



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women Fifty-third session

Summary record of the 1083rd meeting*

Held at the Palais des Nations, Geneva, on Wednesday, 10 October 2012, at 10 a.m.

Chairperson: Ms. Pimentel

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* No summary records were issued for the 1079th to 1082nd meetings.

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The meeting was called to order at 10.05 a.m.

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

Combined initial and second to fourth periodic reports of the Comoros (continued)
(CEDAW/C/COM/1-4; CEDAW/C/COM/Q/1-4; CEDAW/C/COM/Q/4 and Add.1)

1. *At the invitation of the Chairperson, the representative of the Comoros took a place at the Committee table.*
2. **Mr. Chouzour** (Comoros), before introducing the combined initial and second to fourth periodic reports of the Comoros (CEDAW/C/COM/1-4), apologized for the absence of a ministerial-level delegation. He said that, to appreciate the problems facing the Comoros, it was necessary to understand the complex sociocultural context in which law-making took place. Comorian society was shaped by the Shafi'i school of Islamic thought, Bantu traditions and Western (particularly French) influences, and their underlying values sometimes clashed. Islamic societies, for example, were patriarchal by tradition, and Islamic law established that boys should inherit twice as much as girls, while Bantu society was matriarchal and, according to Comorian tradition, only women could inherit land and goods. The Shafi'i school of Islamic thought allowed laws to be adapted to accommodate traditional customs, however, and that flexibility had resulted in a unique process of cultural osmosis.
3. Comorian women were not veiled and banned from economic activities outside the home. Over 90 per cent of women in rural areas were engaged in farming, and increasing numbers of women in urban areas were active in trade. A study carried out in 2000 showed that poverty was lower in households run by women, reflecting the business acumen of Comorian women. As a member of the international community, the Comoros was committed to promoting gender equality, and Comorian society was developing, albeit slowly and with difficulty.

Articles 1 and 2

4. **Ms. Šimonović** said that information on the constraints that the State party faced regarding the submission of reports would be appreciated since delays in the submission of reports had meant that the dialogue with the Committee had only just begun, even though the Comoros had ratified the Convention in 1994. The Committee would also like to know more about the ideological flexibility that the representative of the State party had mentioned. With regard to the Convention, even in a monistic system, additional steps had to be taken to ensure the full implementation of international treaties, and she asked whether the Convention had been translated into local languages, whether its underlying principles were reflected in national laws and how it was used to promote women's rights in the different islands of the Comoros. She also asked what steps were being taken to ratify the Optional Protocol to the Convention, as well as the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
5. **Ms. Popescu** said that the Committee would like to know what action was being taken to harmonize legislation and eliminate discriminatory laws, particularly those that discriminated against women. She requested information on the contradictions that existed between customary and civil law and asked whether there were mechanisms for filing complaints about discrimination. In addition to laws, countries needed special agencies to protect human rights, and she wished to know whether a national human rights commission had been established. Despite the country's matriarchal traditions, violence against women

took place, and she enquired about the mechanisms in place to ensure that women were able to seek and obtain justice.

6. **Mr. Chouzour** (Comoros) said that the legal framework of the Comoros had evolved considerably in recent years. A law establishing a national human rights commission had in fact been passed by parliament only two months earlier. Islamic law applied only to personal status. Customary laws clashed with civil anti-discrimination laws and had been ineffective in combating sexual violence since the penalties under customary law usually consisted of relatively small fines that failed to act as a deterrent. In many families, the dignity and rights of the victim were secondary to the preservation of family honour, as was common in Muslim societies, but women were beginning to speak out more. In his view, the level of violence against women was not as high as suggested in the State party's report. Traditionally, Comorian parents had to build a house for their daughter, and her husband would live there with her. Men therefore usually lived close to their in-laws and were consequently unlikely to be violent towards their wives.

7. He had no data on the extent to which the Convention was systematically referred to by lawmakers or lawyers. As far as he knew, the Convention had not been translated into local languages and was not covered in curricula at any level of the education system. Nonetheless, women were becoming more active and influential. However, so were young Comorians who had been trained outside the country in Islamic fundamentalism, which was very different from the Islamic school of thought that had predominated in the Comoros thus far.

8. In his view, the importance of the meeting with the Committee had not been fully appreciated by the authorities in the Comoros. He had already spoken with the First Lady about the matter. She was very supportive of women's rights and had considerable influence in politics and civil society. He would relay the Committee's concerns and recommendations to the Government through her as well since, in his view, it would be a highly effective way to get the Committee's message across.

Article 3

9. **Ms. Popescu** said that the role of a national mechanism for the advancement of women was to develop strategies and programmes, not only to ensure the advancement of women, but also to raise awareness among men and women of the importance of achieving gender equity. It was therefore essential that the mechanism in the State party should be granted the status, as well as the financial and human resources, it required to fulfil its mandate. The relations between national and island-level authorities apparently complicated decision- and law-making, and she wondered how policies could be implemented in a uniform and harmonious manner and still take into account local specificities. Detailed information on the activities of women's associations would be appreciated so that the Committee could gauge how effective they were as advocates and defenders of women's rights. Statistics were essential for gaining a picture of the situation on the ground, and the Government must ensure that they would be provided in the State party's next report.

10. **Mr. Chouzour** (Comoros) said that the conflict between national and local legislatures had diminished and legislative procedures were far more integrated than before. Civil society played an important role in the advancement of women, and there were several well-organized women's groups that were particularly active in certain sectors and were potential forces for change. Pressure to have more women in high-level posts had increased, and the Head of State had acknowledged the need to take action in that regard. Significantly, the Government spokesperson, who appeared on television and radio, was now a woman. The lack of statistics affected development planning in all areas, and efforts

were being made to gather disaggregated data to assess the situation of women and address any identified gender gaps.

Article 4

11. **Ms. Schulz** said that temporary special measures had to be adopted to accelerate progress towards de facto equality, but the one such measure reported by the State party consisted of a waiver of primary school enrolment fees that had been applied to boys as well as girls in two of the three islands and had been linked to general development plans and the achievement of the Millennium Development Goals. It therefore seemed that the Government did not fully understand its obligation in regard to temporary special measures.

12. She also had the impression that it did not fully understand the concept of equality espoused in the Convention. The State party had cited the fact that girls and boys had to meet the same requirements to gain admission to educational establishments or public office as an example of non-discrimination, without apparently appreciating that, under the Convention, when the conditions under which boys and girls started out with were as different as they were in the Comoros, the State had an obligation to take action. Given that there was only one woman in parliament and few women in public office, it would also be appropriate for the Government to adopt temporary special measures to bring about change more quickly in the area of political representation. People needed to see that women had a role to play in public as well as private life. The support and personal involvement of the First Lady was important but could not replace the role that temporary special measures should play. The Government should, with the assistance of United Nations agencies, move towards incorporating such measures into its gender equality and gender equity policies, as well as its poverty reduction strategies.

13. **Mr. Chouzour** (Comoros) said that, while he shared the doubts of Ms. Schulz regarding the Government's understanding of equality, the situation on the ground attested to significant progress. Whereas 30 years ago very few girls had had access to education, girls currently outnumbered boys in secondary schools and some university departments and performed better in examinations. Historical trend statistics confirmed that the girls' education movement had succeeded and that equality should soon be achieved. Admittedly, the drop-out rate for girls remained unacceptably high, but women's associations were working to address that problem.

14. Advances were also apparent in levels of female representation in public and political life. In the run-up to legislative elections at the end of the 1990s, powerful lobbying against female candidates had ensured women's exclusion, and the prevailing public opinion had been that women were not equipped for law-making. However, such arguments were no longer heard; women had been elected to parliament, there were female judges and lawyers and women occupied senior civil service positions. Although not yet sufficient, the progress achieved in little more than a decade was considerable.

Article 5

15. **Ms. Patten**, commending the measures to address domestic violence described in the report, said that it was unusual for the only legal provisions specifically providing protection for women and children to be found in the preamble to the Constitution. She would like to know about any plans to adopt a specific law on domestic violence that established criminal and civil penalties, whether support and counselling services for victims were envisaged, and whether law enforcement officials received specific instruction and training in how to assist women and child victims.

16. **Ms. Neubauer**, praising the State party's frank acknowledgment of the abuse suffered by many women and the silence and impunity that enshrouded the problem, asked

whether any civil and criminal legal provisions outlawing violence against women that might be enacted would expressly prohibit marital and domestic rape. She called for an all-encompassing national strategy under which gender issues would be incorporated in educational curricula, and professional training programmes in how to prevent and detect violence would be introduced alongside essential support services.

17. **Mr. Chouzour** (Comoros) said that although gender-based violence was becoming more prevalent, an increased readiness to speak out and report cases of abuse that should help to slow the rise was also apparent. Domestic violence was not acceptable in Comorian culture under any circumstances. With marriage viewed as a bond between families rather than individuals, abuse could tarnish an entire family's reputation and for that reason there was a shared will to eliminate violence.

18. Whereas a decade ago public protests against impunity would have been unimaginable, the lenient sentence served in a recent domestic violence case had prompted an outcry that had drawn crowds to the courthouse in Moroni to express disapproval and call for harsher penalties. The ensuing sociological and judicial changes would undoubtedly herald more systematic Government policies and lead to the introduction of specific laws and dedicated mechanisms to protect women.

Article 6

19. **Ms. Pires**, seeking clarification regarding certain ambiguities in the State party's report, said that the references to high rates of sexually transmitted diseases and harsh penalties for procuring ran counter to the description of prostitution as an "occasional" phenomenon. She also wished to know whether prostitution was expressly criminalized, whether support services were available for women engaged in prostitution and what, if anything, the Government was doing to address the root causes and provide alternative sources of income.

20. Having read in an alternative report that the Comoros could be a source country for trafficking in children for purposes of sexual exploitation and forced labour, she would like to know why the Government had not ratified the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (the Palermo Protocol) and whether it intended to do so. Lastly, she asked what action had been taken to raise public awareness and whether police officers were trained to identify victims and deal with complaints.

21. **Mr. Chouzour** (Comoros) said that prostitution was a very marginal phenomenon that was confined almost exclusively to urban areas. However, the rise in poverty linked to the global economic crisis had triggered a rural exodus and change in population distribution patterns that might be contributing to an increase in prostitution. He knew of women's associations in Moroni that provided discrete, informal support to prostitutes, including arranging medical checks and providing advice. However, because the problem was not a very visible one, it was difficult for the Government to develop targeted action plans and measures.

22. He was not aware of any reports of child trafficking. Any cases must be extremely isolated if the phenomenon did indeed exist and he invited the Committee to share whatever information it had. He was, however, aware of cases in which children from poor rural families had been sent to live with foster families in urban areas where, instead of receiving the promised education and training, they were used as free domestic labour. Fortunately, thanks in part to the impact of a song composed and performed by a popular Comorian singer, that problem had abated. The song's success was redolent of the strong oral tradition in Comorian rural culture, demonstrating that simple approaches could be as effective as NGO-financed campaigns.

Articles 7 and 8

23. **Ms. Bareiro-Bobadilla** said that women needed political powers to reinforce the economic powers they enjoyed under the traditional matriarchal system. She sought more details about the electoral system, asking in particular whether it was easier for women to seek election and to be elected at the national or at the island level. She would also like information about women's involvement at other levels of decision-making, including in local government, political parties, trade unions, NGOs and grass-roots organizations, as well as details of women's groups and organizations working to safeguard women's rights.

24. **Mr. Chouzour** (Comoros) said that, although it was perhaps not immediately evident, there was a link between the matriarchal system and the political system. Under ancient Comorian tradition, power and property were transferred through women although female inheritors did not rule themselves; instead they had delegated power to their sons or brothers. Despite conflicts with the more recent Arabic culture, traces of that system could be found in the current situation, where women influenced politics through their sons and husbands.

25. At the grass-roots level, there was a well-organized system of community engagement whereby ad hoc groups were formed to lobby for and oversee specific projects such as the construction of a new school or the appointment of a community midwife. Women were very influential at that level although their roles were not formalized.

26. It was important to remember that men were often elected because they had the support of women and that women needed to take up the reins themselves and apply organizational and lobbying skills deployed at the community level in the political arena. The First Lady was involved in a number of specific projects pursuing that end and the foundations had been laid for a rapid increase in the number of women who successfully stood for election. He undertook to provide the Committee with a list of women's organizations active in the Comoros.

27. **Ms. Belmihoub-Zerdani** suggested that, in view of her high profile, the First Lady might be encouraged to spearhead a campaign to get more women on electoral candidate lists and offered the Committee's support for any such initiative.

28. **Ms. Bareiro-Bobadilla**, highlighting the irony whereby the power that women enjoyed under the traditional system was not reflected in the modern system, said that women must have decision-making rights directly, not just through the intermediary of others, and that it was essential to have women in positions of influence.

Article 9

29. **Ms. Murillo de la Vega** asked how the State party ensured access to information about nationality rights for those needing it, given the linguistic and geographical barriers that could impede its dissemination. She would appreciate information about the rights of Comorians who married a foreign national and was particularly interested to know whether measures had been adopted to facilitate access to Comorian nationality for residents of Zanzibar who still had French nationality, in view of the close historical, cultural and economic ties between the countries.

30. **Mr. Chouzour** (Comoros) said that there were no obstacles to naturalization and that any citizen of any country could obtain Comorian nationality upon marriage or after a certain number of years' residence. Because of the close economic links, there were many marriages between Comorians and nationals of Tanzania, Zanzibar and Madagascar despite the cultural differences. In addition, many of the Comorian families that had migrated to Zanzibar during the French colonial period still considered themselves culturally Comorian three generations later, even though they had no relatives in the Comoros and did not speak

the language. For members of those families, access to Comorian nationality was considerably facilitated.

Article 10

31. **Ms. Bailey** said that the 2008 figures on education provided in the report indicated that 55 per cent of girls in the 6–14 age group had no place in school, although they had the right to free and compulsory education. In addition, the 2008 figures indicated that female enrolment was lower than male enrolment throughout the educational system. Moreover, the report admitted that the female drop-out rate was alarming, particularly at the secondary level, and indicated that illiteracy among women in the 15–24 age group was 64.8 per cent.

32. She asked what measures besides waiving school fees for girls could be put in place to increase overall capacity for enrolment and to address the disproportionate under-representation of girls in schools, in view of both the limited capacity of the education system and the fact that the right to education was an obligation under the Convention. In addition, she asked for further information on the barriers that prevented girls from remaining in school and how the high drop-out rate could be tackled. The high drop-out rate was a matter that should be addressed urgently, as it contributed to the high rate of illiteracy among women, which, in turn, had serious implications for their life chances and perpetuated the cycle of poverty. Furthermore, she requested further information on the national plan of action to promote education for girls. Did the Government intend to address the cultural norms that undervalued education for girls?

33. **Mr. Chouzour** (Comoros) said that both issues certainly gave cause for concern, but that the figures perhaps were not indicative of the substantial progress that had been achieved. Since the Comoros had obtained independence in 1975, school enrolment rates for the 6–14 age group had increased from 30 per cent to 80 per cent; that increase had been made in the context of the economic crisis, exacerbated by a structural adjustment programme in the 1980s and 1990s that had initially ignored the social impact of adjustment policies.

34. In the Comoros, education was highly valued. It should be noted that the literacy figures took only the Latin transliteration of Comorian into account; however, all children learned Arabic script, if not Arabic as such, thus Comorian was widely transliterated into Arabic script. That aspect of literacy was not taken into account, but it was important and had been used, for example, in an awareness-raising campaign for microcredit to ensure that the message reached a greater number of people, particularly women. Progress had been made in respect of literacy.

35. Moreover, his country had signed up to the concept of Education for All; although all targets had not been met, the needs of the education system continued to be included in all requests for aid and development plans. Women's community associations invested funds obtained from aid and development institutions in three main areas, namely, building and maintaining commercial premises, schools, and health.

36. The importance of education was recognized as a political issue, but the actual resources available to the educational system were meagre, although they represented 25 per cent of the State budget, and standards were low, principally because teachers' salaries were low. There was a shortage of places in secondary schools and not enough had been done to provide "second chance" educational programmes. However, the problems that beset the education system were financial and economic in origin, rather than ideological.

37. The growing awareness that a good education could entail considerable financial benefits had led to the establishment of a considerable number of private schools, which had enabled the education system as a whole to absorb a greater number of children. The

drop-out rate and lack of access by some pupils to the education system was clearly a great loss for the Comoros and the gaps in the system should certainly be underlined.

38. **Ms. Acar** said that in view of the assertion that most people were literate in Arabic script, she wished to know whether an alternative education system existed and, if so, how it was funded. Moreover, was attendance at Koranic schools universal for boys and girls?

39. **Ms. Bailey** said that while she recognized the financial and economic problems that beset the education system, she wished to assert that ideology was a driving force behind the pattern of gender differentials in school enrolment and drop-out rates.

40. **Mr. Chouzour** (Comoros) said that his published view was that Koranic schools were the most democratic system of education. Every village had such a school, where girls and boys attended together; teachers were often women. A nominal sum was paid by pupils weekly, but those who were unable to pay were not excluded. From 14 years of age, children would provide half a day's labour to the school as payment. The primary objective of Koranic schools was not professional training but religious education; consequently, children learned to read and write and received moral instruction, rather than learning calculus, so were able to read about their rights and obligations. Although public schools were more highly thought of than Koranic schools, they did not transmit cultural heritage and civic and moral values.

41. The higher drop-out rate among girls at the secondary level could be attributed in part to financial and cultural factors. The dearth of secondary schools at the village level meant that pupils might have to travel some distance to attend school. Parents could be reluctant to allow their daughters to attend if they had no relatives living near the school, in view of the distances involved and the unreliable transportation. That problem could be addressed by increasing the number of secondary schools. Some progress had been made in that direction: whereas in 1975 there had been 6 secondary schools in the Comoros there were currently 30 such schools on each island.

Article 11

42. **Mr. Bruun** said that he would like further clarification with regard to the labour market in Comoros. Agriculture was evidently an important sector, but it was not clear from the State party's report whether that sector included the fishing industry. It would be helpful to know how the fishing industry was structured and how important it was. The report indicated that the unemployment rate among women was 20 per cent, which was higher than the unemployment rate among men and was a cause for concern. He requested further information on measures to promote women's entrepreneurship and the results of such measures.

43. Comoros was a member of the International Labour Organization (ILO), although it would appear not to have reported to that body. Were there any trade unions? Moreover, were any women trade union members? Had the Comoros sought help from ILO in connection with developing its labour market and reporting? He requested further information on the way that the legislation on the right to work was implemented in practice and on the social security system. Furthermore, he wished to know whether sexual harassment in the workplace was a problem and how it was dealt with. Lastly, he asked how the legislation on equal pay for equal work was implemented and whether it covered equal pay for work of equal value.

44. **Ms. Patten** said that she wished to know how the Government was supporting self-employment among women and the development of small enterprises, in view of the large percentage of women working in the informal sector. Furthermore, she requested information on efforts being made to increase women's access to credit and capital and to enhance their potential by facilitating their equal access to and control of productive

resources, and whether there were institutions devoted to strengthening entrepreneurship among women. Were programmes and policies that recognized and strengthened the vital contribution of women to food security in place? Lastly, she asked how the Government structured services to reach urban and rural women in microenterprises and in small- and medium-sized enterprises, particularly young women, women on low incomes and women heads of household who lacked access to capital and assets.

45. **Mr. Chouzour** (Comoros) said that the statistics provided in the report were unlikely to be reliable in respect of any sector since the data-collection system in the Comoros was not well established. With regard to the fishing and agriculture sectors, while both came under the purview of the same ministry they involved different activities; although a fisherman might also be involved in farming to make ends meet. In the fishing sector, men fished and women sold fish. Government policy had been to support fishing through the provision of cold storage rooms in villages in order to optimize the proceeds earned from the catch. Formal employment was virtually non-existent; most work was seasonal, and most was in the informal sector. In the latter sector a clear majority of women worked in trade and commerce. The fact that households headed by women were less affected by poverty than those headed by men could be attributed to the fact that women diversified their activities.

46. Trade unions representing workers in the health, education and dock workers sector were active. In the health sector, women trade unionists were the most active and assertive. Trade unionism was not highly developed, but ILO provided training to trade unions, including on negotiation and claims; the authorities could benefit from receiving such training.

47. The social security system was not comprehensive. In the formal sector, workers, employers and the State contributed to a social fund that provided workers with a modest pension and limited assistance with health care. At the village level, the mutual health insurance scheme launched in recent years had been replaced by a system of community care, which was being further developed.

48. With regard to access to credit and loans, mutual savings and credit associations made small loans and gave preferential treatment to women. They accepted the use of jewellery, which women received when they married, as collateral for loans; moreover, they sold low-cost fertilizer and agricultural tools to beneficiaries and ran training courses so that they could make optimal use of the system.

49. **Ms. Ameline**, referring to the questions raised on employment, said that the Comoros had a wonderful opportunity, and a need to develop a general framework of action for sustainable development. It had already built a more global approach with the United Nations Development Programme (UNDP) and some action had been taken; however, there appeared to be no underlying policy in respect of women. There was not only a need to build local capacity on gender issues with the support of international partners so that women could benefit from sustainable development; in addition, women should have greater access to governance and be engaged in policy formulation, as that would represent genuine empowerment.

50. **Mr. Chouzour** (Comoros) said that he appreciated the Committee member's well-founded comment that women should not only benefit from policies but should also be engaged in an active and responsible manner in policy formulation; he would communicate that well-founded comment to the authorities concerned.

Article 12

51. **Ms. Rasekh** said that health policies and related programmes and services for women appeared to be insufficient, in particular in the area of reproductive health; the

maternal mortality rate was high and the report did not refer to any national family planning programmes or measures to introduce a comprehensive health-care system.

52. She wished to know what steps were being taken to elaborate a comprehensive health policy that addressed women's health issues, particularly reproductive health, whether the State budget for women's health issues was sufficient and whether international funding and technical support was available to develop health-care programmes, including in infrastructural terms. She requested information about the incidence of HIV/AIDS among women, programmes for women with HIV/AIDS and programmes to address mother-to-child transmission. She further requested updated information on the maternal mortality rate in the State party, in addition to information on measures taken to reduce the rate and on preventive programmes. Lastly, she asked for information on Government programmes and policies to address the absence of reproductive health-care facilities on the island of Mayotte.

53. **Mr. Chouzour** (Comoros) said that he was unable to provide more accurate figures than those contained in the report. However, family planning awareness campaigns had been run since the 1980s. Although there could be problems with women's access to information, such information was available, as were family planning clinics. Some NGOs such as the Association Comorienne pour le Bien-Être de la Famille (the Comorian family welfare association (ASCOBEF)) were active in that area. ASCOBEF ran an educational programme and had opened a clinic where women were given priority treatment, for general and reproductive health issues. Women were encouraged through televised campaigns to give birth in hospitals in view of the risks associated with home births attended by midwives. The high maternal mortality rate could be attributed to the lack of access to hospital care, the lack of midwives in some villages and the remoteness of some villages from clinics. Women often pooled their resources to build maternity clinics or to pay a midwife to attend a village facility.

The meeting rose at 1 p.m.