equality and participation bill in order to enhance gender equality in the political sphere (Norway);

**Republic of the Marshall Islands**

**UPR Recommendations - A/HRC/30/13 (UPR, 2015)**

* 75.88 Ensure political participation of women in governmental decision-making bodies in order to generate inclusive and balanced decision-making in matters that concern both women and men (Netherlands).
* 75.89 Take measures to promote greater participation and representation of women in public positions, especially in politics (Costa Rica).
* 75.90 Adopt temporary special measures to facilitate greater participation and representation of women in public offices, particularly in fields relating to political and civil rights (Egypt).
* 75.91 Adopt measures to facilitate greater representation of women in public office and improve the participation of w omen in political life (Ireland).
* 75.92 Take measures to facilitate greater participation and representation of women in public offices (Israel).

**Samoa**

**Concluding Observations - CEDAW/C/WSM/CO/4-5 (CEDAW, 2012)**

18. While noting that the proposal for the establishment of a 10 per cent quota for women in Parliament is being discussed, the Committee is concerned, first, that this quota is insufficient and, second, that the State party appears to have an insufficient understanding of the purpose of and need for temporary special measures in accordance with article 4 (1) of the Convention and general recommendation No. 25 of the Committee. The Committee is therefore concerned that temporary special measures are not systematically applied as a strategy necessary to accelerate the achievement of substantive equality of women and men in areas covered by the Convention, especially those of employment, participation in political and public life and others in which women are underrepresented or disadvantaged.

19. The Committee encourages the State party to adopt temporary special measures, in accordance with article 4 (1) of the Convention, as interpreted in general recommendation No. 25 of the Committee, in all areas covered by the Convention in which women are underrepresented or disadvantaged. To that end, it recommends that the State party:

1. Set time-bound targets and allocate sufficient resources for the implementation of strategies, such as outreach and support programmes, the creation of quotas and other proactive and results-oriented measures aimed at achieving substantive equality of women and men in all areas, in particular in the areas of employment and participation in political and public life;
2. Raise awareness among parliamentarians, government officials, employers and the general public about the need for temporary special measures and provide comprehensive information on the use of such measures and their impact in its subsequent periodic report.

26. The Committee is concerned at the underrepresentation of women at all levels of political and public life, in particular in Parliament, the judiciary, the diplomatic service and other decision-making bodies in education, administration and the Cabinet. The Committee is further concerned that women are required to hold a chiefly title (matai) to run for political office and that, although there has been a slight increase in the number of women on whom such chiefly titles are being bestowed, some villages maintain the ban on female matai and prevent them from participating in village councils. The Committee is also concerned that systematic barriers such as negative cultural attitudes, lack of an adequate quota system, insufficient capacity-building for potential candidates, limited financial resources and lack of logistical support impede women’s equal participation in political life.

27. The Committee calls upon the State party:

1. To review the use of temporary special measures in accordance with article 4 (1) of the Convention and general recommendations Nos. 23 and 25 of the Committee and to establish adequate quotas with the aim of accelerating the equal representation of women in all areas of public and professional life, especially in decision-making positions and in local administration;
2. To ensure that women, with or without a chiefly title, enjoy equal opportunities to participate in political and public life, including in the planning, implementation, monitoring and evaluation of development policies and community projects;
3. To provide training in gender equality for politicians, journalists, teachers and community leaders, especially men, to enhance the understanding that full, equal, free and democratic participation of women on an equal basis with men in political and public life is a requirement for the full implementation of the Convention.

**UPR Recommendations - A/HRC/18/14 (UPR, 2011)**

* 74.11 Design specific policies to improve the situation of women in Samoan society and political life (Spain);
* 74.28. Enhance the rights of women regarding civic participation (Turkey).

**Solomon Islands**

**Concluding Observations - CEDAW/C/SLB/CO/1-3 (CEDAW, 2014)**

**Women and peace and security**

14. The Committee notes with concern that women were not formally involved in the peace negotiations and agreements to end the ethnic tensions that occurred from 1998 to 2003, despite their contribution to peacebuilding at the community level. It is also concerned that the national action plan for women and peace and security is yet to be adopted.

15. The Committee calls upon the State party to adopt the national action plan for women and peace and security and give due consideration to the contributions of women in the maintenance of peace, in line with the Committee ’ s general recommendation No. 30 on women in conflict prevention, conflict and post-conflict situations. It also calls upon the Government to take into consideration the full spectrum of the Security Council ’ s women and peace and security agenda, as reflected in Council resolutions 1820 (2008), 1888 (2009), 1889 (2009) and 2122 (2013). The Committee also recommends that the State party implement measures within the scope of the Pacific Regional Action Plan on Women, Peace and Security and engage in regional processes in the Pacific region.

**Temporary special measures**

20. The Committee takes note of the information provided during the dialogue on the adoption of a scholarship programme in the education sector and the allocation of at least 50 per cent of grants to girls. It notes with concern, however, the absence of a strategy to implement temporary special measures to achieve substantive equality of women and men in the State party in all areas of the Convention. The Committee also notes the lack of understanding of the nature and scope of the temporary special measures described in article 4 (1) of the Convention. It is further concerned that the policy initiative submitted to Parliament in 2009 on temporary special measures was not approved and that the initiatives to allocate seats for women in Parliament have been repeatedly rejected.

**Stereotypes and harmful practices**

22. The Committee observes that stereotypes and harmful practices constitute a serious challenge to the equality of women and men owing to the prevailing patriarchal society, which subordinates women to men, overemphasizes women’s roles as mothers and housewives and neglects their active participation in decision-making and other aspects of public life. The Committee regrets that girls are subjected to child marriages and bride-selling under customary laws and that corporal punishment of children is a continuing practice that affects girls.

23. The Committee calls upon the State party:

* + - 1. To implement a strategy aimed at combating stereotypes through education and awareness-raising campaigns, with specific targets, aimed at women, men, girls and boys, focusing particular attention on the recognition of the value and dignity of women, their empowerment and their participation in decision-making processes in the community and society at large. The strategy should engage the media and civil society organizations to combat negative stereotypes and discriminatory social attitudes towards women, in particular in rural areas;

**Rural women**

 38. While noting that the State party’s poverty reduction strategy has a strong focus on rural women, who account for 81 per cent of all women in the State party, the Committee is nevertheless concerned about:

1. Women’s exclusion from participation in decision-making processes relating to rural policies at the provincial level;

39. The Committee recommends that the State party:

1. Raise awareness to promote the participation of rural women in decision-making processes relating to rural policies at the provincial level and ensure that training and grants for income-generating projects implemented by the Ministry of Agriculture and Livestock reach rural women, including young women, in all provinces;

23. The Committee calls upon the State party:

1. To implement a strategy aimed at combating stereotypes through education and awareness-raising campaigns, with specific targets, aimed at women, men, girls and boys, focusing particular attention on the recognition of the value and dignity of women, their empowerment and their participation in decision-making processes in the community and society at large. The strategy should engage the media and civil society organizations to combat negative stereotypes and discriminatory social attitudes towards women, in particular in rural areas;

**Participation in political and public life**

28. The Committee considers that the forthcoming parliamentary elections provide an opportunity to revert the historic underrepresentation of women in political life. In this context, it notes the election preparation strategy launched by the State party to support candidatures from women. The Committee is nevertheless concerned about the stark underrepresentation of women in decision-making positions in all areas and at all levels, especially in Parliament (with only one woman Member of Parliament), in senior positions in the Government and in the foreign service, as well as about the absence of women judges and prosecutors. It is also concerned about the lack of legislative provisions in the Constitution or any other act that provide a minimum quota of women in Parliament, as well as about the lack of family and community support to ensure that women are able to participate in political and public life. The Committee further notes with concern that the 10 per cent minimum quota in the Political Parties Integrity Act for women’s representation on electoral lists is very low and lacks an enforcement mechanism.

29. The Committee recommends that the State party:

1. Adopt, as a matter of priority, proactive policy measures, such as targeted training, capacity-building and gender-sensitive recruitment, and temporary special measures to increase the number of women in appointed senior and management positions in the judiciary, the executive branch of the Government and the public and foreign service, in line with the Committee’s general recommendation No. 25;
2. Consider enacting legislation to reserve at least 30 per cent of seats for women in Parliament and encourage the creation of a special parliamentary committee on the equality of women and men;
3. Provide training for women, including on leadership and management campaigning and constituency-building, to prepare them as candidates and for positions in the different areas of public administration;
4. Conduct awareness-raising activities for politicians, community leaders and the general public on the importance of the full and equal participation of women in leadership and decision-making;
5. Consider increasing the minimum quota in the Political Parties Integrity Act for women’s representation on electoral lists of political parties to at least 30 per cent, establish a mechanism to monitor the implementation of such legislation effectively and consider adopting sanctions against political parties that do not comply with the quota.

**UPR Recommendations - A/HRC/32/14 (UPR, 2016)**

* 99.17 Promote a culture of equality through equal participation of all members of society and particularly the participation of women in rural areas (Morocco);
* 99.18 Do not discriminate against women in different political economic and social areas (Iraq);
* 99.23 Develop a concrete action plan to encourage and support women’s active involvement in economic and political life, including effective measures to increase women’s involvement in the economy and formal political institutions by addressing existing legal, social, and cultural barriers (United States of America) – supported.
* 99.26 Take effective measures to increase women’s participation in public and political life as well as in the labour market, in particular considering temporary special measures such as statutory quotas or incentives (Republic of Korea) – supported.
* 99.27 Intensify efforts to facilitate the participation of women in political and public affairs (Argentina) – supported.
* 99.28 Continue its efforts to facilitate greater participation and representation of women in public offices and in higher levels of decision-making positions (Israel) – supported.
* 99.29 Take further steps to increase participation by women in Parliament, and in government leadership positions, including through further consideration of temporary special measures (New Zealand) – supported.

**UPR Recommendations - A/HRC/18/8 (UPR, 2011)**

* 80.39. Encourage further strengthening of the electoral system, particularly through improving the integrity of voter registration (Australia);
* 80.40. Encourage a broader appreciation of the role, value and contribution of women in community and national development in Solomon Islands with a view to creating national awareness of political participation and representation by women, at all decision making levels, including the Parliament (Trinidad and Tobago) – supported.
* 80.41. Adopt proactive measures to promote women's access to decision-making positions, especially the National Parliament ( Ecuador );
* 80.42. Promote greater participation and representation of women in public life, notably in the parliament and other national decision-making bodies (Indonesia) – supported.
* 80.43 Enhance efforts towards increasing women’s participation in the public and political life of their country (New Zealand) – supported.
* 81.29. Implement a national policy for gender equality and take steps to ensure greater representation of women in decision-making ( Spain );
* 81.30. Step up efforts to promote and protect the rights of persons with disabilities by, inter alia, providing equal access to education, health and justice services for persons with disabilities, and engaging persons with disabilities or their representatives in the policy-making process (Thailand);
* 81.52. Remedy the low participation of women in public and political life and combat domestic violence (Morocco) – supported.

**Tonga**

**UPR Recommendations - A/HRC/23/4 (UPR, 2013)**

* 79.33. Prioritize gender equality initiatives within its Tonga Strategic Development Framework and intensify its efforts to increase women’s participation at all formal decision-making levels (New Zealand) – supported.
* 79.34. Take affirmative action to increase women’s participation in political life (Slovenia) – supported.
* 79.35. Further develop concrete measures or steps to expand the representation of women in Government and Parliament as well as to other decision-making positions, as appropriate ( Thailand );
* 79.36. Take further measures aiming at promoting women participation in public life and particularly their representation in Parliament (Algeria) – supported.
* 81.4. Give consideration to implement laws prohibiting sexual discrimination and affirmative action policies aimed at increasing women’s participation in Parliament (Trinidad and Tobago) – supported.

**UPR Recommendation - A/HRC/8/48 (UPR, 2008)**

10. To continue to promote its ambitious goals in education and improve the ratio of women in leading positions in the country (Algeria);

**Tuvalu**

**Concluding Observations - CEDAW/C/TUV/CO/3-4 (CEDAW, 2015)**

**Stereotypes and harmful practices**

19. The Committee acknowledges the importance in daily life of the culture and traditions of the State party and notes that some gender sensitivity training and awareness-raising activities have been conducted through radio programmes and workshops to reach out to the communities in the capital and on the outer islands. The Committee is concerned, however, at persisting gender stereotypes, negative traditional values and patriarchal attitudes regarding the roles and responsibilities of women and men in society and in the family that overemphasize women’s roles as mothers and housewives, thereby preventing them from actively participating in all aspects of public life as covered by the Convention.

20. The Committee urges the State party:

1. 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. The strategy should include education and awareness-raising campaigns targeting women and men at all levels of society, including chiefs, island leaders and religious leaders, and focus particular attention on the recognition of the value and dignity of women, their empowerment and their participation in decision-making processes in the community and society at large. The strategy should engage civil society organizations and the mass media to combat negative stereotypes and discriminatory social attitudes towards women.

**Participation in political and public life**

23. From 2012 to 2014, the number of women holding the position of Assistant Secretary increased from 20 per cent to nearly 50 per cent. While noting that increase, as well as the slight increase in the representation of women at the island council level, the Committee remains concerned about the stark underrepresentation of women in political and public life, especially at the highest levels of decision-making (currently there is one woman parliamentarian and one woman minister); local government, including decision-making bodies (Falekaupule) and island councils (Kaupule); the judiciary; and the diplomatic service. The Committee is further concerned that systematic barriers such as negative cultural attitudes, the lack of an adequate quota system, insufficient capacity-building for potential women candidates, limited financial resources and the lack of logistical support impede the equal participation of women in political life.

24. The Committee recommends that the State party:

1. Adopt, as a matter of priority, targeted measures, including targeted training, capacity-building, gender-sensitive recruitment and temporary special measures, to increase the percentage of women in appointed senior and management positions in the judiciary, the Government and the public and foreign service, in line with the Committee’s general recommendation No. 23 on women in political and public life;
2. Consider enacting legislation to reserve at least 30 per cent of parliamentary seats for women, in accordance with article 4 (1) of the Convention, the Committee’s general recommendation No. 23 and the Committee’s general recommendation No. 25 on temporary special measures;
3. Provide training for women, including on the outer islands, on leadership and management skills, campaigning and constituency-building to prepare them as candidates and for positions in political life and the various areas of public administration;
4. Conduct awareness-raising campaigns for politicians, journalists, teachers and community leaders, especially men, on temporary special measures as a necessary strategy for accelerating the realization of women’s substantive equality, as well as to enhance the understanding that the full, equal, free and democratic participation of women on an equal basis with men in political and public life is a requirement for the full implementation of the Convention.

**Concluding Observations - CEDAW/C/TUV/CO/2 (CEDAW, 2009)**

35. While noting that the Constitution and electoral laws provide equal opportunities for men and women with regard to political participation, the Committee notes with concern that the State party has not had a female Member of Parliament since 1993, and that electoral practices appear to be an obstacle for women. It is also concerned by the low levels of participation of women in public and political life, especially at the highest levels of decision-making, local government, including the decision-making bodies (Falekaupule) and island councils (Kaupules), the judiciary, the corporate sector and statutory boards, the international civil service, and in religious life. It is also concerned that prevailing social and cultural attitudes constitute barriers to women’s full participation in all spheres of public life.

36. The Committee urges the State party to take all appropriate measures to increase the number of women in elected and appointed office at all levels, including in the diplomatic service, so as to comply with article 7 of the Convention. The Committee encourages the State party to take concrete measures, including temporary special measures in accordance with article 4, paragraph 1, of the Convention, the Committee’s general recommendation No. 23 on women in political and public life and general recommendation No. 25 on temporary special measures, and to establish concrete goals and timetables in order to accelerate the increase in the representation of women in all spheres of public life. It also encourages the State party to implement awareness-raising campaigns, including on the purpose of introducing temporary special measures as a necessary strategy for accelerating realization of women’s de facto equality, such as quotas, and to highlight the importance to society as a whole of women’s full and equal participation in leadership positions in all sectors and at all levels. The Committee also urges the State party to take measures to empower women in the outer islands so that they can participate in island matters on an equal footing. The Committee recommends that the State party carefully monitor the effectiveness of measures taken and results achieved and encourages it to continue to use targets and quotas, where appropriate, in this respect.

47. The Committee takes note of various development projects, programmes and measures initiated by the State party, including in the outer islands and remote areas. However, the Committee expresses its concern about the disadvantaged position of women in rural and remote areas, as characterized by discrimination in their access to education, health care and employment and lack of participation in decision-making processes at the community level. It is also concerned that the various development projects may not always include a gender perspective. The Committee is further concerned that traditional female stereotypes are most prevalent in rural communities. In addition, the Committee is concerned that landownership in the State party is based on the communal family grouping (“Kaitasi”) and as a rule, land is inherited through male lineage. Furthermore, the Committee notes that the main purpose of the Falekaupule Trust Fund is to provide a source of funds for island development purposes and it is concerned that women are not sufficiently aware of this fund and how it could be used for their development.

48. The Committee calls upon the State party to take all appropriate measures to increase and strengthen the participation of women in designing and implementing local development plans, and pay special attention to the needs of rural women by ensuring that they participate in decision-making processes and have improved access to, inter alia, health, education and employment. Furthermore, the State party should ensure that development projects are implemented only after gender impact assessments involving rural women have been conducted. In addition, the State party should take effective measures, including legislative measures, to ensure that men and women have equal access to landownership. The Committee requests the State party to include in its next report information on the achievement of constructive interventions by the Government and comprehensive data on the situation of rural women in all areas covered by the Convention. The Committee encourages the State party to seek assistance from the international community in this respect.

56. The Committee recommends that the State party develop disaster management and mitigation plans in response to the potential displacement and/or statelessness arising from environmental and climatic change and that women, including women in the outer islands, be included throughout the planning processes and adoption of such strategies. The State party is encouraged to seek assistance from the Office of the United Nations High Commissioner for Refugees for this purpose. The Committee recommends that the State party ensure that a gender perspective is integrated in all sustainable development policies and plans.

**UPR Recommendations - A/HRC/24/8 (UPR, 2013)**

* 82.35. Consider strengthening its policy and relevant legislation, as well as allocating adequate resources, to further promote gender equality and women’s participation in public life (Thailand) – supported.
* 82.36. Pursue the efforts aiming at promoting women rights and ensuring gender equality, with particular attention to the access of women to justice and women participation in public life (Algeria) – supported.
* 82.37. Take further steps to increase women’s empowerment, including in political and economic life, and through local and national implementation of effective measures to address domestic violence and gender discrimination ( Australia );
* 82.38. Implement policies to combat discrimination against women, both in public and private life ( Spain );
* 82.43. Pass and implement its proposed legislation to prevent violence against women and adopt a strategy to properly tackle the unequal status of women in many areas including education, public life and decision-making (United Kingdom of Great Britain and Northern Ireland);
* 82.58. Organize a by-election in Nukufetau as soon as practicable ( United States of America );

**Vanuatu**

**Concluding Observations - CEDAW/C/VUT/CO/4-5 (CEDAW, 2016)**

24. The Committee welcomes the study on the gender profile of political parties and elections in the State party, of 2010, the nationwide survey on women’s representation and leadership undertaken in 2015 and the women’s leadership database that has been created. It remains concerned, however, about:

1. Women’s underrepresentation in political and public life, especially at the decision-making level and in Parliament, the judiciary, the Foreign Service and traditional customary structures;
2. Systematic barriers such as inadequate capacity-building and limited campaign funding and logistical support for potential women candidates, impeding women’s equal participation in political life;
3. The absence of voting rights for women representatives on provincial councils and the failure to effectively enforce the 30 per cent minimum quota for women’s representation on municipal councils.

25. In line with the Committee’s general recommendation No. 23 (1997) on women in political and public life, the Committee recommends that the State party:

1. Enact legislation to reserve at least 30 per cent of seats in Parliament for women, encourage the creation of a special parliamentary committee on women’s rights and gender equality and implement the recommendations of the 2010 study on the gender profile of political parties and elections and the national survey of 2015;
2. Adopt targeted measures, such as training, capacity-building, gender-sensitive recruitment and temporary special measures in line with article 4 (1) of the Convention, to increase the percentage of women in appointed government positions, the foreign service and the judiciary, in particular at the senior level;
3. Promote women’s participation in customary bodies;
4. Ensure that women representatives on provincial councils have voting rights equal to those of men;
5. Establish a mechanism to effectively monitor the implementation of minimum quotas for women’s representation in elected and appointed bodies and adopt sanctions for non-compliance with such quotas;
6. Conduct awareness-raising campaigns for politicians, journalists, teachers and traditional and community leaders, especially men, on the need to accelerate the realization of women’s substantive equality with men and to enhance understanding that the full, free and democratic participation of women on an equal basis with men in political and public life is a requirement for the full implementation of the Convention.

**Concluding Observations - CEDAW/C/VUT/CO/3 (CEDAW, 2007)**

26. The Committee is concerned about the underrepresentation of women at all levels of political and public life, in particular in Parliament, the judiciary, the diplomatic service and appointed decision-making bodies in education and administration, such as the Teachers’ Services Commission.

27. The Committee requests the State party to strengthen and implement measures to increase the number of women in elected and appointed office, including the judiciary, so as to comply with articles 7 and 8 of the Convention. The Committee recommends that the State party fully utilize general recommendation 23, concerning women in public life. It calls on the State party to use temporary special measures, in accordance with article 4, paragraph 1, of the Convention and general recommendation 25, in order to accelerate women’s full and equal participation in public and political life, particularly at high levels of decision-making. It also recommends that steps be taken to make the 30 per cent quota for women in parliamentary elections, recommended by the Electoral Commission of Vanuatu, a requirement for all political parties. It further recommends that the State party conduct training programmes on leadership and negotiation skills for current and future women leaders. It further suggests the implementation of awareness-raising activities on the importance of women’s participation in decision-making for society as a whole.

**UPR Recommendations - A/HRC/12/14 (UPR, 2009)**

* 15. Expedite action to address the two issues contained in paragraphs 30(a) and (b) of the national report through the proposed amendment to the Representation of the People Act (Ghana);
* 24. Continue to take the measures necessary to reduce discrimination against women, in particular on the job market and in national political life, where women are underrepresented, particularly through support for the efforts of the National Council for Women (France);
* 39. Pursue its efforts to further empower women and enhance their condition and participation in political life (Algeria) – supported.

**UPR Recommendations – A/HRC/26/9 (UPR, 2014)**

99.50. Continue to take the necessary measures to combat all forms of violence against women and girls and to reduce discrimination against women, in particular in the job market and in national political life, where women are seriously underrepresented (Brazil);

***South-East Asia Region***

**Brunei Darussalam**

**Concluding Observations - CEDAW/C/BRN/CO/1-2 (CEDAW, 2014)**

**Stereotypes and harmful practices**

20. The Committee is concerned at the persistence of deep-rooted patriarchal attitudes and stereotypes concerning women’s roles and responsibilities that discriminate against women and perpetuate their subordination within the family and society and that, among other things, are reflected in women’s academic and professional choices, their limited participation in political and public life and their unequal position in the labour market and in marriage and family relations. The Committee recalls that such stereotypes are also root causes of violence against women and is deeply concerned at the high prevalence of harmful practices that discriminate against women, such as child marriage and polygamy and female genital mutilation and circumcision.

**Participation in political and public life**

26. The Committee is concerned at the low participation of women in political and public life, in particular their low representation in decision-making positions at all levels, including in the State Legislative Council (6 per cent), at the ministerial level (12 per cent) and among heads of overseas missions of the foreign service (15 per cent), owing to persistent traditional and patriarchal attitudes regarding the role of women in society. The Committee is also concerned at the lack of policies and measures, including temporary special measures, to increase the participation of women in political and public life.

27. The Committee urges the State party:

1. To take measures to increase the participation of women in political and public life at all levels, including by adopting such temporary special measures as statutory quotas, in accordance with article 4 (1) of the Convention and the Committee’s general recommendation No. 25;
2. To build the capacity and self-esteem of women politicians to prepare them to compete effectively with their male counterparts, and conduct awareness-raising activities for politicians, community leaders, journalists and the general public on the importance of women’s participation in decision-making.

**UPR Recommendations – A/HRC/13/14 (UPR, 2010)**

89.16. Take concrete measures to increase the proportion of women in senior management positions in the civil service (Norway);

**Cambodia**

**Concluding Observations - CCPR/C/KHM/CO/2 (CCPR, 2015)**

**Gender equality**

7. While welcoming the measures taken by the State party to enhance the participation of women in public life, the Committee is concerned about the low representation of women in political and public sectors, particularly decision-making positions. It is also concerned about persisting stereotypes regarding the role of women in family and society, the existence of a significant gender wage gap and the concentration of women in low-income and unskilled sectors of the labour force, including the garment industry (arts. 2, 3 and 26).

The State party should reinforce its measures to ensure equality between women and men in all spheres, including by more effective implementation of the relevant legislation and policies. In that regard, it should continue to implement special interim measures to increase women’s participation in political and public life. The State party should also intensify its efforts to eliminate gender stereotyping with a view to changing the perception of women’s roles in society. In addition, it should take concrete measures to reduce the gender wage gap and address all causes for that gap.

**Participation in public affairs**

25. The Committee notes with concern that the two amended laws on the National Electoral Committee and on Elections of Members of the National Assembly were adopted on 19 March 2015 without genuine consultations, a process similar to the one used in the adoption of the three fundamental laws on the judiciary in May 2014. While taking note of the State party’s intention to adopt the draft law on associations and NGOs, the Committee notes with concern the lack of transparency in the legislative process in the State party, as guaranteed by article&nbsp;25 of the Covenant (art 25).

The State party should ensure transparency in the legislative process and consider making public all draft legislation to facilitate public debate and dialogue by citizens with their representatives, taking due account of the Committee’s general comment No. 25 (1996) on the right to participate in public affairs, voting rights and the right of equal access to public service.

**Right to vote**

26. The Committee considers that the general denial of the right to vote for convicted prisoners does not meet the requirements of article 10 (3), read in conjunction with article 25, of the Covenant. The Committee is also concerned about restrictions on the right to vote for some persons with psychosocial disabilities (arts. 2, 10, 25 and 26).

The State party should review its legislation denying all convicted prisoners the right to vote, in the light of paragraph 14 of the Committee’s general comment No. 25 (1996) on article 25 of the Covenant (participation in public affairs and the right to vote). It should also ensure that its legislation does not discriminate against persons with psychosocial disabilities by denying them the right to vote on bases that are disproportionate or that have no reasonable or objective relation to their ability to vote, taking account of article25.

**Rights of persons belonging to minorities**

28. While acknowledging the existing legal framework, the Committee remains concerned that indigenous peoples are not sufficiently consulted in the decision-making process with respect to issues affecting their rights, including management of their communal lands and the allocation of the land for extractive industries and agribusiness. In this regard, concessions on the land they claim continue to be granted for private use. The Committee also notes with concern reports that indigenous peoples who do engage with the Government to protect their rights face significant practical obstacles.

The State party should establish an effective consultation mechanism and ensure meaningful consultation with indigenous peoples in decision-making in all areas having an impact on their rights.

**Concluding Observations - CEDAW/C/KHM/CO/4-5 (CEDAW, 2013)**

**Participation in political and public life**

28. While noting the State party’s efforts to increase the participation of women at the provincial level and in the judiciary, the Committee remains concerned that women continue to be underrepresented at all levels of political and public life as well as in the foreign and diplomatic service. The Committee is particularly concerned that the number of women represented in the National Assembly decreased after the elections in July 2013.

29. The Committee reiterates its previous concluding observations (CEDAW/C/KHM/CO/3, para. 14), and urges the State party to ensure that Neary Rattanak IV provides for effective strategies, including temporary special measures, aimed at increasing the representation of women in decision-making positions, especially in politics, the judiciary and the foreign and diplomatic service.

**UPR Recommendations - A/HRC/26/16 (UPR, 2014)**

* 118.23 Take the necessary steps to strengthen the legal framework surrounding elections so as to ensure that future elections are free and fair, thereby allowing Cambodian citizens to have a say in the decisions that affect their lives and to elect the officials who reflect and respond effectively to their needs (Canada);
* 118.117 Address the electoral shortcomings raised by numerous actors, including the Special Rapporteur on Cambodia and the European Union technical assistance mission (Sweden);
* 118.118 By the end of 2014, adopt and implement the recommendations on electoral reform of the Special Rapporteur on Cambodia (United Kingdom);
* 118.119 Undertake key electoral reforms to: improve the integrity of the voter registration system and voter list; ensure that all candidates have equal access to the media; and ensure that the National Election Committee retains full independence (United States);
* 118.120 Ensure equal access of all candidates to the media, avoid manipulation of voters and foster a culture of dialogue amongst all political parties (Czech Republic);
* 118.121 The parties concerned should promote dialogue and cooperation, with regard to the outcome of the last year’s general elections, in order to swiftly normalize the situation and to realize election reform (Japan);
* 118.122 Implement electoral reform, as recommended by the Special Rapporteur on Cambodia , in order to prevent future recurrences of these issues (New Zealand);
* 118.123 Undertake electoral reforms to ensure credible electoral processes (Australia );
* 118.133 Continue to make progress on important issues for the promotion of human rights and its democratization, particularly in judicial reform and measures to address land issues (Japan );

**UPR Recommendations - A/HRC/21/63 (SR Cambodia, 2012)**

61. The Special Rapporteur is concerned at the information that he has received concerning low voter turnout, a decreasing trend in voter participation and voter fatigue and frustration with the current electoral system. There are several reasons why an individual may choose to opt out of participating in the electoral process. In many cases, however, people do not choose to abandon their right to vote, but face such significant barriers that they are effectively disenfranchised. Expressing frustration with the existing electoral process, a Cambodian citizen wrote in an individual petition to the Special Rapporteur that , if the current state of affairs continued , the ruling party would win the elections forever and that there was no hope for other political parties.

**UPR Recommendations - A/HRC/13/4 (UPR, 2010)**

* 14. Continue to pay particular attention to continuing an inclusive process which takes into account all elements of society, and to create favourable conditions, in particular for those living in rural areas, in the framework of the strategic development plan mentioned in paragraph 33 of the national report (Morocco);
* 48. (a) Commit itself to respecting freedom of expression and opinion for all, in particular for members of the opposition (Canada); (b) re-examine the modalities for lifting parliamentarian immunity to ensure that this practice does not contravene the principles of pluralism and respect for freedom of expression (France) ;
* 49. Take due steps towards the full implementation of the election regulations in the future ( Hungary ) ;
* 50. Continue making efforts to increase the political participation of women, the percentage of women and young people in positions at all levels of society and the participation of women in the labour market under equal conditions (Bosnia and Herzegovina) – supported.

**Indonesia**

**Concluding Observations - CCPR/C/IDN/CO/1 (CCPR, 2013)**

11. While noting that the State party is in the process of finalizing a gender equality bill, and recognizing the State party’s efforts to improve the representation of women in political office through the introduction of temporary special measures, such as the 30 per cent quota for women’s representation in political parties, the Committee regrets the lack of information on similar measures to facilitate the representation of women beyond political parties. The Committee appreciates the data provided in the replies to list of issues on the representation of women in the judiciary. However, it is concerned at the lack of data on the representation of women in the private sector (arts. 3 and 26).

The State party should strengthen its efforts to increase the participation of women in political and public affairs as well as in the private sector and, if necessary, through the extension of temporary special measures to give effect to the provisions of the Covenant. The Committee urges the State party to include in its next periodic report disaggregated statistical data on the representation of women in the private sector.

**Concluding Observations - CEDAW/C/IDN/CO/6-7 (CEDAW, 2012)**

**Participation in political and public life**

31. The Committee welcomes the adoption of Law No. 2/2011, on political parties, in which provision is made for quotas for women in political party structures, and Law No. 8/2012, on general elections, in which provision is made for a 30 per cent quota of women candidates on the electoral lists of political parties for the general elections of regional legislative bodies. The Committee regrets, however, that the law does not require at least one of every three candidates on the electoral lists to be female and is concerned about the legal situation that arose following the decision of the Constitutional Court of 23 December 2008 to strike down the quota system established for elections to the House of Representatives. It notes with concern the low participation of women in political and public life, including in the House of Representatives (17.86 per cent), the House of Regional Representatives (27 per cent), the provincial houses of representatives (13 per cent), the Supreme Court (4 of 49 judges) and the Constitutional Court (one of nine judges).

32. The Committee recalls its general recommendations No. 23 (1997), on women in political and public life, and No. 25 (2004), on temporary special measures, and recommends that the State party:

1. Review Law No. 8/2012, on political parties, to ensure that at least one of every three candidates on the electoral lists for the general elections of regional legislative bodies is female, or introduce an alternative system that will ensure that women account for at least 30 per cent of those elected;
2. Consider:
	1. Extending the 30 per cent quota of women candidates to the general elections of the House of Representatives, the provincial houses of representatives and local elections;
	2. Providing incentives for political parties to nominate more women as candidates;
3. Create an enabling environment for political participation of women at all levels, including in village development planning forums, such as by educating young women leaders and strengthening women’s wings of political parties;
4. Adopt other temporary special measures, in accordance with article 4, paragraph 1, of the Convention and general recommendation No. 25 (2004) of the Committee, on temporary special measures, such as a gender parity system for appointments and accelerated recruitment of women in senior positions.

**Concluding Observations - CEDAW/C/IDN/CO/5 (CEDAW, 2007)**

26. While the Committee welcomes the enactment of Law No. 12 of 2003 on General Elections, which established a 30 per cent quota for women candidates for political parties in the legislature, the Committee is concerned that the law fails to include sanctions or enforcement mechanisms to ensure compliance with the quota. The Committee is deeply concerned about the lack of progress in increasing women’s participation in political parties since the enactment of the Law. The Committee expresses concern about the low level of representation of women in public and political life and in decision-making positions in Indonesia, including in the Foreign Service, the judiciary, regional and local government and the educational and private sectors.

27. The Committee urges the State party to strengthen the 30 per cent quota system for women candidates in the Law on General Elections by making this quota a mandatory requirement and imposing sanctions and enforcement mechanisms to ensure that it is followed. It also encourages the State party to implement and strengthen the application of temporary special measures, in accordance with article 4, paragraph 1, of the Convention and with the Committee’s general recommendations 23 and 25, in order to accelerate women’s full and equal participation with men in all sectors and at all levels of decision-making in public, political and economic life, including in the foreign service, the judiciary, regional and local government and the educational and private sectors.

39. The Committee recommends that the State party ensure that the promotion of gender equality and sensitization to gender equality issues is an explicit component of, and is fully implemented in, its national development plans and policies, in particular those aimed at poverty alleviation, sustainable development and natural disaster management. It urges the State party to pay special attention to the needs of rural women, ensuring that they participate in decision-making processes and have full access to legal aid, education, health services and credit facilities.

**UPR Recommendations - A/HRC/21/7 (UPR, 2012)**

* 108.67. Take further measures to enhance the participation of women in the legislature (Sri Lanka) – supported.
* 108.136. Strengthen access for persons with disabilities in all areas, particularly their political participation such as voting (Thailand) – supported.

**Lao** **PDR**

**Concluding Observations - CEDAW/C/LAO/CO/7 (CEDAW, 2009)**

**Participation in political and public life**

31. While noting the recent establishment of the Women Parliamentary Group and the continued increase in the number of women in the National Assembly, the Committee is concerned at the very low participation of women in all areas of public, political and professional life, including in there alms of the Government, diplomacy and public administration, mainly at senior levels. It is also concerned at the lack of information about the representation of women in the judiciary, police and the military areas. The Committee also regrets the low number of women in senior management in general. Considering the fact that almost 80 percent of the population lives in rural areas and that the village chief and the village council handle most everyday matters, the Committee is very concerned that just above 1 percent of village chiefs are women.

32. The Committee recommends that the State party pursue sustained policies aimed at the promotion of women’s full and equal participation in decision-making in all areas of public, political and professional life. It recommends that the State party fully utilize general recommendation 23 concerning women in public life and calls upon the State party to adopt, wherever necessary, temporary special measures, as referred to in paragraph 16 above, in order to accelerate women’s full and equal participation in public and political life, in particular at high levels of decision-making. It recommends the implementation of awareness-raising activities about the importance of women’s participation in decision-making for society as a whole and the development of targeted training and mentoring programmes for women candidates and women elected to public office. It further recommends that the State party offer training programmes on leadership and negotiation skills for current and future women leaders. The Committee also urges the State party to take measures to empower village women so that they can participate equally in village matters and serve as village chiefs. The Committee recommends that the State party carefully monitor the effectiveness of measures taken and results achieved and to inform the Committee thereof in its next report. The State party is also called upon to provide statistical data on the representation of women in all areas of political and public life, including in the judiciary, police and military areas.

**Rural Women**

44. The Committee takes note of the poverty alleviation programme, the establishment of the National Steering Committee on Rural Development and Poverty Eradication, various development projects, programmes and measures initiated by the State party, including in the rural and remote areas, and the programme of land titling phases I and II. However, the Committee expresses its serious concern at the disadvantaged position of women in rural and remote areas who form the vast majority of women in the Lao People’s Democratic Republic, which is characterized by poverty, illiteracy, difficulties in access to health, education and social services, and a lack of participation in decision-making processes at the community level, including the village council. It is also concerned that the various development projects may not always include a gender perspective. The Committee is further concerned that traditional female stereotypes are most prevalent in rural communities. In addition, the Committee is concerned at reports that State drug eradication programmes, involving the banning of opium growing without substitution of sustainable alternatives, have also led to large-scale food shortages and migration, and that foreign investment projects may have a negative impact on the situation of rural women.

45. The Committee calls upon the State party to take the necessary measures to increase and strengthen the participation of women in designing and implementing local development plans, and pay special attention to the needs of rural women by ensuring that they participate in decision-making processes and have improved access to, inter alia, health, education and social services.

**Concluding Observations – CERD/C/LAO/CO/16-18 (CERD, 2012)**

5. The Committee further notes the improvement in the representation of smaller ethnic groups in elected and public bodies.

17. The Committee regrets that it has not been given information during the dialogue as to how communities’ free prior and informed consent is ensured in practice in the implementation of projects that affect the use of their lands and resources, in particular in the implementation of development projects, such as the building of hydropower stations, extractive activities or in the context of land concessions and the establishment of economic special zones (art. 5 (e)).

The Committee urges the State party to ensure that the right of communities to free prior and informed consent is respected in the planning and implementation of projects affecting the use of their lands and resources. The Committee calls upon the State party to ensure that communities have the capacity to effectively represent their interests in decision-making processes. The Committee also recommends that the State party take all measures to ensure that communities have effective access to redress.

Moreover, the Committee calls upon the State party to ensure that the laws and regulations pertaining to consultations, impact assessments, displacement and compensations, such as Prime Minister Decree No. 192/PM of 7 July 2006, fully respect the rights of the members of communities living in the areas where development projects are to be implemented.

20. Notwithstanding the explanation provided by the State that no ethnic group is considered as a minority, the Committee emphasizes the need in a multi-ethnic society to recognize and promote the rights of ethnic groups of smaller size, including the need to protect their existence and their identity so as to prevent forced assimilation and loss of cultures, as well as to ensure that their concerns are taken into consideration in public policies (arts. 5, 2 and 1).

In line with its previous concluding observations, the Committee calls upon the State party to recognize without discrimination on the ground of ethnic origin all human rights listed in article 5 of the Convention to all members of its ethnic groups that are numerically inferior to the rest of the population, regardless of the name given to these groups in domestic law.

**UPR Recommendations - A/HRC/15/5 (UPR, 2010)**

* 98.27. Consider the greater participation and incorporation of indigenous peoples in governmental decisions, and ensure that the Hmong are integrated into society on an equal footing with other citizens (Denmark)
* 98.47. Comply fully with article 25 of the ICCPR, relating to the right to political participation (Mexico)

**UPR Recommendations - A/HRC/29/7 (UPR, 2015)**

* 121.157. Further work in empowering women in decision-making (Ethiopia);

**Malaysia**

**UPR Recommendations - A/HRC/25/10 (UPR, 2013)**

* 146.69. Take necessary measures to increase the percentage of women in decision making positions in private and corporate sectors ( Ethiopia);
* 146.167. Amend the Peaceful Assembly Act to allow the full enjoyment of the freedom of association, expression and peaceful assembly, by removing limitations or restrictions on movement, location or participation (Canada) – noted.
* 146.70. Strengthen and intensify efforts to promote the role of women in society and provide them with equal opportunities in contributing and cooperating in all aspects of life, including policies and national development programmes (Bahrain);

**UPR Recommendations - A/HRC/11/30 (UPR, 2009)**

* 104:19. Step up its efforts to enhance women’s participation at the decision-making level in both public and private sectors in line with the progress made in women’s education (Bangladesh) – supported.

**Myanmar**

**Concluding Observations - CEDAW/C/MMR/CO/4-5 (CEDAW, 2016)**

30. The Committee notes the State party’s efforts to promote the participation of women in political and public life following the general elections held in 2015. The Committee remains concerned, however, at:

1. The low representation of women at the legislative, ministerial and local government (village committee) levels, as well as in the judiciary, the military, the diplomatic service and academic institutions;
2. The lack of temporary special measures, including statutory quotas, aimed at guaranteeing and accelerating substantive equality of women and men in political and public life;
3. The lack of information on the representation of women with disabilities and ethnic minority women, such as Rohingya Muslim women, in decision-making positions.

31. The Committee reiterates its previous recommendation (see CEDAW/C/MMR/CO/3, para. 29) that the State party:

1. Adopt measures, including temporary special measures, in accordance with article 4 (1) of the Convention and the Committee’s general recommendations No. 25 and No. 23 (1997) on women in political and public life, in order to guarantee and accelerate women’s full and equal participation at all levels, including the legislative, ministerial, and local government (village committee) levels, as well as in the judiciary, the military, the diplomatic service and academic institutions;
2. Provide information in the next periodic report on specific measures taken, including temporary special measures, to promote the representation of women with disabilities and ethnic minority women such as those belonging to the Kachin, Kaman, Rohingya and other ethnic minority groups in decision-making positions.

**Concluding Observations - CEDAW/C/MMR/CO/3 (CEDAW, 2008)**

28. While noting that the majority of university graduates are women, the Committee is concerned at the very low participation of women in all areas of public, political and professional life, including in the National Assembly and in the realms of the Government, diplomacy, the judiciary, the military and public administration, mainly at senior levels. The Committee also regrets the low number of women in senior management in general. In this respect, the Committee takes note of the information provided by the delegation that the State party is in the process of formulating a new electoral law.

29. The Committee recommends that the State party pursue sustained policies aimed at the promotion of women’s full and equal participation in decision-making in all areas of public, political and professional life. It recommends that the State party fully utilize general recommendation 23, concerning women in public life, and calls upon the State party to further adopt, wherever necessary, temporary special measures in accordance with article 4, paragraph 1, of the Convention and with the Committee’s general recommendation 25, in order to accelerate women’s full and equal participation in public and political life, in particular at high levels of decision-making. This includes women in international and diplomatic positions of responsibility, beyond attending international meetings. It recommends the implementation of awareness-raising activities about the importance of women’s participation in decision-making for society as a whole and the development of targeted training and mentoring programmes for women candidates and women elected to public office. It further recommends that the State party offer training programmes on leadership and negotiation skills for current and future women leaders. The Committee urges the State party to carefully monitor the effectiveness of measures taken and results achieved. The Committee calls upon the State party to use the formulation of its new Election Law as an opportunity to include women, in accordance with the provisions on non-discrimination in its Constitution, and to increase women’s political participation. The State party is encouraged to use targets and quotas, as appropriate, in this respect.

44. While noting the adoption of the Thirty-Year Master Plan for Development of Border Areas and National Races (from 2001-2002 fiscal year to 2030-2031 fiscal year) and various development projects initiated by the State party in the rural areas, including micro-financing programs implemented by MWAF, the Committee expresses its concern at the disadvantaged position of women in rural and remote areas who form the majority of women in Myanmar, which is characterized by poverty, illiteracy, difficulties in access to health, education, and social services and a lack of participation in decision-making processes at the community level.

45. The Committee calls upon the State party to take the necessary measures to increase and strengthen the participation of women in designing and implementing local development plans and pay special attention to the needs of rural women by ensuring that they participate in decision-making processes and have improved access to, inter alia, health care, education and social services.

**Report of the Special Rapporteur on the situation of human rights in Myanmar, Tomás Ojea Quintana, A/HRC/25/64 (2014)**

81. Regarding the situation in ethnic border areas, the Government and, where applicable, the ethnic armed groups should:

1. Ensure that political negotiations abide by the principles of participation, transparency, accountability, equality and non-discrimination, and subsequently provide for greater participation and representation of local communities and women;

**Progress report of the Special Rapporteur on the situation of human rights in Myanmar, Tomás Ojea Quintana, A/HRC/16/59 (2011)**

97. The human rights situation remains serious, but in this historic moment for Myanmar, there are opportunities for positive developments that will require political will on the part of those authorities who control decision-making as well as active participation by all stakeholders. As the elections did not guarantee the inclusion of some important sectors of society, particularly from some of the ethnic minorities and the political opposition, it is crucial to implement effective remedies to ensure that their voices are heard. National reconciliation is a difficult process that cannot be short cut. As the Special Rapporteur has stated before, moving forward requires not only ending current human rights violations, but also ensuring accountability for past violations, which includes access to truth. Human rights must be placed at the core of the priorities of the new Government.

102. The Special Rapporteur recommends that the Government take seriously the wide-ranging calls for a more inclusive political process. As important stakeholders, like all citizens of Myanmar, have the right to freedom of expression, freedom of association and political participation, the Special Rapporteur encourages the Government to find the means to include all parties in the national reconciliation and transition processes.

**UPR Recommendations - A/HRC/17/9 (UPR, 2011)**

* 105.1. Take legislative and practical steps to ensure a political process and elections that are free and democratic (Austria);
* 105.7. Enhance efforts to achieving the Seven-Step Roadmap as the Government of Myanmar has promised toward building a democratic and ruled-by-law State ( Viet Nam );
* 106.22. Repeal or amend laws used to suppress peaceful political dissent and freedom of expression, association and assembly, including by granting those fundamental rights to the new members of Parliament ( Italy );
* 107.63. Allow full participation by all ethnic and democratic groups, including the National League for Democracy and Aung San Suu Kyi, in the political life of the country, allowing the start of a genuine process of national reconciliation (United Kingdom)
* 107.64. Ensure the free participation of representatives of all political parties, including the National League of Democracy as well as other non-parliamentary political parties, representatives of ethnic groups and other relevant stakeholders across society in an inclusive political process (Czech Republic)

**The Philippines**

**Concluding Observations - CERD/C/PHL/CO/20 (CERD, 2009)**

24. The Committee, while noting the increasing efforts of the National Commission for Indigenous Peoples (NCIP) to implement IPRA, is nevertheless concerned that consultation processes are not always adequately implemented when securing the Free, Prior and Informed Consent of indigenous peoples (FPIC) with regard to infrastructure and natural resource exploitation projects.

The Committee recommends that the State party verify that the current structures and guidelines/procedures established to conduct FPIC are in accordance with the spirit and letter of IPRA and set realistic time frames for consultation processes with indigenous peoples. It recommends that the State party verify that the apparent lack of formal protests is not the result of a lack of effective remedies, the victims’ lack of awareness of their rights, fear of reprisals, or a lack of confidence in NCIP.

**Concluding Observations - CMW/C/PHL/CO/2 (CMW, 2014)**

The Committee appreciates the efforts of the State party to facilitate the right to participate in public affairs and the right to vote, on the basis of the Overseas Absentee Voting Act, in the elections for President and Vice-President and for senators and party list representatives, but it regrets the low level of participation by Filipino workers abroad in the national elections in May 2013.

The Committee recommends that the State party strengthen its efforts to guarantee the right to vote of Filipino migrant workers living abroad by facilitating their registration and participation in the next presidential and national elections, that it continues measures for voting by mail and via the internet, and that it secures sufficient funding for overseas voting.

**Concluding Observations - CMW/C/PHL/CO/1 (CMW, 2009)**

36. The Committee encourages the State party to continue its efforts to:

1. Encourage Filipino workers abroad to register and participate in elections;
2. Maintain a register of overseas voters and take additional steps to facilitate the exercise of voting rights by Filipino migrant workers residing abroad.
3. Invite the Philippine Congress to consider the proposals to amend RA 9189 to delete the requirement of an “Affidavit of intent to return”.

**Singapore**

**Concluding Observations - CEDAW/C/SGP/CO/4 (CEDAW, 2011)**

27. While welcoming the increase in the number of women in public service, the Committee notes with concern that no women are full ministers in the Cabinet, and women in the State party continue to be underrepresented in decision-making in the Government, the judiciary and the diplomatic service, as well as in the private sector.

28. The Committee recommends that the State party:

1. Adopt laws and policies aimed at the promotion of women’s full and equal participation in decision - making in all areas of public, political and professional life, in accordance with article 7 of the Convention, and adopt temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee ’ s general recommendations 23 (1997) and 25 (2004) concerning women in political and public life and temporary special measures;
2. Take steps to ensure that women representatives elected to public office are provided with the necessary institutional support and resources;
3. Conduct awareness - raising activities for society at large regarding the importance of gender equality and women ’ s participation in decision - making, and develop training and mentoring programmes for women candidates and women elected to public office as well as programmes on leadership and negotiation skills for current and future women leaders.

**Concluding Observations - CEDAW/C/SGP/CO/3 (CEDAW, 2007)**

19. While noting the progress made in the representation of women in Parliament, the Committee is concerned that the proportion of women parliamentarians is still low, especially given Singaporean women’s educational achievements and competence. While noting the State party’s use of a “principle of gender-neutral meritocracy” in its nomination, selection and promotion procedures, the Committee is also concerned that there are still no women ministers in the Cabinet, and that women continue to be underrepresented at senior levels within the public administration, including the diplomatic service, the judiciary and educational institutions, as well as the private sector, thus limiting women’s equal participation in decision-making processes in all areas.

20. The Committee encourages the State party to intensify its efforts towards strengthening women’s representation in leadership roles, including elected and appointed positions, in the Cabinet, Parliament, public administration, the judiciary and the private sector. The Committee recommends that the State party strengthen its nomination, selection and promotion procedures with temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee’s general recommendations 25 and 23 so as to accelerate the achievement of women’s full and equal participation in political and public life and decision-making at all levels and in all areas.

**UPR Recommendations - A/HRC/32/17 (UPR, 2016)**

* 166.147 Intensify efforts to eliminate all forms of discrimination against women, among other measures, to promote their empowerment and participation in public life (Mexico);
* 166.208 Continue expanding the participation of women in the national public life (Bolivarian Republic of Venezuela);
* 166.210 Encourage women’s political participation and increase representation of women in decision-making (Maldives);
* 166.62 Align its legislation to the definition of discrimination against women in accordance with Article 1 of the Convention on the Elimination of All Forms of Discrimination against Women, and adopt laws and policies for the full participation of women in both public and private decision spaces (Paraguay);
* 166.67 Consider adopting laws and policies on the promotion of the full participation of women under equal conditions in decision-making in all sectors of public, political and professional life (Plurinational State of Bolivia);
* 166.141 Continue ensuring the rights of women and girls through their empowerment and participation in society (Nicaragua);
* 166.142 Support the social integration of women in all spheres of life (Tajikistan);
* 166.147 Intensify efforts to eliminate all forms of discrimination against women, among other measures, to promote their empowerment and participation in public life (Mexico);
* 166.208 Continue expanding the participation of women in the national public life (Bolivarian Republic of Venezuela);
* 166.209 Strengthen efforts to promote women’s participation in public life, particularly at the higher corporate levels (Bahamas);
* 166.210 Encourage women’s political participation and increase representation of women in decision-making (Maldives);

**UPR Recommendations - A/HRC/18/11 (UPR, 2011)**

* 95.9. Take further steps to ensure the representation of women in senior levels within the public and private sectors is increased (South Africa);
* Intensify efforts to enhance women ’s participation in the decision - making process in both public and private sectors, in accordance with the progress achieved in the field of education of women (United Arab Emirates)
* Give the required attention to promoting women’s participation at the decision-making level in both the public and private sectors (Algeria)
* 94.23. Continue its efforts to increase the representation of women at senior levels within the public administration, including the diplomatic service, judiciary and educational institutions, as well as the private sector ( the Republic of Moldova);
* 94.24. Pursue its efforts to improve the status of women in order to enable them to reach their full potential and contribute to the social and economic development of the country (Algeria);

**Thailand**

**Concluding Observations - CERD/C/THA/CO/1-3 (CERD, 2012)**

13. The Committee is concerned at the restrictions to the right of naturalized Thais to participate in, and stand for, elections (art. 5 (c)).

The Committee urges the State party to accord equal civil and political rights to all citizens irrespective of the mode of acquisition of the citizenship.

**UPR Recommendations - A/HRC/33/16 (UPR, 2016)**

* 158.62 Advance women’s empowerment, and greater representation of women in all sectors (Lao People’s Democratic Republic);
* 158.65 Promote a culture of equality through the equal participation of all members of the society and, in particular the participation of women in rural areas (Djibouti);
* 158.141 Take measures to ensure the rights of peaceful assembly, freedom of expression and freedom of assembly, especially in the context of peaceful protests (Costa Rica);
* 158.142 Invigorate measures to safeguard the freedoms of press, speech, and broad participation from various sectors in political and public life (Colombia);
* 158.143 Take measures to enhance women’s participation in public and political decision-making (India);

**UPR Recommendations - A/HRC/19/8 (UPR, 2011)**

* 88.27. Redouble its efforts to place greater attention on establishing a legal framework to ensure equal access to women’s participation in the decision-making process. Indeed, more consideration should be given to women, persons with disabilities and other minorities ( Republic of Korea );
* 88.28. Adopt and implement temporary special measures in order to accelerate the realization of women’s de facto equality with men in all areas, particularly with regard to women’s participation in decision-making and access to economic opportunities ( Republic of Moldova );

**Timor-Leste**

**Concluding Observations - CEDAW/C/TLS/CO/2-3 (CEDAW, 2015)**

22. The Committee welcomes the special measures introduced at the national and local levels to increase the representation of women in the National Parliament and in the village and subvillage councils through the quotas set by Law No. 7/2011 of June 2011 and Law No. 3/2009 of June 2009, respectively. The Committee is, however, concerned:

1. That women in the State party continue to face persistent barriers to gain access to decision-making positions, including discrimination in recruitment, discriminatory stereotypes and attitudes towards women’s participation in political and public life, little support from political parties and families and low levels of confidence;
2. That women’s representation in government decision-making positions remains low at 20 per cent and the proportion of female village chiefs is extremely low at 2 per cent.

23. The Committee recommends that the State party:

1. Adopt measures, including temporary special measures, and provide support services to promote the equal representation of women in political and public life at all levels, especially in decision-making positions, including specific measures to eliminate stereotypes and discrimination against such participation;
2. Adopt measures, including temporary special measures, to increase the percentage of female village chiefs through the new village election law, which is to be discussed by the National Parliament in 2016, and develop targeted training and mentoring programmes on political campaigning, leadership and negotiation skills for current and potential women candidates and women holding public office.

**Concluding Observations - CEDAW/C/TLS/CO/1 (CEDAW, 2009)**

13. While welcoming the ongoing efforts to address the needs of women in the post-conflict period, the Committee is concerned that the promotion of women’s human rights and gender equality has not been considered as a priority, in particular in efforts to address the consequences of the conflict and in the peacebuilding and reconstruction processes. It is also concerned about the small number of women in leadership positions in areas connected with the transition process.

14. The Committee urges the State party to ensure that the promotion and protection of women’s human rights and gender equality are central goals of all aspects of the transition process and to raise the legislature’s awareness of those important goals. It further urges the State party to devote serious attention to the specific needs of women in the post conflict period and ensure women’s equal participation in decision-making, in conformity with Security Council resolution 1325 (2000) on women and peace and security. The Committee recommends that the State party put in place an action plan for the full implementation of resolution 1325 (2000), taking into account paragraph 1 of article 4, and articles 7 and 8 of the Convention.

25. The Committee notes the State party’s insufficient understanding of the purpose of and need for temporary special measures in accordance with article 4, paragraph 1, of the Convention. The Committee is concerned about the absence of women in the judiciary and the limited participation of women in public administration, especially at decision-making levels.

26. The Committee recommends that the State party use temporary special measures, in accordance with article 4, paragraph 1, of the Convention and the Committee’s general recommendation No. 25, as part of a necessary strategy to accelerate the achievement of substantive equality for women, especially in the judiciary and the civil service, including the Foreign Service. It requests that the Government include information on the use of such temporary special measures, in relation to the various provisions of the Convention, and the impact of such measures, in its next periodic report.

33. While appreciating the increased numbers of women in the national Parliament, the Committee is concerned that Law No. 6/2008, which introduced the requirement that every fourth candidate standing for election to the national Parliament be female, remains discriminatory against women. The Committee is concerned about the continued underrepresentation of women in public and political life and in decision-making positions, particularly at the local level. The Committee is further concerned about information suggesting that women standing for election fear reprisal from their communities or other forms of political intimidation and violence.

34. The Committee recommends that the State party strengthen its efforts to increase the participation of women in decision-making posts, in particular at the local level and in senior managerial positions in the private sector, including through the use of temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee’s general recommendation No. 25. The Committee encourages the State party to consider a review of Law No. 6/2008 to increase the number of women required. It recommends that the State party establish concrete goals and timetables and implement awareness-raising programmes, including with community leaders, to encourage women to participate in public life. It calls on the State party to highlight the importance to society as a whole of women’s full and equal participation in leadership positions at all levels of decision-making for the development of the country. The Committee further urges the State party to create and ensure a secure environment in which female candidates do not fear intimidation or reprisal.

**UPR Recommendations - A/HRC/19/17 (UPR, 2012)**

* 77.19. Ensure full respect for equal rights of women in all areas of life, including by ensuring the equal participation of women in decision making ( Slovenia );
* 78.7. Continue efforts to ensure gender equality and participation of women in public institutions, including local institutions, as well as in the private sector ( Spain );

**Vietnam**

**Concluding Observations - CEDAW/C/VNM/CO/6 (CEDAW, 2007)**

9. The Committee recommends that the State party focus on the implementation of existing laws and policies by: setting clearly defined and time-bound targets; systematically collecting and analysing data; monitoring impact, trends over time and progress towards realizing goals and objectives, and results achieved; and allocating sufficient human and financial resources for the effective enforcement of existing laws. With regard to the Convention and the new Law on Gender Equality, the Committee encourages the State party to: ensure their wide dissemination within the country, including their translation into minority languages, in particular among policymakers across all sectors, mass organizations, civil society and the media; take measures towards the speedy harmonization of existing legislation with the objectives of the Convention and the Law on Gender Equality, particularly in the areas of employment, social security, education, the representation of women in political and decision-making bodies and within the public administration and health-care services; and report in its next periodic report on the progress made.

12. The Committee reiterates its concern about the persistence of patriarchal attitudes and deep-rooted stereotypes, including the preference for male offspring, regarding the roles and responsibilities of women and men within the family and society at large. These stereotypes present a significant obstacle to the implementation of the Convention, are a root cause of violence against women and put women in a disadvantaged position in a number of areas, including in the labour market and in political and public life.

15. The Committee calls upon the State party to regularly review its targets for women’s participation in public life and decision-making. It encourages the State party to develop concrete measures, with specific timelines, including the use of temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee’s general recommendation 25, to accelerate women’s full and equal participation in political life at all levels, in specially appointed and elected positions, including leadership positions in mass organizations and at commune/ward level. The Committee recommends that the State party implement training programmes and awareness-raising campaigns, with a special focus on mass organizations, on the right of women to full and equal participation at all levels of decision-making. It also calls on the State party to monitor the impact of measures taken, track trends over time, take necessary corrective measures and provide detailed information about results achieved in its next report.

29. The Committee calls upon the State party to pay special attention to the needs of women living in rural and remote areas and women belonging to ethnic minorities by ensuring that they have equal access to health care, education, social security, income-generation opportunities and participation in decision-making processes at all levels.

**Report of the independent expert on minority issues, Gay McDougall, A/HRC/16/45/Add.2 (2011)**

98. The Government has demonstrated positive practice in promoting the representation of ethnic minorities in the National Assembly. Nevertheless, a number of challenges remain to ensure the effective political participation of minorities at all levels of government.

99. Importantly, ethnic minority communities should in all instances freely select, in a genuinely participatory process, those who will represent them, thereby empowering leaders to take office with the full confidence of their communities. Methods should be sought to integrate the customary governance structures with the process of selection for leadership roles in State structures.

100. The Council on Ethnic Minorities of the National Assembly should enhance its oversight of the work of the Government’s Committee on Ethnic Minorities, and members of the Council should receive training in mainstreaming minority issues into legislation and public policies to make them effective in carrying out their responsibilities.

**UPR Recommendations - A/HRC/26/6 (UPR, 2014)**

* 143.46. Continue Government efforts to guarantee the exercise of power by, with, and for the people of Viet Nam (Cuba);
* 143.53. Better attract and facilitate the participation of socio-political organizations in the promotion and protection of human rights (Democratic People’s Republic of Korea );
* 143.177. Enhance equal political participation of its citizens, including by taking steps towards multi-party democracy (Czech Republic);
* 143.178. Deepen grass-roots democracy and better facilitate the right of the people to participate in the formulation and implementation of policies, such as the participation of political and social organizations in the field of human rights (Myanmar)
* 143.179. Undertake measures to enhance the participation of women in legislative, judicial and executive bodies (Pakistan)
* 143.217. Adopt policies that will allow the active involvement of minority communities through consultation and participation in decision-making processes relating to areas affecting them, particularly on development issues ( Namibia );
* 143.219. Continue promoting the participation of citizens in decision-making processes (Nicaragua)

**UPR Recommendations - A/HRC/12/11 (UPR, 2009)**

* 99.54. Continue to pay special attention to the disadvantaged sections of the society, in particular ethnic minorities and persons with disabilities, so as to ensure their fuller participation in the socio-political life of the country (India)
* 99.49. Adopt appropriate measures to disseminate widely and ensure full observation of General Assembly resolution 53/144 (Norway);
* 99.51. Continue to maintain and strengthen the economic, political and social model of Viet Nam to guarantee the full participation of the population in public and security affairs (Lao People’s Democratic Republic );

***South and West Asia Region***

**Afghanistan**

**Concluding Observations - CEDAW/C/AFG/CO/1-2 (CEDAW, 2013)**

8. The Committee notes with satisfaction the formal commitment, confirmed by the delegation, that women’s rights will not be compromised by the peace negotiations. Notwithstanding, it considers that specific measures need to be taken and implemented to fulfil this commitment. It notes with satisfaction the establishment of the Elite Women’s Advisory Board, whose aim is to ensure women’s engagement in the peace process at all levels of the Government. However, it is deeply concerned that women’s meaningful and effective participation in the peace and reconciliation process is being jeopardized by several factors, in particular, the limited number of women members of the High Peace Council (9 of 70 members); women’s exclusion from the major decision-making processes; the possibility for the peace negotiations to be moved outside the State party, in the context of the Doha talks; and the lack of adequate means to ensure their effective participation. It is also concerned that women’s interests and needs may be compromised in the peace negotiations owing to the deep-rooted patriarchal attitudes in the State party. It regrets that the State party has not yet adopted its national action plan to implement Security Council resolution 1325 (2000).

9. The Committee urges the State party:

1. To increase the representation of women in the High Peace Council and fully involve them effectively at all stages of the peace and reconciliation process, including by ensuring equal opportunities and the active participation of women in the decision-making processes;
2. To ensure that women members of the Elite Women’s Advisory Board and civil society organizations working on women’s issues are included in the peace negotiations and reconciliation process, including at the planned Doha talks;

10.The Committee notes with appreciation the information provided by the delegation with regard to the State party’s commitment to consolidating the constitutional and legal framework relating to women’s rights, including quotas for women. However, it is concerned that, in the context of the transition that the State party is facing, such consolidation may not be considered a priority. It is particularly concerned that several members of the parliament, in particular from the Wolesi Jirga, are attempting to repeal existing provisions in the Electoral Law which provide that at least 25 per cent of seats in the provincial councils should be reserved for women, and to weaken provisions for the protection of women in the Law on the Elimination of Violence against Women. The Committee notes the collaboration between the State party and some women’s organizations in numerous fields.

11. The Committee urges the State party:

1. To set as a priority, for the next 18 months, the consolidation of the legislative achievements by reinforcing the implementation of the Law on the Elimination of Violence against Women and the Electoral Law, in line with the Convention;
2. To ensure that the Wolesi Jirga and Meshrano Jirga joint commission working on amendments to the Electoral Law maintains the 25 per cent quota for women in the National Assembly and in the provincial councils as currently established in the Electoral Law;
3. To consolidate the legislative framework relating to women’s rights by adopting without delay the draft family code and by ensuring that any revisions of the Penal Code and the Code of Criminal Procedures repeal, and do not include, discriminatory provisions against women;
4. To reinforce its efforts to raise the awareness of parliamentarians and members of the provincial councils regarding women’s rights with a view to upholding the gains already achieved;
5. To intensify its collaboration with women’s organizations to eliminate violence against women and to improve women’s access to education, health, justice and political participation.

28. The Committee notes the efforts of the State party to increase the participation of women in political and public life since 2001. It considers it essential to recognize women’s diverse experiences in conflict, including as victims but also as the main agents of peacebuilding processes. However, it is concerned at the low participation of women in decision-making in all areas of life. It is further concerned that deeply rooted patriarchal attitudes, such as imposing movement restrictions on women, as well as the fragile security in the State party, may adversely affect the participation of women, as candidates and voters, in the forthcoming 2014 elections. It is further concerned at threats and targeted killings of women occupying prominent positions in the Administration and of women human rights defenders. It expresses its concern at the low participation of women in the judiciary and in the superior courts and the total absence of women judges in the Supreme Court.

29. The Committee calls upon the State party:

1. To pursue sustained policies aimed at the promotion of women’s full and equal participation in decision-making as a democratic requirement in all areas of public, political and professional life at the national, provincial and district levels by, for example, adopting temporary special measures, in accordance with article 4, paragraph 1, of the Convention and the Committee’s general recommendation No. 25;
2. To implement awareness-raising activities on the importance of women’s participation in decision-making for society as a whole, in particular as candidates and voters, with a view to eliminating patriarchal attitudes that deter women from participating;
3. To ensure effective security protection for women in prominent positions in the Administration and women human rights defenders, and hold accountable perpetrators of violent attacks against them;
4. To take appropriate measures to increase the number of women judges in superior courts and ensure the appointment of women to the Supreme Court.

32. The Committee highly appreciates the efforts to increase the enrolment of girls at all levels of education and it commends the demonstrated political will to continue pursuing this goal through global mobilization. It considers that sustainable development calls for an educated population with equal opportunities for women and men, and fully supports the high priority accorded to this issue. However, it is concerned at the high illiteracy rate among women, the low enrolment of girls, in particular at the secondary level, and their high dropout rate, especially in rural areas, mainly owing to a lack of security to and from school. It is further concerned about the negative attitudes in society with regard to girls’ education, as well as about the lack of qualified female teachers and the poor school infrastructure and long distances to school. It expresses its deep concern at the increased number of attacks on girls’ schools and written threats warning girls to stop going to school by non-State armed groups, as well as at incidents where girls became ill at school under the suspicion of being poisoned. It is also concerned about the marked underrepresentation of women in higher education, which is a major impediment to their appointment to public offices and their engagement in public affairs.

33. In the light of the commitments of the State party under the Tokyo Mutual Accountability Framework, the Committee recommends that the State party:

(e) Review procedures relating to the university entrance examination and remove biases that effectively limit women’s access to this level of education.

38. The Committee notes that almost 80 per cent of the total population of the State party live in rural areas. It is concerned that almost 36 per cent of the population live under the poverty line and that the large majority of these persons are women. It is concerned at the reliance of the rural population, in some areas of the country, on the cultivation of opium as a livelihood. It also notes that the Ministry of Rehabilitation and Rural Development is conducting a programme by which rural women and men are granted small loans aiming at supporting self-employment. However, it is concerned that women who have access to these loans often hand over the funds to their husbands or male relatives. The Committee is also concerned at the difficulties faced by rural women in gaining access to health and social services and in participating in decision-making processes at the community level.

39. The Committee recommends that the State party:

1. Elaborate a comprehensive development plan for rural areas with the full involvement of rural women in its elaboration and implementation and backed by sufficient budgetary resources with the aim of fighting against poverty and promoting new economic opportunities that will replace the cultivation of opium;
2. Take measures to ensure that rural women are the effective decision makers and beneficiaries of programmes and credit facilities;

**Report of the independent expert on minority issues, Gay McDougall, A/HRC/13/23 (2010)**

35. The right to effective participation, the prohibition of discrimination and special measures are firmly rooted in international human rights law. The right of all persons to take part in the conduct of public affairs, directly or through freely chosen representatives, as well as to vote and be elected in genuine periodic elections is affirmed in article 25 of the International Covenant on Civil and Political Rights. This provision is an elaboration of article 21 of the Universal Declaration of Human Rights, which states: “Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.”

59. Legal, cultural or linguistic biases may also hinder effective minority participation in public life. High electoral thresholds usually have an adverse effect on the ability of minority communities to secure political representation and can constitute indirect discrimination. Requirements for the registration of political parties can restrict in an unreasonable and disproportionate way the ability of persons belonging to minorities to exercise their freedom of assembly and association. The delineation of electoral districts may distort the distribution of voters, thus having a discriminatory effect on a particular group or resulting in gerrymandering. Constitutional provisions on minority participation are alone insufficient to guarantee effective participation. Specific laws and policies enabling the implementation of such constitutional principles are necessary. The implementation of the latter must, in turn, be monitored and minority participation in their articulation, implementation and monitoring must be secured.

64. Although article 25 of the International Covenant on Civil and Political Rights guarantees the exercise of the right to public participation to citizens, it has come to be widely recognized that citizenship requirements can hamper effective participation in certain fields of public affairs. While it remains accepted for States to impose certain restrictions on non-citizens concerning the right to vote and to be elected, such restrictions should not be applied more widely than necessary. Denial of citizenship has been used by States to exclude minorities from the enjoyment of their rights. States should consider allowing non-citizens belonging to minorities to vote, stand as candidates in local elections and be members of the governing boards of self-governing bodies, while making sure that access to citizenship is regulated in a non-discriminatory manner. Positive examples of this kind exist in a number of States.

65. While no single, one-size-fits-all solution exists to ensure proper implementation of the right to effective participation, a number of features of participation models and mechanisms can be identified. As regards the choice of a particular electoral system, international law does not impose any specific solution either. The Human Rights Committee has held that “the system must be compatible with the rights protected by article 25 (of the Covenant) and must guarantee and give effect to the free expression of the will of the electors”.

**UPR Recommendations - A/HRC/26/4 (UPR, 2014)**

* 136.69 Enhance efforts to eliminate discrimination against Afghan women and to promote leadership and equal participation in political, peace and reconciliation processes (Croatia)
* 136.70 Protect the rights of women by ensuring their participation in political life and in all the peace and reconciliation processes as well as equal opportunities in the area of education and employment (Djibouti)
* 136.71 Implement the Security Council resolutions on Women, Peace and Security, by ensuring , in particular , participation of women on an equal footing and at every level of responsibility in the reconciliation process ( France);
* 136.74 Implement the Security Council resolutions on Women, Peace and Security, in particular by supporting the participation of women in peace negotiations and ensuring the necessary framework to increase the participation of women in political and judicial life and within security institutions of the country, taking into account their security as well as their personal dignity (Belgium);
* 136.90 Pay particular attention to the human rights related issues, particularly by encouraging effective participation of women in political life (Morocco)
* 136.92 Take necessary measures to increase the percentage of women in decision - making positions ( Ethiopia);
* 136.99 Guarantee women’s representation in all decision-making levels in line with the United Nations Security Council Resolution 1325 and related resolutions as well as on the Convention of the Elimination of All Forms of Discrimination against Women ( Finland);

**UPR Recommendations - A/HRC/12/9 (UPR, 2009)**

* 95.15. Persevere in fighting corruption, in educating its people and especially its children, and in further empowering its womenfolk for greater participation in all sectors (Singapore);
* 96:18. Intensify its efforts for the promotion of gender equality consistent with the obligations of Afghanistan under CEDAW, including through the review and elimination of laws, customs and practices that lead to discrimination against women and girls, making available effective legal remedies for the victims of discrimination and violence, and actively promoting the participation of women and girls in different fields such as education, labour and political life (Mexico);
* 95:52. Eradicate violence against women and ensure a greater political representation and participation, in particular in legislative elections to take place in 2010 (Spain);
* 95.74. Continue its cooperation with the international community and reinforce the role of human rights defenders so that civil society, in particular women, can participate actively in the electoral campaign and in the vote (Switzerland);
* 95.82. Include women in decision-making about maternal health, including in decisions on the design of local health care mechanisms, in a bid to strengthen its efforts to reduce maternal mortality (New Zealand);
* 96.6. Involve the Ministry for Women’s Rights and women’s rights organizations in the legislative process (Netherlands);
* 96.8. Take steps to ensure an equitable and truly representative appointment of members of the Afghanistan Independent Human Rights Commission and to protect the Commission from undue political interference (Finland);
* 96.13. Include civil society and human rights defenders in the development of legislation and decision-making processes, through an institutionalized consultation process (Norway);
* 96.18. Intensify its efforts for the promotion of gender equality consistent with the obligations of Afghanistan under CEDAW, including through the review and elimination of laws, customs and practices that lead to discrimination against women and girls, making available effective legal remedies for the victims of discrimination and violence, and actively promoting the participation of women and girls in different fields such as education, labour and political life (Mexico);
* 96.37. Prepare as a matter of priority a transparent and well-administered system of rules for verifying candidates’ eligibility, in close connection with the assessment of the disarmament process and the strengthening of the capacity of the Electoral Complaints Committee (Czech Republic).

**Bangladesh**

**Concluding Observations – CCPR/C/BGD/CO/1 (CCPR, 2017)**

11.While noting that pursuant to article 28 of the Constitution the State will not discriminate against citizens on the limited grounds of religion, race, caste, sex or place of birth, the Committee is concerned that the anti-discrimination bill, 2015, has not yet been adopted and that discrimination against certain groups continues to occur, such as:

1. A lack of legal recognition of indigenous peoples, reported discrimination and restrictions on the civil and political rights of indigenous peoples, particularly in relation to land rights and participation in political and decision-making processes;

12. The State party should ensure that the anti-discrimination bill, 2015, protects against direct and indirect discrimination in the public and private sphere based on a comprehensive list of grounds for discrimination, including colour, descent, caste, national or ethnic origin, religion, sexual orientation and gender identity, disability and other status, and provide for effective remedies in case of violations. The State party should also accelerate the adoption of this bill and ensure its effective implementation. It should also develop education campaigns for schools, government officials and the general public to promote tolerance and appreciation for diversity and non-discrimination. Furthermore, the State party should:

1. Recognize the legal status of indigenous peoples, facilitate the reporting of violations of the rights of indigenous peoples, investigate such cases, prosecute perpetrators and compensate victims, resolve land disputes through the implementation of the Chittagong Hill Tracts Land Dispute Resolution Commission (amended) Act 2016 and through the use of an independent land commission, and include indigenous persons in political and decision-making processes;

29. The Committee is concerned that violence during elections, such as the excessive use of force by State actors during the January 2014 election, hinders the rights of voters to participate in free and fair elections (art. 25).

30. The State party should ensure the safety and security of all individuals in the context of elections so that they may exercise their right to vote.

**Concluding Observations - CEDAW/C/BGD/CO/8 (CEDAW, 2016)**

16. The Committee is concerned about the persistent patriarchal attitudes and discriminatory stereotypes about the roles and responsibilities of women and men in the family and in society. It is also concerned about the limited efforts made by the State party to eliminate such stereotypes, which constitute serious barriers to women’s equal enjoyment with men of their human rights and their equal participation in all spheres of life. The Committee notes with concern that the State party has one of the highest rates of child marriage worldwide: 66 per cent of girls who marry are under 18 years of age, often because of poverty, lack of personal safety or difficulties in verifying their age. The Committee also notes with concern that the practice of giving a dowry continues to be imposed on girls’ families. The Committee is further concerned about a proposed amendment to the law on child marriage that includes a clause that would allow the marriage of girls at 16 years of age with the consent of the parents or the court, thus legalizing child marriage.

17. The Committee recommends that the State party:

* + - 1. Adopt and implement a comprehensive policy with effective and sustained measures, aimed at women, men, girls and boys, to overcome stereotypical attitudes about the roles and responsibilities of women and men in the family and in society;
			2. Raise awareness about women’s rights and gender equality among young people and adults and work with the formal and informal education systems and the media to promote positive and non-stereotypical images of women;
			3. Take immediate measures to end the harmful practice of child marriage by addressing the root causes, raising awareness among parents, teachers and community and religious leaders about the negative effects of child marriage on the health and well-being of girls, holding accountable those responsible and retaining 18 years of age as the legal minimum age of marriage for girls without exception. In doing so, the State party should be guided by joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2014) on harmful practices.

22. The Committee welcomes the commitment of the State party to reserving 50 seats in Parliament for women. Nevertheless, it notes with concern that only a few women have reached the highest level of the political pyramid and that women, in general, are underrepresented in Parliament, the judiciary and the Administration and in the private sector. The Committee is also concerned about the absence of information on the number of women, including minority women, in local governments, the foreign service and academic institutions, in particular at the decision-making level.

23. The Committee recommends that the State party adopt targeted measures, including temporary special measures, such as quotas, in accordance with article 4 (1) of the Convention and the Committee’s general recommendation No. 25 (2004) on temporary special measures, in all areas covered by the Convention in which women are underrepresented or disadvantaged. It also recommends that the State party effectively implement its laws and regulations providing for substantive equality between men and women in political and public life. The Committee requests the State party to provide in its next periodic report data on the number of women at the decision-making level, in both the public sector and the private sector.

**Concluding Observations - CEDAW/C/BGD/CO/7 (CEDAW, 2011)**

23. While welcoming the adoption of the Fourteenth Amendment to the Constitution allowing an increase in women’s reserved seats from 30 to 45 and the appointment of six women as ministers in 2009, the Committee remains concerned that women continue to be underrepresented in public and professional life and in decision-making in the judiciary, diplomatic service, as well as in civil service and administration and elected positions in Parliament and local bodies.

24. The Committee recommends that the State party:

1. Adopt laws and policies aimed at the promotion of women’s full and equal participation in decision-making in all areas of public, political and professional life and fully utilize the Committee’s general recommendation No 23 (1997) concerning women in political and public life;
2. Take steps to ensure that the elected women representatives to public office are provided with needed institutional support and resources; and
3. Continue to conduct awareness-raising activities for the society as a whole about the importance of gender equality and women’s participation in decision-making; to develop training and mentoring programmes for women candidates and women elected to public office as well as programmes on leadership and negotiation skills for current and future women leaders.

35. The Committee is concerned about the disadvantaged position of women in rural and remote areas who experience difficulties in accessing education, health and social services, and a lack of participation in decision-making processes. The Committee is also concerned that customary and traditional practices, prevalent in rural areas, prevent women from inheriting or acquiring ownership of land and other property.

36. The Committee calls upon the State party to:

1. Take the necessary measures to increase and strengthen the participation of rural women in designing and implementing local development plans, and to pay special attention to the needs of rural women, in particular women heads of household, by ensuring that they participate in decision-making processes and have improved access to health, education, fertile land and income-generating projects;

**UPR Recommendations - A/HRC/24/12 (UPR, 2013)**

129.105. Continue working for the integration and empowerment of women in decision making processes (Nicaragua);

129.106. Continues its efforts to ensure greater representation of women in high-level policy and decision making institutions (Algeria);

**UPR Recommendation - A/HRC/11/18 (UPR, 2009)**

94. 14. Pursue its positive efforts for the promotion and protection of the rights of women (Cuba); Strengthen and continue sharing its experience and the promotion of the role of gender in the national leadership (Lao PDR)

**Bhutan**

**Concluding Observations - CEDAW/C/BTN/CO/7 (CEDAW, 2009)**

17. While taking due note of the fact that 54.2 percent of the voters at the last elections were women, the Committee is concerned at the low rate of representation of women at all levels of public and political life, particularly at a time when society is undergoing significant transformation. The Committee is especially concerned at the low level of participation of women in decision making bodies, including Parliament (13.88 percent), the Government and the diplomatic service, and at the regional and local levels, and that the rate of participation has, in some cases, decreased in recent years.

18. The Committee requests that the State party implement, as a matter of urgency, sustained policies aimed at the promotion of women’s full, active and equal participation in decision-making in all areas of public and political life. In particular, the Committee encourages the State party to review criteria required for certain positions when such requirements turn into obstacles or barriers to women’s access to decision-making. It also recommends the use of temporary measures according to article 4, paragraph 1, of the Convention and in the Committee’s general recommendation Nos. 25 and 23. The Committee further recommends the implementation of awareness-raising activities about the importance of women’s participation in decision-making positions during the current transition of society as a whole, including in its remote and rural areas.

**UPR Recommendations - A/HRC/27/8 (UPR, 2014)**

* 118.18 Ensure the protection and advancement of women’s rights, especially in rural areas, and, in particular, promoting wider participation of women in politics and decision-making on national and local levels and strengthening combating violence against women and children (Czech Republic);
* 118.19 Pay further attention to the issue of domestic violence, the gender gap in tertiary education and women’s participation in politics (Kyrgyzstan);
* 118.42 Pursue efforts towards a solid democratic culture, particularly the participation of women in political life and in senior civil service posts (Switzerland);
* 118.43 Continue developing a long - standing democratic culture , including by increasing the participation of women in decision - making and intensifying efforts to strengthen accountability (State of Palestine);
* 118.44 Take further steps in promoting political participation of women (Kazakhstan);
* 118.45 Continue its advocacy campaign to encourage greater participation by women in the political process at the national and local levels (Indonesia);
* 118.46 Take measures to increase the political participation of women (India);
* 118.47 Encourage greater participation of women in the political process (Malaysia);
* 118.48 Develop gender policies that allow a wider participation of women in politics (Paraguay);
* 118.49 Undertake campaigns to encourage greater women’s participation in politics (Cambodia);
* 120.48 Enact amendments to the Electoral Code and ensure broader participation of all citizens in the electoral process and equal enjoyment of the right to vote and to stand for election (Czech Republic);

**UPR Recommendations - A/HRC/13/11 (UPR, 2010)**

* 101:56. Undertake extensive advocacy campaigns to encourage greater women’s participation in the political process at both the national and local levels (Indonesia)
* 101:57. Continue efforts to raise greater awareness among Bhutanese in all areas of the country of the democratic process, including voting rights, in order to foster greater political participation by all members of society (Turkey)
* 101:58. Continue targeted policies and initiatives to encourage greater participation of women in the electoral process (Turkey)
* 101:59. Take proactive measures to promote women’s participation in the local elections planned for in 2010 (Norway);

**India**

**Concluding Observations - CEDAW/C/IND/CO/4-5 (CEDAW, 2014)**

12. The Committee is deeply concerned about the reported high level of violence, including rape and other forms of sexual violence, enforced disappearance, killings and acts of torture and ill-treatment, against women in conflict-affected regions (Kashmir, the north-east, Chhattisgarh, Odisha and Andhra Pradesh). It is particularly concerned about the:

1. Absence of women in peace negotiations in the north-eastern states.

13. The Committee calls upon the State party:

1. To ensure that women in the north-eastern states participate in peace negotiations and in the prevention, management and resolution of conflicts in line with Security Council resolution 1325 (2000) and the Committee ’ s general recommendation No. 30 on women in conflict prevention, conflict and post-conflict situations;

18.The Committee is concerned that the State party may not have full understanding of the purpose of temporary special measures in accordance with article 4 (1) of the Convention and the Committee’s general recommendation No. 25 on the subject. It is also concerned that no temporary special measures have been or are being applied as part of a necessary strategy to accelerate the achievement of substantive equality of women and men in areas in which women are disadvantaged, such as education or in the judiciary, and for promoting the participation of women from religious minorities and scheduled castes and scheduled tribes in various areas under the Convention.

19. The Committee calls upon the State party to ensure that all relevant officials are familiar with the concept of temporary special measures and to encourage their application in accordance with article 4 (1) of the Convention and the Committee’s general recommendation No. 25, especially measures aimed at increasing the:

 (a) Number of girls, including from disadvantaged groups, enrolled in secondary and tertiary education in all states;

 (b) Number of women in the judiciary, through a quota system for the recruitment of women judges and special scholarships and other support schemes for female law students.

24. While noting that there are six women ministers in the 23-member Cabinet, the Committee remains concerned about the low representation of women in political and public life, for example in the lower house of Parliament, where only 62 of the 543 parliamentarians are women, or on the Supreme Court, where only 1 of the 26 sitting judges is a woman. The Committee is also concerned about the delay in the adoption of the Constitution (108th Amendment) Bill, intended to ensure a 33 per cent quota for women in Parliament and in the state legislatures, which has been pending before Parliament since 2010.

25. The Committee recommends that the State party:

1. Enact the Constitution (108th Amendment) Bill to reserve at least 33 per cent of the seats in the State and central legislative bodies for women candidates, as recommended in its previous concluding observations ( CEDAW/C/IND/CO/3 , para. 43), and ensure that political parties increase the representation of women in their decision-making bodies at all levels; Create an enabling environment for women to participate in all democratic processes, including elections, and in particular strengthen the participation of women in gram sabhas, mahila sabhas and other formal and informal governance forums at the local level.

32. The Committee is concerned at the prevalence of customs and traditional practices that prevent rural women, especially women from scheduled castes and scheduled tribes, from inheriting or acquiring land and other property. It is also concerned at the difficulties faced by rural women and women living in remote areas in gaining access to health and social services and in participating in decision-making processes at the community level, in addition to the fact that rural women are particularly affected by poverty and food insecurity, lack of access to natural resources, safe water and credit facilities.

36. The Committee, noting that a bill on the rights of persons with disabilities is pending before Parliament, is concerned that women with intellectual or psychosocial disabilities can be denied legal capacity and committed to institutions without their consent and without recourse to any meaningful remedy or review. It is particularly concerned that women with intellectual disabilities can be sterilized without their consent. The Committee is further concerned that women with disabilities experience a high rate of poverty, lack access to education, employment and health services, especially in rural areas, face multiple challenges, including the lack of adequate access to public spaces and utilities, often experience harassment in public and are excluded from decision-making processes. It is equally concerned at the lack of disaggregated data on persons with disabilities and that responses to violence against women with disabilities fail to take account of the type of impairment, whether physical, sensory or intellectual.

37. The Committee urges the State party:

1. To ensure that the rights of women with disabilities are mainstreamed within the national strategies and action plans for women, to develop support services in the community in consultation with organizations of persons with disabilities and to intensify efforts to provide social and health services support to families with girls and women with disabilities;
2. To create a database and ensure regular collection of data on persons with disabilities, disaggregated by sex, age, type of disability and region, and to promote the regular analysis and dissemination of such data and develop capacity to do so.

**Concluding Observations - CEDAW/C/IND/CO/3 (CEDAW, 2007)**

42. While appreciating the reservation of one third of seats in local government bodies for women through the use of temporary special measures, the Committee is concerned about the continuing low representation of women in Parliament and state legislatures and in government service. The Committee notes with concern the low numbers of women judges in the high courts and the total absence of women judges in the Supreme Court.

43. The Committee calls upon the State party to speed up its efforts to forge consensus on the constitutional amendment reserving one third of the seats in Parliament and state legislatures for women and undertake awareness-raising about the importance of women’s participation in decision-making for society as a whole. The Committee also calls upon the State party to take sustained measures, including temporary special measures contemplated by the tenth five-year plan, to increase the number of women in government service, including in higher political, administrative and judicial posts, and to establish concrete goals and timetables. The Committee invites the State party to provide information in its next periodic report about the number and ranking of women in government service and the impact, and trends over time, of measures taken to increase the representation of women in public and political life.

**Concluding Observation - CERD/C/IND/CO/19 (CERD, 2007)**

4. The Committee welcomes the special measures adopted by the State party to advance the equal enjoyment of rights by members of scheduled castes and schedules tribes, such as reservation of seats in Union and State legislatures and of posts in the public service.

17. The Committee notes with concern reports that Dalit candidates, especially women, are frequently forcibly prevented from standing for election or, if elected, forced to resign from village councils or other elected bodies or not to exercise their mandate, that many Dalits are not included in electoral rolls or otherwise denied the right to vote, and that public service posts reserved for scheduled castes and scheduled tribes are almost exclusively filled in the lowest category (e.g. sweepers). The Committee is also concerned that scheduled castes and scheduled and other tribes are underrepresented in the Union, State and local governments and legislatures, as well as in the public service. (arts. 5 (c) and 2 (2))

The Committee recommends to the State party to effectively enforce the reservation policy; to ensure the rights of members of scheduled castes and scheduled and other tribes to freely and safely vote and stand for election and to fully exercise their mandate if elected to their reserved seats; to apply the reservation policy to all categories of public service posts, including the highest, and to extend it to the judiciary; to ensure adequate representation of scheduled castes, scheduled and other tribes and ethnic minorities in Union, State and local governments and legislatures; and to provide updated statistical data on such representation in its next periodic report.

**UPR Recommendations - A/HRC/21/10 (UPR, 2012)**

138.77. Continue the procedures and measures taken to enable women to be equal partners and participants in development (Qatar);

138.80. Improve women empowerment and emancipation, and provide them with a bigger role to play in the society (Kuwait);

**The Islamic Republic of Iran**

**Concluding Observations - CCPR/C/IRN/CO/3 (CCPR, 2012)**

8. Despite the development regarding the education of women, the Committee is concerned about the low number of women in decision-making positions in the public sector. It is also concerned that a number of public positions have never been filled by women, such as in the Guardian Council or high positions in the Expediency Council and that women are excluded from certain public positions, such as the post of judge (arts. 2 and 26).

The State party should take steps to increase the number of women in decision-making and judicial bodies at all levels and in all areas. It should also organize special training programmes for women and regular awareness campaigns in this regard.

29. The Committee is concerned about the requirements for registration in election campaigns (in particular article 28, sections 1 and 3, of the Majlis Elections Act), and the right of the Guardian Council to reject parliamentary candidates (in accordance with article 3 of the Amendment to the Majlis Elections Act). The Committee notes with concern that with regard to the 10th presidential election in 2009: (1) only four candidates were approved out of more than 450 prospective candidates; (2) international observers were not allowed entry to monitor the election results; (3) cell phone signals and access to social networking and opposition websites were blocked; (4) political activists, members of the country’s religious and ethnic minority communities, students, trade unionists and women’s rights activists were harassed and arbitrarily detained; (5) election results were approved by Ayatollah Khamenei before certification by the Guardian Council; and (6) two provinces showed a turnout of more than 100 per cent. The Committee also notes with concern the arrest of dozens of political opposition members in February 2011 as well as the dissolution by court order of two pro-reform political parties (art. 25).

The State party should introduce legislative amendments to ensure that articles 3 and 28, sections 1 and 3, of the Majlis Elections Act are in conformity with the rights guaranteed in article 25 of the Covenant. It should also take adequate steps to guarantee that elections are conducted in a free and transparent manner, in full conformity with the Covenant, including through the establishment of an independent electoral monitoring commission.

**Concluding Observations - E/C.12/IRN/CO/2 (CESCR, 2013)**

The Committee recommends that the State party take steps to address the declining participation of women in the labour force. The Committee recommends that the State party amend the Civil Code and the Family Protection Law with the aim to remove the power of a spouse to prohibit the other spouse from entering employment. The Committee also recommends that the State party take steps to increase the number of women in decision-making and judicial bodies at all levels and in all areas.

10. The Committee is concerned that the participation of women in the labour force is low and is further declining. It is also concerned about the low number of women in decision-making positions in the public sector, and that women are excluded from certain public positions, such as that of a judge presiding over a court. The Committee is also concerned that the Family Protection Law provides for the possibility of a spouse to prevent the other spouse from entering employment upon the receipt of a court order (art.3).

**Concluding Observations - CERD/C/IRN/CO/18-19 (CERD, 2010)**

16. The Committee expresses concern over reports that the application of the “gozinesh” criterion, a selection procedure that requires prospective State officials and employees to demonstrate allegiance to the Islamic Republic of Iran and the State religion may limit employment opportunities and political participation for, inter alias, persons of Arab, Azeri, Balochi, Jewish, Armenian and Kurdish communities. (art. 5)

17. The Committee expresses concern at the low level of participation of persons from Arab, Azeri, Balochi, Kurdish, Baha’i, and certain other communities in public life. This is reflected in, for example, the scant information provided about them in the national report, the national census and public policies. (art. 5)

The Committee urges the State party to carry out a study of members of all such communities that would enable the State party to identify their particular needs and draw up effective plans of action, programmes and public policies to combat racial discrimination and disadvantage relating to all areas of the public life of these communities.

**UPR Recommendations - A/HRC/28/12 (UPR, 2014)**

* 138.235 Take the necessary steps to ensure that its citizens fully enjoy the rights and freedoms awarded to them by the Iranian Constitution, with special emphasis on the right to freedom of expression, the right to political activity and the right to assemble (Norway);
* 138.242 Continue efforts in order to increase participation of women in political, public and professional spheres (Sri Lanka);
* 138.243 Enhance its efforts to strengthen women’s participation in politics and public service (Turkmenistan);
* 138.244 Strengthen the mechanisms aimed at the advancement of women’s rights as well as of their participation in decision-making processes (Angola);
* 138.245 Take legislative and administrative measures to remove legal restrictions and social barriers to women’s equal participation in the work force and access to education and government decision-making positions (Canada);
* 138.246 Continue its efforts in order to increase participation of women in public spheres (Eritrea);
* 138.247 Continue efforts for greater representation of women in the political process and their participation in public life (Malaysia);
* 138.248 Continue to support and empower women in public life (Oman);
* 138.284 Continue to address measures that protect religious and ethnic minorities in the interests of ensuring their full and equal participation in public and private life (New Zealand);

**UPR Recommendation - A/HRC/14/12 (UPR, 2010)**

* 90.51. Continue its policy of promoting and protecting all rights of the members of recognized religious minorities, as an important step to provide cultural diversity in society and create opportunities for those minorities to preserve their identities; and, to that end, further ensure their political representation and promote their greater involvement in the planning and implementation of various projects aimed at providing financial assistance for their educational and cultural needs (Armenia);
* 90.55. Fully guarantee the right to freedom of expression, press and political activity, including through the adoption of concrete measures aimed at the implementation of articles 24, 25, 26 and 27 of the Iranian Constitution (Italy);
* 90.60. Step up efforts to enhance the participation of women in all spheres of socio-economic life, in keeping with the progress made in women’s education ( Bangladesh );

**The Maldives**

**Concluding Observations - CCPR/C/MDV/CO/1 (CCPR, 2012)**

10. The Committee, while welcoming the efforts made by the State party to facilitate the participation of women in public and political life, including in the Judiciary, is concerned at the continuing de facto gender-discrimination which results, inter alia, in the underrepresentation of women in political and public affairs and prevents women from fully enjoying these rights (arts. 2, 3 and 25).

The State party should strengthen its efforts to facilitate the participation of women in political and public affairs, including by taking temporary special measures and conducting awareness-campaigns to further increase the participation of women in public and political affairs. The State party should adopt strategies to combat stereotypes on the role of women, including by sensitizing its population on the need to ensure the enjoyment by women of their rights.

25. The Committee notes the legal and political circumstances which resulted in the resignation of the former President of the Maldives, on 7 February 2012, and the transfer of power to the new President (arts. 2, para. 1, and 25).

The State party should:

1. Ensure that the rights contained in article 25 of the Covenant, which lies at the core of democratic government based on the consent of the people (general comment No. 25 (1996) on the right to participate in public affairs, voting rights and the right of equal access to public service), are fully protected;
2. Take steps to ensure that the Commission of Inquiry set up to investigating the circumstances surrounding the transfer of power, in February 2012, can carry out its functions in conditions guaranteeing its complete independence and impartiality.

**Concluding Observations - CEDAW/C/MDV/CO/4-5 (CEDAW, 2015)**

28. The Committee notes as a positive development the high representation of women in political parties and the existence of active women’s wings in several political parties. It remains concerned, however, at the social and cultural barriers that continue to stigmatize women wishing to participate in political and public life and prevent them from running for public office. It is also concerned about the underrepresentation of women in the parliament, in government positions and in the judiciary, as well as at the decision-making level in the civil service. Furthermore, it regrets the limited participation of women in local governance at the community level, in particular on atolls, islands and city councils.

29. The Committee recommends that the State party:

1. Conduct awareness-raising activities for politicians and community leaders, in particular men, as well as the general public, on the importance of the full and equal participation of women in leadership and decision-making with a view to eliminating social and patriarchal attitudes;
2. Increase the role and visibility of women in politics with a view to translating their engagement into leadership roles, targeting in particular current and potential women candidates, and provide incentives for political parties to nominate equal numbers of women and men as candidates;
3. Adopt programmes to provide financial resources, technical advice on campaign management, targeted capacity-building and mentoring on leadership and negotiating skills for women who aim to gain access to public positions;
4. Adopt and implement temporary special measures in the form of quotas, with benchmarks and specific timetables, to increase the representation of women in, among others, decision-making positions, the parliament, government positions, the judiciary and all local governance bodies at the atoll and island levels.

42. In the light of the State party’s vulnerability to climate change and the challenges that it faces in disaster risk reduction, the Committee expresses concern about the limited participation of women in decision-making and policymaking regarding disaster management, post-disaster reconstruction and recovery programmes, as well as insufficient consultation to ensure that the views and concerns of women, in particular rural women, are adequately taken into account.

43. The Committee calls upon the State party to ensure that women are represented and participate in decision-making and policymaking regarding plans and policies aimed at disaster management and in response to the impact of climate change. The Committee recommends that the State party promote gender equality as an explicit component of such plans and policies and ensure that women, in particular rural women, are consulted in their development.

**Concluding Observations - CEDAW/C/MDV/CO/3 (CEDAW, 2007)**

11. While welcoming the statement by the delegation that the Government of Maldives has entered into formal discussions on the withdrawal of the reservations made to articles 7 (a) and 16 of the Convention, the Committee is deeply concerned that, despite a similar statement made by the delegation when the Committee considered the initial report of the State party, no positive action in this regard has been taken in the last five years. The Committee draws the attention of the State party to the fact that reservations to articles 7 (a) and 16 are contrary to the object and purpose of the Convention.

12. The Committee calls upon the State party to accelerate the process of removing the Constitutional provision that bars women from the country’s presidency and vice-presidency, which is contrary to the principle of equality of women and men contained in article 2 of the Convention, so that the State party may withdraw its reservation to article 7 (a) of the Convention. It also calls upon the State party to make the necessary revisions to law in the area of marriage and family relations without delay in order to facilitate the withdrawal of the reservation to article 16, which is contrary to the object and purpose of the Convention, and to indicate in its next periodic report, if still relevant, a time frame for its withdrawal.

17. While the Committee welcomes the efforts made to change stereotypes, including awareness-raising and sensitization activities, and other noteworthy developments, such as the inclusion of a gender equality provision in the national media policy, the Committee is concerned about the subordinate and subservient role women and girls continue to play within the family and the deep-rooted, traditional stereotypical attitudes that persist, and which are reflected particularly in women’s professional and educational opportunities and choices and their participation in public and political life.

18. The Committee urges the State party to strengthen measures to eradicate negative stereotypes and to carry out training for parliamentarians and decision-makers on the importance of equality of women and men in a democratic society. It also recommends that information on the content of the Convention be disseminated in the educational system, including in the rural (atoll) areas, that school textbooks and teaching materials be reviewed and revised and that human rights education have a gender perspective, with a view to changing existing stereotypical views on and attitudes towards women’s and men’s roles in the family and society and creating an environment that is supportive of the practical realization of the principle of equality of women and men. It recommends that the media continue to be encouraged to project positive images of women and of the equal status and responsibilities of women and men in the private and public spheres.

23. The Committee expresses concern at how very few women have been elected to the People’s Majilis and how few are represented in decision-making positions in Government, on public boards of directors and public commissions and at high levels of the administration. It is also concerned that there are no women atoll chiefs and that women are underrepresented at the international level. The Committee is of the view that the weak position of women in decision-making in Maldives is exacerbated by the fact that women are barred from standing for the office of President or Vice-President, sending a negative signal about the role of women in public and political life.

24. The Committee requests the State party to undertake effective measures to progressively increase the number of women in decision-making positions, in accordance with its general recommendation 23 on women in political and public life and at the international level. It also requests the State party to introduce temporary special measures, in accordance with article 4, paragraph 1, of the Convention and the Committee’s general recommendation 25 on temporary special measures, and establish concrete goals and timetables to accelerate women’s full and equal participation in public and political life. The Committee recommends that the “Political Parties Bill”, which is currently being drafted, stipulate that a specified percentage of women be represented in lists of candidates or that a minimum percentage of either sex is represented in lists of candidates. The Committee urges the State party to strengthen its training programmes to encourage women to participate in public life. It also calls on the State party to implement awareness-raising campaigns to highlight the importance to society as a whole of women’s full and equal participation in leadership positions at all levels of decision-making for the development of the country.

25. The Committee is concerned at the exclusion of women from the judiciary, in spite of the fact that there is no legal impediment to their appointment.

26. The Committee recommends that the Judicial Service Commission be directed to use its authority to appoint women as judges and magistrates. The Committee also requests that temporary special measures, in accordance with article 4, paragraph 1, of the Convention and the Committee’s general recommendation 25, be utilized to substantially improve the position of women in this sector, together with the establishment of timetables and targets for women’s equal participation at all levels of the judiciary. It also recommends that the State party ensure that training programmes for judges be made available to future women judges and that awareness-raising activities about the importance of women’s participation in the judiciary be designed and implemented for judges, the legal establishment and society in general.

**Concluding Observations - CERD/C/MDV/CO/5-12 (CERD, 2011)**

10. The Committee is particularly concerned about discriminatory provisions in the Constitution that all Maldivians should be Muslims, thus excluding non-Muslims from obtaining citizenship or from accessing public positions, and affecting mainly people of a different national or ethnic origin (arts. 2, 4 and 5).

The Committee draws the attention of the State party to general recommendation No. 30 (2004) on discrimination against non-citizens, in which the Committee requests State parties to ensure that particular groups of non-citizens are not discriminated against with regard to access to citizenship or naturalization.

**Report of the Special Rapporteur on the right to freedom of opinion and expression, Frank La Rue, A/HRC/11/4/Add.3 (SR Freedom of Expression, 2009)**

68. Civil servants are defined by being part of the State and must respect their work accordingly. They should however also have the right to have an opinion on public issues and should be allowed to enjoy political participation. The Special Rapporteur recommends to the Majlis that the legislation on civil service should not in any way limit the right to freedom of expression and political participation of civil servants. He would further encourage the Government to consult with civil servants to ensure that they are fully aware of their rights and responsibilities in relation to public participation and freedom of expression. Information seminars could be developed for this purpose in each of the provinces.

**UPR Recommendations - A/HRC/30/8 (UPR, 2015)**

* 141.46 Take measures to foster the participation of women in all sectors of the society on the basis of a gender equality policy, including through the application of affirmative actions and quotas ( Costa Rica );
* 141.48 Take further measures for the promotion of gender equality and women’s rights, ensuring women’s participation and gender responsiveness within the policies of the Government and other agencies ( Sri Lanka );
* 141.50 Eliminate all forms of discrimination against women, in particular discrimination against divorced women and widows, so that they can participate in the economic and political life of their country ( Angola );
* 141.53 Continue to take steps for economic and political empowerment of women ( Pakistan );
* 141.54 Promote leadership of women by enacting the pending g ender e quality b ill and ensuring its early implementation ( Fiji );
* 141.61 Continue deploying efforts aimed at preventing and punishing all forms of violence against women and girls and further consolidate female representation in executive and decision-making positions ( Peru );
* 143.67 Improve resource allocations for the implementation of laws tackling participation of women in public office ( Montenegro )
* 141.91 Redouble its efforts in combating stereotypes on the role of women through facilitating the participation of women in political and public affairs and sensitizing its population on women’s rights (Malaysia)
* 141.92 Intensify its efforts to facilitate the participation of women in political and public affairs and fight stereotypes in relation to the role of women, particularly by raising the awareness of the population about the necessity of ensuring that women enjoy their rights ( Argentina )
* 141.93 Continue to promote women and make sure they are effectively present at the level of decision-making ( Senegal );
* 141.94 Increase women’s participation in decision-making positions ( Rwanda )
* 141.95 Continue strengthening its efforts to facilitate the participation of women in political and public affairs ( Bangladesh )
* 141.96 Redouble its efforts to facilitate the participation of women in political and public affairs and combat stereotypes on the role of women ( Republic of Korea )
* 141.97 Enhance the role of youth and empower them in nation - building ( Sudan );
* 143.65 Take measures aimed at diminishing threats and intimidation against journalists and civil society, as well as opponents against the Government ( Trinidad and Tobago );
* 143.67 Improve resource allocations for the implementation of laws tackling participation of women in public office ( Montenegro );

**UPR Recommendations - A/HRC/16/7 (UPR, 2011)**

* 100.45. Take measures to strengthen women’s rights, in particular to encourage greater representation of women in public life and combat sexual and domestic violence (United Kingdom );
* 100.46. Take concrete steps to increase the representation of women in decision - making bodies ( Norway );
* 100.65. Intensify awareness - raising and educational campaigns to combat violence against women, and adopt measures to improve women’s participation in the decision - making process (Algeria)
* 100.103. Create an environment of freedom of the media, and encourage media to project positive images of women and of the equal status and responsibilities of women and men in the private and public spheres (Slovenia);
* 100.106. Increase steps to improve the participation of women in the labour market and in leadership and governance positions in the public and private sectors (Philippines)

**Nepal**

**Concluding Observations - CCPR/C/NPL/CO/2 (CCPR, 2014)**

8. While noting the steps taken by the State party to promote gender equality, the Committee expresses concern at the extremely low representation of women, particularly Dalit and indigenous women, in high-level decision-making positions. The Committee regrets the persistence of patriarchal attitudes and deep-rooted stereotypes that perpetrate discrimination against women in all spheres of life, and the prevalence of harmful traditional practices such as child marriage, the dowry system, son preference, witchcraft accusations and chaupadi (arts. 2, 3 and 26).

The State party should take all necessary measures to effectively implement and enforce the existing legal and policy frameworks on gender equality and non-discrimination, pursue its efforts to increase the representation of women in decision-making positions, and develop concrete strategies to eliminate gender stereotypes on the role of women, including through public awareness campaigns. It should also take appropriate measures to (a) explicitly prohibit all forms of harmful traditional practices in domestic law and ensure its effective implementation in practice; (b) conduct awareness-raising campaigns on the prohibition and negative effects of such practices, particularly in rural areas; and (c) encourage reporting of such offences, investigate complaints from victims and bring those responsible to justice.

20. The Committee, while appreciating efforts made thus far, expresses concern at the low number of birth registrations, particularly in rural areas, and at difficulties faced by women in the registration process. It also regrets that the current legislation does not provide for the granting of nationality to children born in the territory who would otherwise be stateless. Moreover, while welcoming the launch of national distribution campaigns, the Committee is concerned that more than 4 million persons still lack citizenship certificates, which is essential for the enjoyment of rights guaranteed in the Covenant, including the right to vote. It is also concerned that women are denied equal rights as men with respect to acquiring and conferring nationality (arts. 3, 16, 24, 25 and 26).

The State party should amend the Birth, Death and Other Personal Incidents Registration Act to ensure the birth registration of all children born on its territory, and establish an efficient birth registration system that is free of charge at all stages. It should also continue to strengthen efforts to remove barriers, particularly for women and those living in rural areas, to access citizenship certificates and birth registrations. The State party should ensure that citizenship provisions of the new Constitution guarantee the equal right of women to acquire, transfer and retain citizenship.

**UPR Recommendations - A/HRC/17/5 (UPR, 2011)**

* 106.1 Give its full support to ensure that the Constituent Assembly successfully fulfils its mandate of drafting a new Constitution by May 2011, giving due consideration to the views of the different groups that compose Nepalese society (Republic of Korea); ensure full participation of ethnic groups and castes in the Constitution-making process, in particular in the Constituent Assembly (Poland); Accelerate steps towards framing a new Constitution (Egypt); frame a new Constitution and undertake a democratic, inclusive and progressive State restructuring (China);
* 106.22 Continue its efforts to ensure gender equality (Singapore); continue its efforts for the promotion and protection of human rights and to continue to promote the role of women in society in order to guarantee quality life for its citizens as planned on viability, development, protection and participation (Palestine);
* 106.29 Continue putting forward intensive efforts in order to eliminate violence against women and boost their participation in political and administrative decision-making (Azerbaijan);
* 107.28 Take more effective measures to increase the involvement of the indigenous peoples, minorities and vulnerable groups in the civil service, law enforcement agencies and local authorities (Malaysia).

**Pakistan**

**Concluding Observations - CEDAW/C/PAK/CO/4 (CEDAW, 2013)**

19. The Committee is concerned at the uneven allocation and implementation of the 10 per cent national civil service employment quotas for women among the provinces due to the devolution of the employment sector to the provinces. It is also concerned that the 5 per cent quota for members of minority communities to be employed in the public sector is gender neutral, and as such may indirectly discriminate against women from minorities. It regrets the expiration of the local government system, which used to reserve 33 per cent of seats for women at the local government level.

20. The Committee recommends that the State party, in accordance with article 4, paragraph 1, of the Convention and general recommendation No. 25 (2004) on temporary special measures:

1. Ensure consistency in the allocation and implementation of quotas aimed at accelerating equality between women and men across the provinces, in particular the civil service employment quotas, and use other temporary special measures as part of a necessary strategy to achieve women’s substantive equality in fields such as political participation, health, education and employment, with a focus on women belonging to minority communities ;
2. Ensure that the local government system is restored, that the requirement of 33 per cent of seats being reserved for women is retained and that women from religious minorities are represented in such a system.

25. The Committee reiterates its concern at the low level of participation of women in political and public life, especially in decision-making positions and in the local administration, as well as in the diplomatic service. It is concerned that only 17 per cent of seats in the National Assembly, Provincial Assemblies and the Senate are reserved for women. It is further concerned that patriarchal attitudes and deeply rooted stereotypes regarding the roles of women and men in society result in the forced disenfranchisement of women and impede and discourage their participation in elections (as candidates and voters). It reiterates its concern at the low participation of women in the judiciary in the superior courts and the total absence of women judges in the Supreme Court (CEDAW/C/PAK/CO/3, para. 32).

26. The Committee calls upon the State party:

1. To amend relevant laws, where appropriate, in order to increase the quotas allocated for women in the National and Provincial Assemblies and in the Senate to a minimum of 33 per cent, as per international standards;
2. To establish a procedure for filing complaints in cases of forced disenfranchisement of women and adopt the draft bill submitted by the Election Commission of Pakistan, advocating re-polling where less than 10 per cent of women’s votes were polled;
3. To implement awareness-raising activities on the importance of women’s participation in decision-making, with the aim to eliminate patriarchal attitudes and stereotypes regarding the roles of women and men in society;
4. To take appropriate measures to increase the number of women judges in superior courts and ensure the appointment of women in the Supreme Court.

33. The Committee is concerned at the prevalence of customs and traditional practices that limit the degree of involvement of rural women in development programmes and prevent them from inheriting or acquiring land and other property. It is concerned that rural women farmers are not recognized as such, because in the State party a farmer (kisan) is the person who owns land. The Committee is also concerned at the difficulties faced by rural women in gaining access to health and social services and in participating in decision-making processes at the community level.

34. The Committee recommends that the State party:

1. Abolish traditional practices and customs that prevent rural women from participating in development projects as decision makers and beneficiaries and from fully enjoying their rights;

**Concluding Observations - CEDAW/C/PAK/CO/3 (CEDAW, 2007)**

32. While appreciating the reservation of 60 seats for women in the National Assembly, 17 seats in the Senate and 33 percent of seats in local bodies, the Committee is concerned about the continuing low representation of women in government service. The Committee notes with particular concern the low number of women judges in the high courts and the total absence of women judges in the Supreme Court.

33. The Committee encourages the State party to take sustained measures, including temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee’s general recommendation 25, to accelerate the increase in the representation of women in elected and appointed bodies in all areas of public and political life. The Committee invites the State party to provide, in its next periodic report, comparative data on the number and ranking of women, compared to men, at federal and provincial levels of government service and in the judiciary and trends over time. It also requests the State party to provide information about women’s ability to exercise, without de jure and de facto restrictions, their right to participate in all spheres of the public life of the country. It invites the State party to provide information about the impact of measures taken to increase the participation of women, in public and political life, especially at decision-making levels.

**Concluding Observations - CERD/C/PAK/CO/20 (CERD, 2009)**

18. The Committee welcomes the steps taken by the State party to ensure adequate political participation of minorities, such as the reservation of seats for minority members in the National Assembly, as well as the introduction of quotas to admit members of minorities to Government services. However, the Committee notes that minorities are comprehended by the State party exclusively as religious minorities other than Muslims and that no specific policy or legislative framework appear to exist to ensure appropriate representation of all ethnic groups. (arts. 5 (c) and 2, para. 2)

The Committee encourages the State party to provide information on the representation of ethnic groups in Government and public services in its next periodic report. The Committee further urges the State party to legislate and mainstream the existing policy on the provision of adequate political participation of all ethnic groups.

**Concluding Observations - CERD/C/PAK/CO/21-23 (CERD, 2016)**

29. The Committee is concerned at the persistently narrow interpretation of the concept of minorities, exclusively consisting of religious minorities. It is also concerned at the absence of a legislative framework to recognize and protect all minority groups, particularly ethnic minorities and groups that are minorities on multiple grounds, in line with article 1 of the Convention (see CERD/C/PAK/CO/20, para. 10). Furthermore, while appreciating the good intentions and efforts of the State party, the Committee is concerned that the limited recognition of minorities coupled with the absence of data on the situation of various minority groups has reduced the effectiveness of the measures taken to address the challenges faced by persons belonging to minority groups, including the quota systems currently in place to enable those groups to be equitably represented in the political domain and in employment (arts. 1, 2 and 5).

30. The Committee reiterates its recommendation that the State party broaden its understanding and constitutional definition of minorities, taking into consideration all the grounds of discrimination included in article 1 (1) of the Convention and their intersectional nature. It also recommends that the State party collect information on minorities, including relevant statistical data, and develop effective measures based on that information to ensure that people belonging to minority groups enjoy the rights enshrined in article 5 of the Convention, without discrimination.

**UPR Recommendations - A/HRC/22/12 (UPR, 2012)**

* 122.14. Ensure equal political participation and withdraw reservations to articles 3 and 25 of the ICCPR as these reservations remain critical to ensure equality rights of women and men and equal opportunities (United Kingdom of Great Britain and Northern Ireland);
* 122.125. Actively support programmes strengthening religious freedom and tolerance especially in the run-up to the elections in 2013 ( Germany );
* 122.158. Enforce the measures and policies that Pakistan has undertaken to ensure the participation of minorities in an appropriate way in the political life (Libya n Arab Jamahiriya );

**Sri Lanka**

**Dissanayake v Sri Lanka (22 July 2008), Human Rights Committee, CCPR/C/93/D/1373/2005**

The author, a high ranking member of the Sri Lankan opposition party, had been tried and sentenced to two years of ‘rigorous imprisonment’ on the charge of being in ‘contempt of court’, on the basis of a speech given that criticised the Sri Lankan supreme court. The penalty involved disqualifying the author from being an elector and a Member of Parliament for a period of seven years from the date on which the prisoner has completed his prison sentence, pursuant to article 66(d) of the Sri Lankan Constitution. This totalled nine years of disqualification in the case of the author. The author also held that the charges against him were politically motivated in the context of an upcoming election, and that the Supreme Court is neither impartial nor independent.

The Human Rights Committee found a violation of article 9, paragraph 1 (arbitrary detention), and a violation of article 19 as the sentence imposed upon the author was disproportionate to any legitimate aim under article 19, paragraph 3.

*8.5 As to the claim of a violation of* ***article 25 (b),*** *due to the prohibition on the author from voting or from being elected for seven years after his release from prison, the Committee recalls that* ***the exercise of the right to vote and to be elected may not be suspended or excluded except on grounds, established by law, which are objective and reasonable****. It also recalls that “if a conviction for an offence is a basis for suspending the right to vote,* ***the period of such suspension should be proportionate to the offence and the sentence****”. While noting that the restrictions in question are established by law, the Committee notes that, except for the assertion that the restrictions are reasonable, the State party has provided no argument as to how the restrictions on the author’s right to vote or stand for office are proportionate to the offence and sentence. Given that these restrictions rely on the author’s conviction and sentence, which the Committee has found to be arbitrary in violation of article 9, paragraph 1, as well as the fact that the State party has failed to adduce any justifications about the reasonableness and/or proportionality of these restrictions, the Committee concludes that* ***the prohibition on the author’s right to be elected or to vote for a period of seven years after conviction and completion of sentence, are unreasonable and thus amount to a violation of article 25(b) of the Covenant.***

*10. In accordance with article 2, paragraph 3 (a), of the Covenant, the State party is under an obligation to provide the author with an adequate remedy, including compensation and the* ***restoration of his right to vote and to be elected****, and to make such changes to the law and practice, as are necessary to avoid similar violations in the future. The State party is under an obligation to avoid similar violations in the future.*

**Bandaranayake v Sri Lanka (24 July 2008), Human Rights Committee CCPR/C/93/D/1376/2005**

The author, a District Judge of Negombo, was dismissed from his position following an altercation with a police officer, where the author was accused of ‘impersonating’ a High Court Judge in order to receive preferential treatment, and admonishing the police officer. A Committee of Inquiry established a guilty verdict, and the author was advised to agree to retirement. The author refused, and was subsequently dismissed from office by the JSC. The author held that he did not receive a fair hearing in relation to the charges against him, in violation of his rights under articles 14, paragraph 1, and 25(c), asserting that his dismissal was the result on personal animosity towards him on the part of the Chief Justice. He claimed that his dismissal was a disproportionate punishment, and that such disproportionate punishment amounted to discrimination in violation of article 26.

The Human Rights Committee found a violation of article 25(c), in conjunction with 14, paragraph 1, of the Covenant.

*7.1 The Committee observes that* ***article 25 (c)*** *of the Covenant* ***confers a right to access, on general terms of equality, to public service****, and recalls its jurisprudence that, to ensure access on general terms of equality,* ***not only the criteria but also the “procedures for appointment, promotion, suspension and dismissal must be objective and reasonable”. A procedure is not objective or reasonable if it does not respect the requirements of basic procedural fairness.*** *The Committee also considers that the right of equal access to public service* ***includes the right not to be arbitrarily dismissed from public service****. The Committee notes the author’s claim that the procedure leading to his dismissal was neither objective nor reasonable. Despite numerous requests, he did not receive a copy of the proceedings from his first hearing before the JSC on 18 November 1998; this is confirmed in the Supreme Court decision of 6 September 2004, and is not contested by the State party. Nor did he receive the findings of the Committee of Inquiry, on the basis of which he was dismissed by the JSC. The decision of the Court of Appeal confirms that these documents were never provided to him, in accordance with the express provision of Rule 18 of the JSC rules.*

*7.2 According to Rule 18 of the JSC rules, “[C]opies of reports or reasons for findings relating to the inquiry or of confidential office orders or minutes, will not, however, be issued.” The Committee notes that there is no justification in the JSC rules themselves nor any explanations offered by the courts or the State party, for the failure to provide judicial officers with the reasoning for the findings of the Committee of Inquiry against them. It also notes that the only reasoning provided to the author for his dismissal was set out in the dismissal letter of 7 November 2000, in which the JSC invoked the Committee of Inquiry’s finding that he had been found guilty of the charges against him, without any explanation. The JSC also took cognizance of incidents of alleged past misconduct, for which the author had already been exonerated. It is relevant to note that the State party itself has not provided a copy of the Committee of Inquiry’s findings. The Committee finds that the JSC’s failure to provide the author with all of the documentation necessary to ensure that he had a fair hearing, in particular its failure to inform him of the reasoning behind the Committee of Inquiry’s guilty verdict, on the basis of which he was ultimately dismissed, in their combination, amounts to a dismissal procedure which did not respect the requirements of basic procedural fairness and thus was unreasonable and arbitrary. For these reasons, the Committee finds that the conduct of the dismissal procedure was conducted neither objectively nor reasonably and it failed to respect the author's right of access, on general terms of equality, to public service in his country. Consequently, there has been a violation of article 25 (c) of the Covenant.*

*7.3 The Committee recalls its general comment on article 14,11 that a* ***dismissal of a judge*** *in violation of* ***article 25 (c)*** *of the Covenant, may amount to a violation of this guarantee, read in conjunction with article 14, paragraph 1 providing for the independence of the judiciary. As set out in the same general comment, the Committee recalls that “judges may be dismissed only on serious grounds of misconduct or incompetence, in accordance with fair procedures ensuring objectivity and impartiality set out in the constitution or the law.” For the reasons set out in paragraph 7.2 above, the dismissal procedure did not respect the requirements of basic procedural fairness and failed to ensure that the author benefited from the necessary guarantees to which he was entitled in his capacity as a judge, thus constituting an attack on the independence of the judiciary. For this reason the Committee concludes that the author’s rights under article 25 (c) in conjunction with article 14, paragraph 1, have been violated.*

**Concluding Observations - CCPR/C/LKA/CO/5 (CCPR, 2014)**

7. The Committee is concerned about discriminatory provisions against women in domestic legislation, including on rights of succession with respect to land permits and grants and the disposal of immovable property. It is also concerned about the low rates of participation by women in political and public life, perpetuated by the persistence of stereotypes regarding the roles, responsibilities and identities of women and men in all spheres of life (arts. 3, 23 and 26).

The State party should strengthen its efforts to guarantee de jure and de facto equality between men and women. In that respect, the State party should:

1. Intensify its efforts to increase the participation of women in political and public life, including by considering temporary special measures for women in political structures at the local, regional and national levels;

21. The Committee is concerned at widespread reports of intimidation and harassment, including physical attacks, death threats, administrative detention and politically motivated charges, by State officials against journalists, lawyers, clergymen, members of non-governmental organizations and human rights defenders, including at charges brought against opposition politicians. It is also concerned about reports of defamation campaigns against human rights defenders and the blocking of websites. Furthermore, it is concerned at the failure of the State party to bring perpetrators of reprisals to justice (arts. 19 and 25).

The State party should refrain from any measures amounting to intimidation or harassment taken against persons exercising their right to freedom of expression, and ensure that any restriction to that right is in compliance with article 19, paragraph 3, of the Covenant. It should vigorously investigate all cases of threats and attacks against journalists, lawyers, clergymen, political activists, members of non-governmental organizations and human rights defenders, hold the perpetrators accountable and provide effective remedies to victims. Furthermore, it should ensure that any individual or organization can provide information freely to the Committee, and should protect them against any reprisals for providing such information.

**Concluding Observations - CEDAW/C/LKA/CO/7 (CEDAW, 2011)**

30. The Committee is concerned about the extremely low level of participation of women in politics and public life, including a low representation of women in Parliament, Provincial Councils and Local Authorities, at the decision-making level and in the diplomatic corps. The Committee is further concerned that no measures have been taken to encourage women to participate in political life and that the State party attributes the low representation of women to their own choice, their preoccupation with multiple roles, high costs of the electoral campaigns and the lack of confidence of political parties in the ability of women to garner votes.

31. The Committee reiterates its recommendation that the State party take all necessary measures to increase the representation of women in politics and public life at the local, provincial and national levels. The Committee also urges the State party:

1. To pursue sustained policies aimed at the promotion of the full and equal participation of women in decision-making in all areas of public, political and professional life;
2. To fully utilize general recommendation No. 23 concerning women in public life and adopt temporary special measures , with in a clear timeframe and with numerical targets , in accordance with article 4, paragraph 1, of the Convention and general recommendation No. 25; and
3. To implement awareness-raising campaigns, including on the purpose of introducing temporary special measures, such as quotas or financial support to women candidates, and to highlight the importance to society as a whole of women’s full and equal participation in leadership positions in all sectors and at all levels.

**Concluding Observations – CERD/C/LKA/CO/10-17 (CERD, 2016)**

6. While noting the statistical data provided by the State party, the Committee is concerned that it does not allow the Committee to gain a comprehensive picture of the demographic composition of the State party disaggregated in the manner specified in article 1 (1) of the Convention and the enjoyment of economic and social rights by various ethnic and ethno-religious groups, including numerically smaller groups such as the Burgher, Malay, Sri Lanka Chetty and Adivasi/Veddah peoples. The Committee also notes the absence of comprehensive data on the representation of ethnic and ethno-religious minorities including women from those groups in education, employment and all levels of public and political affairs (art. 1).

7. The Committee notes the State party’s commitment to providing accurate data on the situation of ethnic and ethno-religious groups. To facilitate those efforts, the Committee refers the State party to its general recommendation No. 4 (1973) on reporting by States parties, its general recommendation No. 8 (1990) on the interpretation and application of article 1 (1) and (4) of the Convention, its general recommendation No. 24 (1999) concerning article 1 of the Convention, and the revised guidelines for reporting under the Convention (see CERD/C/2007/1, paras. 10-12). The Committee recommends that the State party gather and provide statistical data in its next periodic report on the demographic composition of the population, the socioeconomic situation and representation in education, employment, and public and political life of ethnic and ethno-religious minorities, including women from those groups, and numerically smaller groups, in order to provide it with an empirical basis to evaluate the equal enjoyment of rights under the Convention.

**Concluding Observations - CMW/C/LKA/CO/1 (CMW, 2009)**

33. While taking note of the constraints, as explained by the State party, regarding the facilitation of participation in elections of Sri Lankan migrants working abroad, the Committee is nevertheless concerned that Sri Lankans working abroad are unable to exercise their right to vote in elections in their country of origin.

34. The Committee encourages the State party to expeditiously take all necessary steps to ensure that Sri Lankan migrants working abroad have the possibility to register and participate in elections.

**UPR Recommendations - A/HRC/22/16 (UPR, 2012)**

* 127.63. Ensure women’s participation in the post-conflict, reconstruction and peace building process (Finland)
* 127.65. Encourage women’s participation in the public life of the country (South Sudan)

**UPR Recommendations - A/HRC/8/46 (UPR, 2008)**

36. Give special attention to the rights of women and further promote education and development and their representation in politics and public life (Algeria);

**East Asia Region**

**China (including Hong Kong and Macau)**

**Concluding Observations - CCPR/C/CHN-HKG/CO/3 (CCPR, 2013)**

6. The Committee notes Hong Kong, China’s indication that universal and equal suffrage for the Chief Executive elections in 2017 and for the Legislative Council elections in 2020 may be granted. The Committee expresses concern about the lack of a clear plan to institute universal suffrage and to ensure the right of all persons to vote and to stand for election without unreasonable limitations, as well as Hong Kong, China’s position in maintaining its reservation to article 25(b) of the Covenant (arts. 2, 25 and 26).

Hong Kong, China, should take all necessary measures to implement universal and equal suffrage in conformity with the Covenant as a matter of priority for all future elections. It should outline clear and detailed plans on how universal and equal suffrage might be instituted and ensure enjoyment by all its citizens, under the new electoral system, of the right to vote and to stand for election in compliance with article 25 of the Covenant, taking due account of the Committee's general comment No. 25 (1996) on the right to participate in public affairs, voting rights and the right of equal access to public service. It is recommended to consider steps leading to withdrawing the reservation to article 25(b) of the Covenant.

13. The Committee is concerned about reports that Hong Kong, China, has seen deterioration in media and academic freedom, including arrests, assaults and harassment of journalists and academics (arts. 19 and 25).

Hong Kong, China, should, in line with the Committee’s general comment No. 34 (2011) on freedoms of opinion and expression, take vigorous measures to repeal any unreasonable direct or indirect restrictions on freedom of expression, in particular for the media and academia, to take effective steps including investigation of attacks on journalists and to implement the right of access to information by public bodies.

24.The Committee is concerned about the disqualification from voting of all persons who are found to be incapable, by reason of their mental, intellectual or psychosocial disabilities of managing and administering their property and affairs under section 31(1) of the Legislative Council Ordinance and section 30 of the District Councils Ordinance (arts. 2, 25 and 26).

Hong Kong, China, should revise its legislation to ensure that it does not discriminate against persons with mental, intellectual or psychosocial disabilities by denying them the right to vote on bases that are disproportionate or that have no reasonable and objective relation to their ability to vote, taking account of article 25, of the Covenant and article 29 of the Convention on the Rights of Persons with Disabilities.

**Concluding Observations - CCPR/C/CHN-MAC/CO/1 (CCPR, 2013)**

7. The Committee takes note of the recent amendments adopted in 2012 by Macao, China, to the method for the selection of the Chief Executive (annex I to the Basic Law), according to which membership of the Election Committee mandated to elect the Chief Executive has been extended from 300 to 400. The Committee recalls that article 25 of the Covenant recognizes and protects the right of every citizen to take part in the conduct of public affairs, the right to vote and to be elected and the right to have access to public service. Furthermore, article 25 lies at the core of democratic government based on the consent of the people and in conformity with the principles of the Covenant (Committee’s general comment No. 25, para. 1). While recognizing the reservation to article 25 (b) of the Covenant, the Committee regrets that Macao, China, has not expressed its intention to institute universal suffrage to ensure the right of all persons to vote at genuine elections and to stand for election without unreasonable limitations, nor has it indicated a timeline for the introduction of such an electoral system. The Committee is also concerned about Macao, China’s position in maintaining its reservation to article 25 (b) of the Covenant (arts. 2, 25 and 26).

Macao, China, should consider taking all preparatory measures with a view to introducing universal and equal suffrage in conformity with the Covenant, as a matter of priority. It should outline a clear and comprehensive plan of action and set timelines for the transition to an electoral system based on universal and equal suffrage that will ensure enjoyment by all its citizens of the right to vote and to stand for election in compliance with article 25 of the Covenant, taking due account of the Committee's general comment No. 25 (1996). The Committee recommends that Macao, China, consider steps leading to the withdrawal of the reservation to article 25 (b) of the Covenant.

**Concluding Observations - CEDAW/C/CHN/CO/7-8 (CEDAW, 2014)**

30. The Committee notes the progress made by the State party in promoting the participation of women in political and public life and the adoption of the Programme for the Development of Chinese Women (2011-2020), which sets out targets for the participation of women in decision-making bodies at all levels and makes reference to the right of ethnic minorities to participate in the management of State affairs. The Committee also welcomes the amendment of the Organic Law of the Villagers’ Committees, which stipulates that there shall be women members in the villagers’ committees and that more than one third of the representatives to the villagers’ representatives’ conference shall be women. However, the Committee remains concerned about the continued underrepresentation of women and the slow progress made during the reporting period to increase representation at the legislative, ministerial and provincial levels. The Committee is also concerned that ethnic and religious minority women, such as Tibetans and Uighurs, and rural and internal migrant women are also underrepresented in decision-making positions. The Committee is deeply concerned about reports that women who stand for election as independent candidates are subjected to abuse and violence.

31. The Committee reiterates its previous recommendation (CEDAW/C/CHN/CO/6, para. 26) and urges the State party:

1. To introduce measures and provide adequate financial resources to ensure the effective implementation of the Programme for the Development of Chinese Women (2011-2020) at the national and local levels;
2. To adopt more prescriptive temporary special measures, such as quotas, in accordance with article 4 (1) of the Convention and the Committee’s general recommendation No. 25 and general recommendation No. 23 on women in political and public life, in order to accelerate women’s full and equal participation in elected and appointed bodies;
3. To ensure the effective implementation of the amendment to the Organic Law of the Villagers’ Committees, which stipulates that there shall be women members in the villagers’ committees and that more than one third of the representatives to the villagers’ representatives’ conference shall be women;
4. To thoroughly investigate allegations of violence and abuse against women who stand for election as independent candidates and ensure that the perpetrators are prosecuted and adequately punished;
5. To ensure the implementation of the National Human Rights Action Plan (2012-2015) through the adoption of specific measures to promote and facilitate the participation of ethnic and religious minority women.

52. The Committee is concerned that temporary special measures are not used in the relevant areas covered by the Convention, such as the participation of women in public life, education and employment, in order to accelerate the achievement of substantive or de facto equality of women and men.

53. The Committee recommends that Hong Kong, China, consider using temporary special measures in accordance with article 4 (1) of the Convention and the Committee’s general recommendation No. 25, with numerical goals and timetables, to accelerate the representation of women in decision-making positions at all levels.

58. The Committee recalls its previous concluding observations (CEDAW/C/CHN/CO/6, para. 39) and remains concerned about the low level of representation of women in politics, including in functional constituencies. The Committee is also concerned that no efforts have been made to conduct a study in order to understand the impact that the electoral system of functional constituencies has on the equal participation of women in political life.

59. The Committee reiterates its previous recommendation (CEDAW/C/CHN/CO/6, para. 40) and recommends that Hong Kong, China, undertake:

1. Concrete measures, including the introduction of temporary special measures, in accordance with article 4 (1) of the Convention and the Committee’s general recommendation No. 25 and general recommendation No. 23, to expedite the representation of women in politics;
2. A study on the impact that the electoral system of functional constituencies has on the equal participation of women in political life.

**Concluding Observations - CERD/C/CHN/CO/10-13 (CERD, 2009)**

18. The Committee welcomes the measures taken by the State party to ensure fair and adequate representation of minorities in the administration, the police force, and the military. Notwithstanding the data provided by the State party on the participation of ethnic minorities, including women, in public service and in decision-making positions in political life, the Committee is concerned about the continuing under-representation of minorities, particularly of minority women, in public life (art. 5(c)).

The Committee recommends that the State party intensify its efforts aimed at fair and adequate participation of all minority groups in public service, including the military, and political life. It also recommends that the State party encourage minority women to become more active in public life and draws the attention of the State party to its general recommendation No. 25 (2000) on gender-related dimensions of racial discrimination. The Committee requests the State party to provide, in its next periodic report, more detailed information on the representation of ethnic minorities in public life, with an indication of the level of representation in higher-level positions.

**Concluding Observations - CRPD/C/CHN/CO/1 (CRPD, 2012)**

45. The Committee is concerned with article 26 of the Election Law, which excludes citizens with intellectual and psychosocial impairments from the voting process.

46. The Committee recommends that the State party revise article 26 of the Election Law to ensure that all persons with disabilities have the right to vote on an equal basis with others.

81. The Committee is concerned about the low number of persons with disabilities holding public offices and the inaccessibility of some polling stations for voters with disabilities.

82. The Committee urges Hong Kong, China, to enhance the active participation of persons with disabilities in politics through affirmative action and ensure the accessibility of all voting stations.

**UPR Recommendation - A/HRC/25/5 (UPR, 2013)**

* 186.171. Make efforts to ensure the participation of women in public affairs especially in Village Committees (India)
* 186.172. Ensure the implementation of the Electoral Law (Uganda);
* 186.173. Further guarantee citizens’ right to express themselves, to vote and to be elected (Uganda);
* 186.222. Take further legislative and practical measures to allow ethnic minorities to preserve their cultural identity, to fully exercise their human rights and to ensure their participation in decision-making, in accordance with the Chinese Constitution (Austria)
* 186.224. Strengthen protection of ethnic minorities’ religious, socio-economic and political rights, ensuring reports of violations are promptly and transparently investigated ( Australia );
* 186.228. Continue to carry out the system of regional autonomy in ethnic areas and give more favourable conditions to ethnic minorities for participating in the fields of politics, economy and culture (Viet Nam);
* 186.229. Continue carrying out the system of regional autonomy in the ethnic minorities areas and give a more special treatment to ethnic minorities in politics, the economy, culture and education (Cuba);
* 186.232. Ensure democratic participation of members of all ethnic minorities and allow unhindered access to all minority areas, including Tibet (Germany);

**UPR Recommendation - A/HRC/11/25 (UPR, 2009)**

* Strengthen the protection of ethnic minorities’ religious, civil, socio-economic and political rights (Australia);
* In accordance with the Constitution, allow ethnic minorities to fully exercise their human rights, to preserve their cultural identity and to ensure their participation in decision-making; (and address these issues in the National Plan of Action) (Austria)
* 114.20. Intensify its efforts to eradicate poverty, to improve its health infrastructure, including access to health services especially for vulnerable groups like women, children, the elderly, the disabled and ethnic minorities, and in fostering civil society participation

**Japan**

**Concluding Observations - CCPR/C/JPN/CO/6 (CCPR, 2014)**

9. While welcoming the adoption of the Third Basic Plan for Gender Equality, the Committee is concerned at its limited impact, in view of the low levels of women carrying out political functions. The Committee regrets the lack of information regarding the participation of minority women, including Buraku women, in policymaking positions. It is concerned about reports that women represent 70 per cent of the part-time workforce and earn on average 58 per cent of the salaries received by men for equivalent work. The Committee is also concerned at the lack of punitive measures against sexual harassment and the dismissal of women as a result of pregnancy and childbirth (arts. 2, 3 and 26).

The State party should effectively monitor and assess the progress of the Third Basic Plan for Gender Equality and take prompt action to increase the participation of women in the public sector, including through temporary special measures, such as statutory quotas in political parties. It should take concrete measures to assess and support the political participation of minority women, including Buraku women, promote the recruitment of women as full-time workers and redouble its efforts to close the wage gap between men and women. It should also take the necessary legislative measures to criminalize sexual harassment and to prohibit and sanction, with appropriate penalties, unfair treatment based on pregnancy and childbirth.

**Concluding Observations – CCPR/C/JPN/CO/5 (CCPR, 2008)**

26. The Committee is concerned about unreasonable restrictions placed on freedom of expression and on the right to take part in the conduct of public affairs, such as the prohibition of door-to-door canvassing, as well as restrictions on the number and type of written materials that may be distributed during pre-election campaigns, under the Public Offices Election Law. It is also concerned about reports that political activists and public employees have been arrested and indicted under laws on trespassing or under the National Civil Service Law for distributing leaflets with content critical of the Government to private mailboxes (art. 19 and 25).

The State party should repeal any unreasonable restrictions on freedom of expression and on the right to take part in the conduct of public affairs from its legislation to prevent the police, prosecutors and courts from unduly restricting political campaigning and other activities protected under articles 19 and 25 of the Covenant.

**Concluding Observations - CEDAW/C/JPN/CO/7-8 (CEDAW, 2016)**

18. The Committee notes the State party’s efforts to introduce numerical targets under the third and fourth basic plans on gender equality in order to accelerate de facto equality between men and women. The Committee is, however, concerned at the lack of statutory temporary special measures, including quotas, to address the underrepresentation of women, including ethnic and other minority women, in decision-making positions in the public and private sectors, as well as in political life, especially in the parliament. The Committee is particularly concerned that rather than statutory quotas, the State party continues to use less effective voluntary initiatives and other incentives such as higher evaluations for companies during the bidding process for public procurement.

19. The Committee reiterates its previous recommendation (CEDAW/C/JPN/CO/6, para. 28) and calls upon the State party to consider using temporary special measures, such as statutory quotas, in accordance with article 4, paragraph 1, of the Convention and the Committee’s general recommendation No. 25 (2004) on temporary special measures, as a necessary strategy to accelerate the achievement of the substantive equality of women and men, in particular to enhance the rights of ethnic and other minority and indigenous women, and women with disabilities, in all areas of the Convention.

42. The Committee notes the adoption by the State party of a new basic plan for food, agriculture and rural areas in 2015. The Committee is, however, concerned at the low participation of rural women in decision-making, particularly in the formulation of policies and that the Income Tax Act, does not recognize the earnings of spouses and family members of self-employed individuals and farmers as business expenses, which effectively impedes women’s economic independence.

43. The Committee calls upon the State party to eliminate all barriers that restrict the participation of rural women in policy formulation; and to consider reviewing the Income Tax Act in order to recognize women’s work in family enterprises in order to promote their economic empowerment.

44. The Committee commends the State party for its leadership in disaster risk reduction and management and its contribution to global efforts to adopt the Sendai Framework for Disaster Risk Reduction 2015-2030. The Committee also commends the State party for mainstreaming gender perspectives into its policies on disaster risk reduction and for the adoption of a national basic disaster management plan. However, the Committee is concerned at the low participation of women in leadership roles in the area of disaster risk reduction and management at the national and local levels following the great east-Japan earthquake in 2011.

45. The Committee recommends that the State party accelerate the participation of women in decision-making and recovery processes related to disasters at all levels, in particular at the local level. It should also continue its efforts aimed at integrating a gender perspective into all sustainable development policies, as well as into disaster risk reduction and post-disaster management.

**Concluding Observations - CEDAW/C/JPN/CO/6 (CEDAW, 2009)**

15. The Committee regrets that some of the concerns it expressed and the recommendations it made after its consideration of the State party’s fourth and fifth periodic reports (CEDAW/C/JPN/4 and CEDAW/C/JPN/5) have been insufficiently addressed. It notes, in particular, that those regarding the lack of a definition of discrimination in line with the Convention, the discriminatory provisions in the Civil Code, the visibility of the Convention, the situation of women in the labour market and the wage discrimination women face and the low representation of women in high-level elected bodies have not been addressed.

16. The Committee urges the State party to make every effort to address the previous recommendations that have not yet been implemented, as well as the concerns contained in the present concluding observations, and report on their implementation in its next periodic report.

41. The Committee is concerned at the low percentage of women in high-ranking positions in the Government, the Diet, the local assemblies, the judiciary, academia and the diplomatic service. It notes the lack of statistics on the participation of minority women in political and public life.

42. The Committee urges the State party to strengthen its efforts to increase the representation of women in political and public life, through, inter alia, the implementation of special measures in accordance with article 4, paragraph 1, of the Convention, and with the Committee’s general recommendation No. 25, in order to accelerate the realization of women’s de facto equality with men. It encourages the State party to ensure that the representation of women in political and public bodies reflects the full diversity of the population. The Committee requests the State party to provide data and information on the representation of women, including migrant and minority women, in political and public life, in academia and in the diplomatic service, in its next periodic report. It calls upon the State party to consider using a range of possible measures, such as quotas, benchmarks, targets and incentives, in particular with regard to the accelerated implementation of articles 7, 8, 10, 11, 12 and 14 of the Convention.

**Concluding Observations - CERD/C/JPN/CO/7-9 (CERD, 2014)**

13. While noting the explanation provided by the delegation of the State party, the Committee is concerned about restrictions and difficulties faced by non-citizens in accessing some public-service jobs that do not require the exercise of State authority. The Committee is particularly concerned about the position and the continued practice of the State party of excluding competent non-citizens from acting as mediators in family dispute settlement courts (art. 5).

Recalling its general recommendation No. 30 (2004) on discrimination against non-citizens, the Committee recommends that the State party review its position so as to allow competent non- citizens to act as mediators in family dispute settlement courts. The Committee also recommends that the State party remove the legal and administrative restrictions in order to promote more participation by non- citizens in public life, including access to public jobs that do not require the exercise of State authority, paying due attention to non- citizens who have been living in the State party for a long time. The Committee further recommends that the State party provide in its next periodic report comprehensive and disaggregated data on the participation of non-citizens in public life.

20. While noting efforts by the State party to promote and protect the rights of the Ainu people, the Committee is concerned at some shortcomings in the measures developed by the State party, including; (a) the low/insufficient number of Ainu representatives in the Council of the Ainu Promotion Policy and in other consultative bodies;

In the light of its general recommendation No. 23 (1997) on the rights of indigenous peoples and taking into account the United Nations Declaration on the Rights of Indigenous Peoples, the Committee recommends that the State party:

1. Consider increasing the number of Ainu representatives in the Council of the Ainu Promotion Policy and in other consultative bodies;

**Concluding Observations - CERD/C/JPN/CO/3-6 (CERD, 2010)**

15. Noting that family court mediators do not have any public decision-making powers, the Committee expresses concern over the fact that qualified non-nationals are not able to participate as mediators in dispute settlement. It also notes that no data was provided regarding the participation of non-nationals in public life (art. 5).

 The Committee recommends that the State party review its position so as to allow competent non-nationals recommended as candidates for mediation to work in family courts. It also recommends that it provide information on the right to participation of non-nationals in public life in its next report.

20. While welcoming the recognition of the Ainu as an indigenous people and noting with interest measures reflecting the commitment of the State party, including the establishment of a working group to set up a symbolic public facility and of another to conduct a survey on the status of Ainu outside of Hokkaido, the Committee expresses its concern about:

1. The insufficient representation of Ainu people in consultation forums and in the Advisory Panel of Eminent Persons;

The Committee recommends that further steps be taken in conjunction with Ainu representatives to translate consultations into policies and programmes with clear and targeted action plans that address Ainu rights and that the participation of Ainu representatives in consultations be increased. It also recommends that the State party, in consultation with Ainu representatives, consider the establishment of a third working group with the purpose of examining and implementing international commitments such as the United Nations Declaration on the Rights of Indigenous Peoples.

**Mongolia**

**Concluding Observations - CCPR/C/MNG/CO/5 (CCPR, 2011)**

8. While noting the adoption of the Law on Gender Equality and the implementation of the National Programme on Fulfilling Gender Equality, the Committee remains concerned about the low level of representation of women in Parliament and in decision making positions in both the public and private sectors. The Committee also regrets the limited impact of the measures taken to address traditional discriminatory practices and persisting stereotypes about the roles and responsibilities of women and men, including in legislation, policies and programmes (arts. 3, 25, 26 of the Covenant).

The State party should take measures to increase the participation of women in decision-making positions in the public and private sectors through the implementation of new practical initiatives including, if necessary, appropriate temporary special measures. It should also intensify its efforts to eradicate traditional stereotypes regarding the roles and responsibilities of women and men within the public and private spheres, including through comprehensive awareness raising campaigns.

**Concluding Observations - CEDAW/C/MNG/CO/8-9 (CEDAW, 2016)**

22.While welcoming the increased participation of women in public service and in the judiciary, the Committee remains concerned at the low percentage of women in political and public life, in particular in decision-making positions, including in the parliament, notwithstanding the 30 per cent quota for women candidates on party lists and in public administration, owing to persistent traditional and patriarchal attitudes, the lack of effective temporary special measures, limited access to political networks, insufficient capacity-building and campaign funding for potential women candidates and the compulsory financial contribution known as “the candidate tax”. The Committee is also concerned that there have been no appointments of women as governors of provinces or cities. It is further concerned that article 11 (5) of the Law on Elections (2015) restricts the right of persons with disabilities, including women, to vote and to stand for election.

23. The Committee recommends that the State party:

1. Take measures to increase the equal participation of women in political and public life at all levels and sectors, in particular decision-making positions, in the parliament and the Government, by:
2. Effectively implementing the existing 30 per cent quota for women candidates on the electoral lists of political parties, including by ensuring that women candidates are given higher rankings on electoral lists and/or circumscriptions;
3. Providing capacity-building training to women candidates, especially on efficient campaigning, gaining access to financing and political networks and making use of the media;
4. Adopt targeted measures, including training, gender-sensitive recruitment and temporary special measures, to ensure that women are appointed to decision-making positions at both the national and local levels, on an equal footing with their male counterparts, in line with the Committee’s general recommendation No. 23 (1997) on political and public life;
5. Remove the “candidate tax”, which poses a significant obstacle to women candidates;
6. Conduct awareness-raising activities for politicians, community leaders, journalists and the general public on the importance of women’s participation in decision-making, in order to enhance understanding that the full, equal, free and democratic participation of women on an equal basis with men in political and public life is a requirement for the effective implementation of the Convention and the development of society and the economy;
7. Take measures to appoint women to high-level positions, for instance as governors of provinces or cities;
8. Repeal without delay the provisions of the Law on Elections (2015) that restrict the right to vote of persons with disabilities, including women, and ensure that disability is a prohibited ground for discrimination under the Law.

30. The Committee notes the adoption of a sub strategy on promoting women’s economic opportunities and leadership in 2014, but it remains concerned at the persistence of poverty among women, in particular in rural areas and among female‑headed households, as well as at women’s limited access to property, financial credit and mortgages. The Committee is also concerned at the lack of targeted measures to ensure that older women and women with disabilities can participate in decision-making in and benefit from the implementation of development projects.

31. The Committee recommends that the State party continue to strengthen its programmes to combat poverty and promote the economic empowerment of women by ensuring that women have access to those programmes on an equal basis with men, in particular in rural areas and for female-headed households, older women and women with disabilities.

**Concluding Observations - CEDAW/C/MNG/CO/7 (CEDAW, 2008)**

29. The Committee is concerned at the low and declining rate of representation of women in decision-making positions in all spheres, particularly in Parliament (3.9 per cent, as compared to 6.6 per cent in 2006 and 11.8 per cent in 2000) and at the top-level decision-making positions (5.2 per cent in 2006 and 9.4 per cent in 2002) as well as in the public and private sectors. The Committee is also concerned that the legal provision that introduced a 30 per cent quota on women candidates for nomination by parties and coalitions, pursuant to the revisions made by the Parliament Election Law in 2005, was eliminated by Parliament in December 2007. The Committee also notes with concern that the requirement to contribute 20 million togrogs (MNT) to gain party nomination for candidature is a particular obstacle for women candidates in their participation in national elections.

30. The Committee urges the State party to introduce in its legislation temporary special measures, in accordance with article 4, paragraph 1, of the Convention and general recommendations 23 and 25, to increase the representation of women at all levels and spheres of politics, especially in decision-making positions. In this regard and in order to accelerate the representation of women, the Committee strongly calls upon the State party to re-establish legal quotas for women for future elections to the Parliament. It further urges the State party to undertake awareness-raising campaigns about the importance of women’s participation in decision-making for society as a whole, including in the public and private sectors. The Committee requests the State party to provide in its next report detailed information and statistical data on women’s representation, particularly in decision-making positions, in various areas of public life, including in law enforcement, the judiciary and the diplomatic service.

35. In view of the fact that rural women constitute approximately 60 per cent of the female population in Mongolia, the Committee is concerned about their precarious situation and their particular difficulties in accessing adequate health services, clean water and sanitation services, and in participating in decision-making, seriously impairing their enjoyment of economic, social and cultural rights. The Committee further expresses concern about the specific impact of environmental degradation on the situation of rural women.

36. The Committee urges the State party to pay special attention to the needs of rural women by implementing an integrated rural development policy, ensuring that rural women participate fully in decision-making processes, in particular, on environmental issues, and have access to health, clean water and sanitation services, without discrimination. The Committee requests the State party to include in its next report sex-disaggregated data and information on the de facto position of rural women.

**Concluding Observations - CRPD/C/MNG/CO/1 (CRPD, 2015)**

20. The Committee is concerned about the inadequacy of the State party’s legal measures for ensuring the rights of persons with disabilities, in particular persons with intellectual and/or psychosocial disabilities, to make choices about their lives and enjoy legal capacity on an equal basis with others. The Committee is also concerned that the State party permits guardians of persons with disabilities to make decisions regarding the property and the personal issues of persons deemed persistently incapable of legal capacity owing to psychological restrictions caused by disability. The Committee notes that such a system continues to promote substituted decision-making instead of supported decision-making, contrary to the provisions of article 12 of the Convention and as set out in the Committee’s general comment No. 1 (2014) on equal recognition before the law.

21. The Committee urges the State party to ensure legal capacity for persons with disabilities, including with respect to their right to choose where and with whom they want to live, to vote for the political party they prefer, to have their health-care decisions respected, to control their own financial affairs and to have access to cinemas and other leisure and cultural activities. The Committee recommends that the State party amend the Civil Code so as to move from substitute decision-making to supported decision-making, which respects the person’s autonomy, will and preferences and is in full conformity with article 12 of the Convention and general comment No. 1, including with respect to the individual’s right to give and withdraw informed consent for medical treatment, have access to justice, vote, marry, exercise parental rights, work and choose his or her place of residence. The Committee also recommends that the State party provide training, in consultation and cooperation with persons with disabilities and their representative organizations, at the national, regional and local levels for all actors, including civil servants, judges and social workers, on the recognition of the legal capacity of persons with disabilities and on the mechanisms of supported decision-making.

44. While noting that the State party recognizes inadequacies in ensuring the full participation of persons with disabilities in political and public life, the Committee is concerned about reports that the State party’s “Great Khural’s election law” contains no specific references either to persons with disabilities or to assistive or support measures to accommodate persons with visual, hearing or mobility impairments.

45. The Committee recommends that the State party repeal legal provisions that deny or restrict the right to vote based on disability and develop appropriate legal measures to ensure that persons with disabilities can fully participate in elections and public life as citizens, voters and candidates.

**Report of the Special Rapporteur on extreme poverty and human rights, Magdalena Sepúlveda Carmona, A/HRC/23/36/Add.2 (2013)**

97. With regard to the situation of groups particularly vulnerable to poverty:

* Strengthen the participation of women in politics, particularly at the decision-making level, and make provisions for women who live in remote areas to be able to participate fully in political life;
* Facilitate the full participation of LGBT persons at the decision - making level; implement a universal non-discrimination policy in all educational and health-care facilities and ensure that effective accountability mechanisms are established in cases of non-compliance ;

**UPR Recommendation - A/HRC/30/6 (UPR, 2015)**

* 108.86 Continue to put forward more efforts to eliminate domestic and gender-based violence and discrimination against women and ensure greater representation of women in all sectors of society by fully implementing the Law on Gender Equality ( Republic of Korea );
* 108.139 Implement a national plan of action that would strengthen the participation of women in the decision-making level of politics (Serbia);
* 108.140 Strengthen its efforts to include women in decision-making processes and high level positions, and to ensure the inclusion of disabled persons in education and employment ( Norway );
* 108.141 Intensify its efforts in increasing women’s representation in decision-making positions ( Rwanda );
* 108.142 Take measures to ensure participation of women in politics, including through affirmative action and quota requirements (Costa Rica);

**UPR Recommendation - A/HRC/16/5 (UPR, 2011)**

* 84.16. Adopt laws and mechanisms essential to protecting human rights and freedoms, particularly in the following areas: protection of victims and witnesses; protection of human rights defenders; provisions on ensuring citizens’ right to participation in decision-making; gender-based violence; independence of publishers; accountability of Parliament members; and civil society’s right to participation in public interest litigation (Hungary);
* 84.45. Take stronger measures to combat discrimination in both the public and private sectors while promoting greater women’s participation at the highest levels of decision-making (United States);
* 84.60. Increase awareness regarding disability rights, and make all appropriate accommodations for disabled voters ( United States );
* 84.100. Introduce appropriate measures necessary to allow persons with disabilities to exercise their right to vote (Slovakia);
* 84.101. Take effective measures to ensure that persons with disabilities and detained persons can exercise their right to vote (Islamic Republic of Iran );
* 84.102. Improve the level of participation of women in the decision-making process (Algeria)
* 86.7. Include women in high-level decision-making positions ( Norway );

**Republic of Korea**

**Kim Jong-Cheol v Republic of Korea (27 July 2005), Human Rights Committee, CCPR/C/84/D/968/2001**

The author is a journalist who published an article in a national weekly publication, reporting on opinion polls for the Presidential election of 18 December 1997 in violation of the Election act, which prohibits publication of public opinion polls during the electoral campaign period, defined as the 23 days before an election. The author alleges that his conviction under the Election Act violates articles 19 paragraph 2, and 25(a) and (b) of the Covenant by denying the free and full exchange of information, which he further claims is vital to voters in forming their will meaningfully.

The Human Rights Committee held that the author insufficiently substantiated his claims for a violation of articles 25(a) and (b) and article 26 of the Covenant. With regards to article 19, the Committee found that the restrictions placed upon the author’s rights under Article 19, paragraph 2 were provided for by law and were necessary under Article 19 paragraph 3 for the respect of the rights of others, being the rights of Presidential candidates in this respect. The Committee also held that the restrictions were proportionate to the aims sought, and were therefore not excessive. The Committee therefore found no violation of Article 19.

**Concluding Observations - CRC/C/KOR/CO/3-4 (CRC, 2012)**

40. The Committee expresses concern that, despite its previous recommendations, (CRC/C/15/Add.197, para.37) schools continue to prohibit the political activities of students. Furthermore, the Committee is concerned that the management committees of schools preclude the participation of students and that there are limited opportunities for children out of school in urban and rural areas to exercise their right to freedom of expression and association.

41. The Committee reiterates its previous recommendations and , in the light of articles 12 to 17 of the Convention , calls upon the State party to amend legislation, guidelines issued by the Ministry of Education and school regulations to facilitate children’s active participation in decision-making processes and in political activities both within and outside schools and ensure that all children fully enjoy their right to freedom of association and expression, including with regard to allowing students to (i) take part in or conduct political activities, including in the school context; and, (ii) meaningfully participate in the management committees of schools.

**Concluding Observations - CEDAW/C/KOR/CO/7 (CEDAW, 2011)**

24. The Committee expresses its concern about the slow progress in increasing women’s participation in political and public life, in particular in decision-making positions in the Government, in parliament, the judiciary, the diplomatic service and the private sector, and in academia as high school principals and university professors, despite measures in place to increase the number of women in these spheres, such as the Employment of Female Manager-Level Public Officers Initiative.

25. The Committee urges the State party to strengthen its efforts to increase the representation of women in political and public life through, inter alia, the implementation of temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee’s general recommendation No. 25 (2004), in order to accelerate the realization of women’s substantive equality with men. It calls upon the State party to consider using a range of possible measures, such as quotas, benchmarks, targets and incentives, in particular with regard to the accelerated implementation of articles 7, 8, 10, 11, 12 and 14 of the Convention. The Committee requests the State party to provide data and information on the representation of women, in political and public life, in the private sector, academia and the diplomatic service in its next periodic report.

**Concluding Observations - CEDAW/C/KOR/CO/6 (CEDAW, 2007)**

23. While noting the adoption of laws and plans to increase women’s participation in public and political life, such as the Political Party Act and the five-year plan for expansion of women managers in public positions, the Committee is concerned that women continue to be underrepresented in politics, especially in decision-making in many areas, including in the National Assembly, in the Government at all levels, the judiciary, the foreign service, academia and the private sector.

24. The Committee encourages the State party to intensify its efforts and to take sustained measures, including further temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee’s general recommendation 25, in order to accelerate the increase in the representation of women in elected and appointed bodies in all areas of public life, including in academia and the private sector. It also recommends that the State party expand its current training programmes on leadership and negotiation skills for current and future women leaders. It further recommends the State party continue its efforts to raise awareness of the importance of women’s full and equal participation in decision-making at all levels for society as a whole. It requests the State party to carefully monitor the effectiveness of measures taken and results achieved and to report thereon in its next periodic report.

**Concluding Observations - CRPD/C/KOR/CO/1 (CRPD, 2014)**

55. The Committee is concerned that many polling booths are not fully accessible to persons with disabilities and that voting information is not provided to persons with disabilities in consideration of the various types of disabilities. It is also concerned about the low level of participation of persons with disabilities in political activities and as candidates in elections due to the barriers that they continue to face in that regard. It is also concerned that persons declared incompetent are denied the right to vote and stand for elections.

56. The Committee recommends that the State party step up its efforts to ensure that voting is fully accessible to all persons, irrespective of disability, and that voting information is provided in all accessible formats. It further recommends that the State party take specific measures to promote the participation of persons with disabilities in elected bodies. It also recommends that the State party repeal provisions denying the right to vote and stand for elections and provide the right to vote and stand for elections regardless of type of disability.

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1. For a full list of relevant instruments, see A/HRC/27/29, para. 8. [↑](#footnote-ref-1)