



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

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**Committee on the Elimination of Discrimination
against Women**
Pre-session working group
Forty-third session
19 January – 6 February 2009

**List of issues and questions with regard to the consideration
of periodic reports**

Guinea-Bissau

The pre-session working group examined the combined initial and second to sixth periodic report of Guinea-Bissau (CEDAW/C/GNB/6).

General

1. Please provide detailed information on the process of preparing the combined initial and second to sixth periodic report. The information should indicate which Government departments and institutions were involved and the nature and extent of their participation, whether consultations were held with non-governmental organizations and whether the report was adopted by the Government and submitted to the National Assembly. Please also

explain why the State party did not submit the initial and subsequent periodic reports in a timely manner.

2. Please submit general and factual information about the country, to the extent possible in accordance with the harmonized reporting guidelines under the international human rights treaties, including the Convention (HRI/GEN/2/Rev.5).

Data collection and analysis

3. Please provide information on the status of data collection and analysis in the country in general, and in particular, with regard to situation of women, disaggregated by age, sex, rural and urban areas. Please indicate how the Government intends to improve the collection and analysis of such data pertaining to the areas of the Convention and the General Recommendations of the Committee so as to support policy making and programme development and to measure progress towards implementation of the Convention.

Articles 1 and 2

Legal status of the Convention

4. Please provide information on whether the Convention is directly applicable in the domestic legal system and provide examples, if possible, of cases where the Convention has been cited by the courts.

5. Please indicate whether there are any laws or policy statements that define discrimination against women. If so, please explain whether the definition is sufficiently broad so as to include prohibition of any act or omission which causes, or results in, distinctions, exclusions or restrictions on the enjoyment or exercise by women, on equal basis with men, of human rights in all areas and under each provision of the Convention.

6. Please explain whether there are any sanctions or penalties imposed for discrimination against women. Please provide information on their nature and actual application. Please also provide information on remedies available to women whose rights have been violated, and their access to justice, including information on legal aid services.

7. The report acknowledges that certain customary norms in Guinea-Bissau discriminate against women. Please provide information on legislation, policies and programmes that address the modification of customs and practices that result in direct or indirect discrimination against women or perpetuate such discrimination.

Article 3

National machinery for the advancement of women

8. Please provide detailed information on the status, functions and resources of the present machinery for the advancement of women. Please provide information on special institutions, such as commissions or ombudspersons, established to promote and protect human rights, including the rights of women and/or to oversee the Convention's implementation.

Programmes and action plans

9. The report refers to programmes and action plans for the implementation of the Convention that were adopted in the past. Please provide information on the results achieved by these programmes and action plans. Please explain whether there are programmes and action plans currently being executed to ensure the implementation of the Convention or its specific articles. Please also provide information on the implementation of the Beijing Platform for Action and gender equality elements of the Millennium Development Goals and UN Security Council resolution 1325 of 31 October 2000 (S/RES/1325).

Article 4

Temporary special measures

10. The State party's report indicates that, in practice, women do not have the same access as men in areas such as education, political and public life, employment and decision-making.

What concrete temporary special measures in accordance with article 4, paragraph 1, of the Convention and general recommendation no. 25, does the State party intend to take to achieve equality of women with men, in particular in the above-mentioned areas?

Article 5

Stereotypes, cultural practices

11. Please provide information on measures (e.g. comprehensive strategies) that have been taken to transform social and cultural patterns that lead to stereotyping or reproducing or reinforcing the traditional roles of women and men within the family and society in general, and to eliminate customs and cultural practices which discriminate against women.

Violence against women

12. Given the past armed conflict in certain areas of the country, please provide details on steps that are being taken to provide rehabilitation and support programmes for women and girls, including psychological recovery and social integration.
13. The report states that gender-based violence is widespread in Guinea Bissau. Please provide information on whether legislation on domestic violence has been adopted and whether there are any public campaigns to raise awareness about violence against women as a

problem. Please also provide information on numbers of shelters for domestic violence victims, and whether they are funded by the central or local government.

Article 6

Trafficking, exploitation of prostitution

14. The report indicates that the application of article 136 of the Penal Code has resulted in a reduction in prostitution. Please provide data on prosecutions, convictions and sanctions imposed pursuant to this provision. Please provide information on specific legislation to prevent trafficking in women and girls, and whether it is implemented effectively. Please provide data on prosecution and convictions against perpetrators of trafficking in women and girls. Please provide detailed information on training activities on trafficking in women and girls for police and border officers.

Article 7 and 8

Political participation and participation in public life

15. The election of women to key posts in the Government and National Assembly is an encouraging development. However, as stated in the report, women's participation in political and public life continues to be low. Please explain which concrete measures have been taken, or are envisaged, to achieve women's full and equal participation and

representation at all levels of Government, the legislative branch and the judiciary, as well as at the decision-making level in the public sectors and institutions and at the international level, taking into account the Committee's general recommendation 25, on article 4, paragraph 1, of the Convention, and general recommendation 23, on women in political and public life.

Article 10

Education

16. According to information in the State party's report, although its legal framework guarantees equal access to education to men and women, in practice, literacy, graduation and enrolment rates are lower for women. Please explain what legislative or other measures have been taken to ensure equal access for women and men to education. In particular, please explain the status of the draft law on the education system (*Lei de Bases do Sistema Educativo*) as well as of the 2004 national plan on education (*Plano Nacional de Educação para Todos*) and provide copies of these documents. Please provide information on strategies or laws that attempt to keep girls in school until school leaving age. Please explain what the major causes of women discontinuing their education are, and how they are addressed.

Article 11

Employment

17. Please provide a general overview of the situation of women in employment, both as regards the formal labour market and the informal sector.
18. Are there any distinctions in recruitment and employment practices between women and men? What provisions exist to eliminate discrimination against women in employment, including those addressing sexual harassment and violence against women in the workplace? Please describe those measures and their effect.
19. The report refers to a lack of child-care facilities for children of working parents. Please inform the Committee whether there are plans to establish child-care facilities, and whether the government intends to support, financially or otherwise, such facilities.

Article 12

Health

20. Please indicate whether women have equal access to health care services. If not, what measures have been taken to eliminate discrimination against women in the field of health care? What health facilities and personnel are available for women to respond to their specific health needs, including family planning? Do women have access to modern and affordable contraceptive devices?

21. Traditional food taboos in regard to pregnancy are said to be common in the country. What measures have been introduced to eradicate such practices?
22. According to the report, female genital mutilation (FGM) is practised on 44.5% of women in Guinea-Bissau. Please provide data about the circumstances under which it is practised, and what actions have been taken by the Government to eradicate this practice. Please provide an update on progress made with respect to the draft law banning FGM currently pending before the National Assembly. Please indicate whether there are any public information campaigns in place to inform the population about the risks of FGM. If so, has there been a decrease of this practice since efforts to prevent it began?
23. The report states that, in Guinea-Bissau, the HIV/AIDS pandemic affects primarily women. Please explain what measures have been introduced in the country to increase public awareness of the risk and effects of sexually transmitted diseases, particularly HIV/AIDS. Please indicate whether any of these measures are aimed specifically at women and girls.

Article 14

Rural Women

24. According to the report, 60-70% of Guinea-Bissau's population lives in rural areas. Please provide information on any rural development strategy, including whether it incorporates a

gender perspective and includes targeted support for rural women to increase their access to health, education, justice, employment, economic development projects, credit and the ownership of land, and to promote their participation in decision-making. Kindly explain whether rural women are aware of their rights under the Convention and whether there are information strategies to that effect.

25. Considering the level of poverty in the country, please provide information on any poverty reduction strategy and how women's poverty is specifically addressed.

Article 15

Equality before the law

26. The report states that article 25 of the Constitution derogated discriminatory provisions in the Civil Code. Please indicate what kind of discriminatory provisions existed in the law at the time of the enactment of the Constitution, and whether legislation was passed to abolish such provisions. Please indicate whether Guinea-Bissau has given effect to the obligations in article 15(3) of the Convention, which requires that all contracts and other instruments aimed at restricting women's legal capacity be deemed null and void.

Article 16

Family relations

27. Please explain which law (civil law, customary law, or a combination of these) governs family relations. Please indicate whether women and men have the same rights and responsibilities during marriage and after its dissolution, both in law and in practice, (including about the upbringing of children), and if not, how do they differ. Please indicate specifically the consequences of divorce, and provide information on whether women may stay at the matrimonial house after divorce.
28. The report indicates that polygamy is widely practised in the country. Please explain whether polygamy is permitted by law. If so, which law permits polygamy; and what are the rights and responsibilities of men and women in polygamous marriages?
29. Please explain whether the minimum legal age of marriage is respected. Please provide information on the average age of marriage for men and women, and on whether Guinea-Bissau intends to raise the minimum age for marriage.

Vulnerable groups of women

30. According to the report, 8,836 refugees are estimated to be in Guinea-Bissau. Please provide information about refugee and internally displaced women in the country, their economic and social situation, measures in place to support them and the means used to protect these women from all forms of violence. Has the Government received any assistance for such women from the United Nations system or other donors?

Optional Protocol and amendment to article 20, paragraph 1

31. The report indicates that the Optional Protocol to the Convention was ratified on 28 February 2008 by resolution of the National Assembly. Please indicate any progress made with respect to the deposit of the instrument of ratification with the Secretary-General of the United Nations, as required by article 15, paragraph 2, of the Optional Protocol to the Convention. Please also describe progress towards acceptance of the amendment to article 20, paragraph 1, of the Convention.
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