



Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General
11 July 2022

Original: English
English, French and Spanish only

Committee on the Elimination of Discrimination against Women

List of issues and questions prior to the submission of the fourth periodic report of Monaco*

General

1. Please provide information and statistics, disaggregated by age, disability, ethnicity, minority status and nationality, on the current situation of women in the State party, to enable monitoring of the implementation of the Convention. In accordance with the State party's obligations under articles 1 and 2 of the Convention, and in line with target 5.1 of the Sustainable Development Goals, to end all forms of discrimination against all women and girls everywhere, please indicate how the State party intends to improve the collection and analysis of data pertaining to the areas covered by the Convention, so as to support policymaking and programme development and to measure progress towards the implementation of the Convention and the promotion of substantive equality between women and men, including with regard to the specific areas covered in the present document. Please provide information about processes of regular consultation and cooperation with civil society organizations working for women's rights and gender equality on matters relating to the implementation of the Convention. Please elaborate on funding mechanisms for women's rights and gender equality organizations and on measures taken to ensure an environment that is safe and in which such organizations can collaborate with the State party.

Women's rights and gender equality in relation to the pandemic and recovery efforts

2. In line with the Committee's guidance note on the obligations of States parties to the Convention in the context of the coronavirus disease (COVID-19) pandemic, issued on 22 April 2020, please indicate measures implemented by the State party to redress long-standing inequalities between women and men, to give a new impetus to the implementation of gender equality by placing women at the centre of the recovery as a strategic priority for sustainable change, in line with the Sustainable Development Goals, and to meet the needs and uphold the rights of women and girls, including those belonging to disadvantaged and marginalized groups, and to ensure that women and girls are not relegated to stereotypical gender roles. Please indicate the measures in place to ensure that all COVID-19 crisis response and recovery efforts, including the recovery and resilience plan:

* Adopted by the pre-sessional working group on 7 July 2022.



- (a) Address and are aimed at effectively preventing gender-based violence against women and girls;
- (b) Guarantee the equal participation of women and girls in political and public life, decision-making, economic empowerment and service delivery, in particular in the design and implementation of recovery programmes;
- (c) Are designed so that women and girls benefit equally from stimulus packages, including financial support for unpaid care roles, that are aimed at mitigating the socioeconomic impact of the pandemic.

Reservations

3. Please provide information to the Committee on the measures taken by the State party to review its reservations to the Convention.

Legislative framework

4. In the light of the Committee's previous recommendations ([CEDAW/C/MCO/CO/1-3](#), paras. 14 and 16),¹ please provide the Committee with information on measures taken:

- (a) To adopt comprehensive anti-discrimination legislation that prohibits discrimination against all women and encompasses direct and indirect discrimination in the public and private spheres, as well as intersecting forms of discrimination against women, in accordance with article 1 of the Convention and general recommendation No. 28 (2010) on the core obligations of States parties under article 2 of the Convention;
- (b) To conduct studies on discrimination against women and collect disaggregated statistical data on the discrimination that they face in specific areas, such as education, employment and health, and the extent to which such studies have been taken into account in the development of laws and policies;
- (c) To replace male-preference cognatic primogeniture with absolute cognatic primogeniture, so that the crown would be passed on to the firstborn, regardless of that person's sex.

Women's access to justice

5. Please provide information on measures taken to ensure that women have access to effective remedies in respect of complaints about violations of their rights, in accordance with the Committee's general recommendation No. 33 (2015) on women's access to justice, including:
- (a) The number of complaints concerning cases of discrimination on the grounds of sex submitted to the High Commissioner for the Protection of Rights, Freedoms and Mediation in the past five years, the recommendations made to remedy the discrimination experienced and the follow-up to those recommendations;
 - (b) The number of complaints concerning cases of discrimination on the grounds of sex submitted to the civil courts in the past five years, including information on subsequent prosecutions, sentences imposed on the perpetrators and the reparations provided to victims;

¹ Unless otherwise indicated, paragraph numbers refer to the Committee's previous concluding observations on the initial to third periodic reports of the State party ([CEDAW/C/MCO/CO/1-3](#)).

(c) The number of women who received free legal aid in the past five years, including data disaggregated by the type of rights violations reported and by age, disability, ethnicity, minority status and nationality.

National machinery for the advancement of women

6. In the light of the Committee's previous recommendations (para. 20), please provide information on:

(a) The measures taken to adopt a comprehensive national strategy for gender equality;

(b) The Committee for the Promotion and Protection of Women's Rights established in November 2018, including its mandate, decision-making powers, the human, technical and financial resources available to it, its membership and the process of nominating members;

(c) The Interministerial Delegate for the Promotion and Protection of Women's Rights, including her mandate and decision-making powers;

(d) The results of the evaluation of policies implemented and measures taken to promote equality between women and men.

Civil society and women's organizations

7. Please provide information on the support and funding provided to civil society organizations, in particular women's organizations, so as to enable them to advance women's rights and gender equality.

National human rights institution

8. Regarding the High Commissioner for the Protection of Rights, Freedoms and Mediation, please inform the Committee of the steps taken:

(a) To ensure that it can fulfil its mandate in full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) and seek accreditation from the Global Alliance of National Human Rights Institutions;

(b) To provide it with adequate human, technical and financial resources;

(c) To ensure its cooperation with women's civil society organizations.

Temporary special measures

9. Please provide information on the measures taken to familiarize all relevant State officials and policymakers with the concept of temporary special measures to achieve de facto or substantive equality between women and men, in line with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures.

Stereotypes

10. Please provide information on measures taken to combat discriminatory stereotypes about the roles and responsibilities of women and men in the family and in society and to strengthen understanding of the concept of equality between women and men. Please inform the Committee of any innovative measures taken to use the education system to enhance a positive and non-stereotypical portrayal of women and men. Please also inform the Committee of awareness-raising and media campaigns to combat discriminatory gender stereotypes.

Gender-based violence against women

11. Please provide information on the measures taken to give effect to the State party's plans to study the possibility of setting up a body responsible for carrying out policies to prevent and combat violence against women and to draw up a national action plan on the prevention of violence against women. In view of the fact that, under the current legislation, rape is characterized as occurring when a sexual relationship is accompanied by threats, violence or coercion, which does not cover the majority of cases in which no means of restraint were used, please explain how the State party will ensure that cases of rape in which no means of restraint are used are covered by the legislation. Please provide data on reported cases of sexual violence against women, including rape, and on the associated investigations, prosecutions and convictions, including the penalties imposed on the perpetrators, in the past five years.

12. Please provide information on domestic violence, in particular on the measures taken by the State party to adopt a broader definition of domestic violence in line with the definition contained in the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention). Please also provide data on complaints of domestic violence received from women in the past five years, including the number of cases reported but not prosecuted, the number of prosecutions, convictions obtained and sentences handed down, and the number of acquittals.

Trafficking and exploitation of prostitution

13. Please inform the Committee of the measures incorporating a gender perspective taken by the State party to adopt comprehensive legislation aimed at preventing and combating all forms of trafficking, with an approach centred on the protection of victims, and to conduct an official study of the possible link between prostitution and human trafficking for the purpose of sexual exploitation in the State party.

Participation in political and public life

14. Please describe the measures taken by the State party to pursue its efforts to facilitate the representation of women in the National Council and to continue to develop strategies to increase the participation of women in politics, as well as in leadership positions in the business sector.

Nationality

15. Please explain why Monegasque fathers are able to automatically transmit their nationality to their children, whereas Monegasque mothers have to fulfil a number of conditions in order to do so.

Education

16. Please provide information on the following:

(a) Strategies envisaged to encourage women and girls to choose non-traditional fields of education, such as science, technology, engineering, mathematics and information and communications technology, and the corresponding career paths;

(b) The content and provision of age-appropriate sexual and reproductive health and rights education for girls and boys in school curricula, as well as educational programmes that address the principle of non-discrimination and

substantive equality of women and men and the prevailing stereotypes against women;

(c) Measures taken to ensure permanent access to and the promotion of inclusive education for women and girls with disabilities.

Employment

17. Please inform the Committee of the measures taken with regard to the State party's plans to adopt regulatory provisions and promotion mechanisms on gender equality, in particular with regard to the equal remuneration, participation and representation of women in the professional world, and to complete the drafting and adoption of a bill regulating night work, with the aim of repealing the prohibition on night work for women. Please also provide information on any research carried out into the gender pay gap in the State party, the findings thereof and the recommendations proposed to close said gap.

Sexual harassment in the workplace

18. In the light of the adoption of Law No. 1.457 of 12 December 2017 on harassment and violence in the workplace, under which harassment, sexual blackmail and violence in the workplace are prohibited, employers are required to take all necessary measures to put an end to such actions and the perpetrators of such acts are to be held criminally liable, please provide the following information:

(a) Please explain how the definition of harassment in the workplace, as adopted in the new Law, addresses sexual harassment against women that creates a hostile work environment and degrading behaviour or remarks with a sexual connotation, which are the most common types of sexual harassment against women in the workplace;

(b) Please provide data on the number of reported cases of sexual harassment against women, and the number of investigations and prosecutions, as well as information on the sentences imposed on the perpetrators, in the past five years.

Women migrant domestic workers

19. Please provide information on measures taken by the State party:

(a) To ensure that women migrant domestic workers are aware of their rights and have access to legal aid and protection, as well as to effective legal recourse in case of abuse;

(b) To monitor the situation of women migrant domestic workers, in particular with regard to their recruitment and working conditions;

(c) To ratify the International Labour Organization Domestic Workers Convention, 2011 (No. 189), in line with the Committee's previous recommendations (para. 40).

Health

20. Please provide data on the legal abortion rate in the State party and the prevalence of abortions performed in neighbouring France over the past five years. Please provide data on access to emergency contraceptives in the past five years, if available, or information on the extent to which emergency contraceptives are available in the State party.

Economic and social benefits

21. In view of the Committee's previous recommendations (para. 44), please indicate the measures taken to abolish the concept of "head of household" and replace it with a new concept.

Disadvantaged groups of women

22. Please provide information on measures taken to address and combat the aggravated and intersecting forms of discrimination faced by women belonging to disadvantaged groups, such as lesbian, bisexual, transgender and intersex women, women with disabilities and migrant women.

Marriage and family relations

23. Please provide information on measures taken by the State party to abolish the discriminatory prohibition on women remarrying within 310 days of divorce.

Data collection and monitoring

24. Please provide information on measures taken by the State party to establish a coherent and comparable system of data collection disaggregated by sex in areas of relevance to the realization of the rights of women, such as gender stereotypes, violence against women, education, employment, economic empowerment and health.

Additional information

25. Please provide any additional information deemed relevant with regard to legislative, policy, administrative and other measures taken to implement the provisions of the Convention and the Committee's concluding observations since the consideration of the previous combined periodic reports ([CEDAW/C/MCO/1-3](#)), in 2017. Such measures may include recent laws, developments, plans, programmes and ratifications of human rights instruments, as well as any other information that the State party considers relevant. Please also provide information on the measures taken to integrate a gender perspective into all efforts aimed at achieving the Sustainable Development Goals. Please note that, further to the issues raised in the present document, the State party will be expected, during the dialogue, to respond to additional questions relating to areas covered by the Convention.
