



**Report of the Canadian Parliamentary Delegation to the
Seminar of the APF Network of Women Parliamentarians on
the Convention on the Elimination of All Forms of
Discrimination Against Women of the *Assemblée
parlementaire de la Francophonie (APF)***

***Canadian Branch of the Assemblée parlementaire de la
Francophonie (APF)***

Nouakchott, Mauritania

May 21 and 22, 2008

Report

The Parliamentary Delegation of the Canadian Branch of the *Assemblée parlementaire de la Francophonie* which attended the Seminar of the APF Network of Women Parliamentarians on the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), held in Nouakchott, Mauritania, on May 21 and 22, 2008, has the honour to present its report. Comprising the Honourable Rose-Marie Losier-Cool, Senator and President of the Network of Women Parliamentarians, the delegation was accompanied by Jean Michel Roy, Executive Secretary to the Branch.

More than 20 parliamentarians and representatives of Mauritania's civil society took part in the seminar.

Wednesday, May 21, 2008

Opening of proceedings

Statement by Ba Mamadou dit M'Bare, Speaker of the Mauritanian Senate

In his opening statement, the Speaker of the Mauritanian Senate said that through affirmative action women had taken more than 20% of the seats in Parliament. He went on to say that a seminar on "The role of parliamentarians in human rights in general and the discrimination against women in particular" had recently been organized by the office of the High Commissioner for Human Rights and the Interparliamentary Union jointly with the Mauritanian Parliament.

Statement by the Honourable Rose-Marie Losier-Cool, President of the Network of Women Parliamentarians

Senator Rose-Marie Losier-Cool, President of the Network, noted that the Network's objective is to encourage greater participation of women in their country's political, economic, social and cultural life and in the Francophonie as a whole. By creating the Network, women parliamentarians sought to strengthen the role of women in the APF and member parliaments.

Furthermore, the Network plays a role with respect to cooperation, by organizing seminars on CEDAW. The Network devotes a large part of its energies to raising awareness of the Convention, which was adopted in 1979 and ratified by some 184 countries, including Mauritania. Since 2004, the APF has held five seminars on CEDAW, in Mali, Madagascar, Gabon, Tunisia and Haiti.

The Convention is an international accord on women's rights calling on member states to take the necessary measures to allow women's rights to be fully recognized. CEDAW is thus the primary international legal instrument for the promotion of women's rights. Yet nearly 30 years after CEDAW was adopted, a number of its provisions are still not being respected. Many national laws contain provisions that are contrary to women's rights. CEDAW itself is weakened by too many reservations, many of which contradict its objectives.

While movement toward true gender equality is hampered by entrenched attitudes, the slow rate of progress is often due to the lack of political will among member states. As representatives of the people, parliamentarians have an important role to play in this regard. Specifically, they must ensure that legislation is consistent with the principles and provisions of CEDAW.

This seminar is aimed at strengthening the knowledge and negotiation abilities of women parliamentarians, so they are better able to follow CEDAW's implementation. It is a useful way, albeit a modest one, to contribute to the building of a more just and more egalitarian society.

Statement by Victoire Lasseni Duboze (Gabon), chargée de mission for the APF Africa region

Ms Victoire Lasseni Duboze opened by saying that Mauritania is one of the few Francophone countries that already has a process for setting up a quota system for the participation of women in Parliament, and this has been made possible with the support and encouragement of men.

Another obvious form of discrimination against African women, according to Ms Duboze, is how difficult it is for them, their families and their children to obtain visas to enter northern countries. Borders that are closed ever more firmly to Africa can be seen as a form of discrimination, if not rejection, by those who magnify the virtues of French shared by the members of the Francophonie.

Proceedings

Statement by Lise Thériault (Quebec) – Implementation of CEDAW in Quebec

Firstly, Ms Lise Thériault pointed out that Quebec, like Canada, has committed to ensuring that its legislation and its legal practices do not discriminate against women, as provided in CEDAW. In fact, even though membership and implementation of the Convention is an area of federal jurisdiction in Canada, Quebec must report on the steps taken to implement CEDAW provisions.

In Quebec, the principle of gender equality has been explicitly recognized since the 1976 adoption of the *Quebec Charter of Human Rights and Freedoms*.

Recent progress includes the 2006 passage of legislation containing measures to eliminate discrimination against women in political and public life – *An Act respecting the governance of state-owned enterprises*. The legislation provides that, as of 2012, boards of directors of state-owned enterprises will include an equal number of women and men.

In order to eliminate discrimination against women in employment, the Quebec government has also signed agreements with nearly 360,000 employees in the public and parapublic sectors in 163 different employment categories. These agreements are further to the *Pay Equity Act* adopted in 1996.

In addition to the various legislative provisions, a number of other initiatives and programs have been established in order to promote the advancement of women in Quebec. In December 2006, the government tabled its new policy for equality between men and women, entitled *Making equality in law equality in fact*.

The 2007-2010 Action Plan resulting from this policy comprises 63 actions, a number of which require the cooperation of partners in the nongovernmental sector. An evaluation of the policy's implementation will be carried out every three years by a parliamentary committee.

Statement by Pramila Patten, CEDAW committee expert

Ms Pramila Patten mentioned that the Convention is intended to broaden the concept of human rights, as it officially recognizes that culture and tradition may be factors that limit the exercise of women's fundamental rights. In the guise of habits, standards and stereotypes, these factors give rise to a wide range of legal, political and economic constraints that hinder progress by women.

The movement toward real gender equality is thwarted by subtle inequalities that are deeply rooted in attitudes, that are part of daily life, at work and at home, in the political arena and at all decision-making levels, as well as within the family.

At the decision-making levels, there remain major obstacles to equality: the world of politics is still a man's world, even though in some countries a new culture and new practices are coming to light. While a significant number of women now have employment, the culture in the working world keeps women in an unfavourable position.

Even though most countries comply with the Convention in their Constitution and their national legislation, they contravene the Convention in their customs and traditions as a result of their shortcomings in enforcing legislation.

In conclusion, Ms Patten made the following proposals for action that women parliamentarians could take with their government. They should ensure that reports are presented on time, take part in drafting and presenting reports, facilitate the lifting of restrictions, work on the ratification of the Optional Protocol, promote the spread of CEDAW, general recommendations, and the Committee's final observations, organize signature events and work toward establishing human rights committees in their parliament.

Statement by Marie-Rose Nguini Effa (Cameroon)

Ms Marie-Rose Nguini Effa said that CEDAW had a universal vocation, that it is one of the seven United Nations treaties on human rights. This is the convention that lays the groundwork for achieving equality between men and women, by guaranteeing equal access by women to political and public life, to education, to reproductive health, to employment, to family rights and childcare, and to social security.

CEDAW is one of the international instruments for the protection of human rights that has the greatest number of ratifications, and is one about which there is the greatest number of reservations, as some member states have expressed objections about specific articles, arguing that they are incompatible with their national jurisdiction, tradition, religion or culture.

Statement by Francine John-Calame (Switzerland) - Implementation of CEDAW in Switzerland

Ms Francine John-Calame pointed out that Switzerland's federalist system poses important challenges to a coordinated and consistent implementation of a gender equality policy. While the Confederation must ratify international treaties, it is the cantons that are primarily responsible for their implementation, especially in key areas such as education, training, health, policing or sentencing. This complex structure results in a variety of levels of commitment and differing implementation measures to make equality a reality, depending on the level of awareness of the issue in the canton. Some political authorities balk at recognizing the need for any measures, and this blocks the emergence of any real national policy to eliminate discrimination against women.

Concrete actions must be taken if men and women are to have equal opportunity in education, training, careers and family life, politics, the economy and society. In order to move toward achieving this goal, significant improvements must be made in a number of different areas.

In the professional sector, the number of women has certainly climbed steadily, but there are still not as many women as men. In general, the professional position of women is still lower than that of men. Among men and women with the same academic qualifications, there are more women than men who work as salaried employees with no supervisory role. Furthermore, proportionally speaking, women are affected more greatly by unemployment. Women's salaries are nearly 23% lower than men's. Even when men and women have the same qualifications and the same positions, women are paid less than men are.

In terms of training, access to all streams of academic and professional training is guaranteed equally to both sexes. However, after leaving school, the proportion of women without training is still demonstrably higher than that of men.

In terms of the work-life balance, Switzerland is slowly moving ahead, and there remains a great deal to be done.

Over the past few years, specific attention has been paid to the status of immigrant women, who are more exposed to the risks of discrimination in health care, training, access to employment opportunities, and protection from economic exploitation and

spousal abuse. A variety of measures has been taken in this regard to try to minimize these disparities. Language courses have been set up exclusively for women, during which information is provided about Swiss institutions and the Swiss government.

Regarding spousal abuse, in terms of the trafficking of women, the number of cases that have not been revealed or discovered remains very high. Swiss legislation has been adapted so that the authorities may waive general entry requirements in order to regulate trips by victims of and witnesses to human trafficking.

In conclusion, not enough is being done at the institutional level to promote equality between men and women. There have been major budget restrictions and limited responsibilities have been assigned to specialized structures, such as the offices for gender equality at the confederation and canton levels. Attempts to introduce a mainstreaming approach to gender equality in governments and policies have occasionally had a contrary effect, such as the elimination of measures intended to help women.

Statement by Bangon Sayarath (Laos) – Implementation of CEDAW in Laos

Ms Bangon Sayarath described the creation of a variety of organizations promoting women's rights, including the Union of Laotian women, the National Committee for the promotion of Laotian women, and the Centre for information and statistics. The purpose of these national organizations is to provide assistance to the government in drafting the national policy and the strategic plan for the promotion and progress of women from all points of view and to act as the central spokesperson for national departments and organizations.

Thursday, May 22, 2008

Statement by Maimouna Mint Taghi, Director, Women's Program, Department of women's rights, children and the family (Mauritania)

Ms Maimouna Mint Taghi explained that in light of the challenging legal, sociocultural, political and economic context in Mauritania, it is difficult to report on the real implementation of CEDAW. One of the ways such implementation could be achieved might be to harmonize CEDAW with sharia law.

When ratifying the Convention, Mauritania expressed the following reservation: *Having seen and examined the United Nations Convention on the Elimination of all Forms of Discrimination Against Women, and adopted by the UN General Assembly on 18 December 1979, have approved and do approve it in each and every one of its parts which are not contrary to Islamic Sharia and are in accordance with our Constitution.* Mauritania's reservation about CEDAW concerns the provisions that might be contrary to Islamic law on the status of women.

With regard to women's rights, it should be noted that there are relative inequalities (inheritance, repudiation, polygamy, and so forth), but these are offset by other factors in favour of women (right to maintenance, pension, obligation of husband to support wife, and so on). Logically, these inequalities should be considered in light of the corresponding rights and obligations, which establish a certain balanced status between men and women.

Finally, there are factors that limit the productivity and the sustainability of women's actions, including women's access to resources, the under-representation of women in mixed socio-professional organizations, difficulties in balancing work and home life, limited access to information and negotiating ability, and a lack of statistics on these issues that limits policy evaluation.

In conclusion, despite some achievements, the participation of Mauritanian women in the labour force is still limited and most women, especially those in rural areas, are poor and marginalized. Moreover, there is still strong resistance based on stereotypes about women that men believe and that prevent them from reaching high professional levels, regardless of their level of training and their experience.

Statement by Kadiatta Malick Diallo (Mauritania) - implementation of CEDAW (and the Protocol to the African Charter) in Mauritania

Ms Kadiatta Malick Diallo stated that a review of the report by Mauritania presented in May 2007 to the United Nations Committee on CEDAW highlighted some positive points, but primarily criticized the application of the Convention and drafted a series of recommendations.

Mauritania has a general reservation, which says that the government does not recognize the articles of the CEDAW Convention that may be contrary to the Islamic Sharia and the Mauritanian Constitution. If the wording of the Convention were considered, it would have been better to specify the debatable articles rather than expressing an unclear reservation.

While the reservation may be necessary for the articles contrary to Islamic Sharia, it is not justified for the Constitution because, firstly, international legislation when ratified supersedes domestic legislation and, secondly, the Constitution may be reviewed in order to eliminate potentially discriminatory provisions. Refusing a reservation because of the additional protocol may well deprive women in many countries of the benefits of protecting many other rights not affected by the reservation.

The lack of indicators specified in advance gave the report a general and theoretical nature that does not allow any progress in CEDAW's implementation to be measured.

Ms Diallo then commented on the Mauritanian situation in the following areas:

Education: equal access to schooling at the basic levels has been mentioned but there are many more girls than boys who drop out. Fewer girls qualify for a diploma.

Health: women are affected by early marriages (especially in rural areas) even though the incidence of this phenomenon has actually dropped; the birth rate is quite high and the rate of maternal mortality is one of the highest in the sub-region; access to pre- and postnatal care is still inadequate, the use of contraception is low, AIDS prevention and control is not yet systematic, even though recently a law was passed that protects those living with HIV-AIDS.

Economic conditions: there is a lack of specific data on women's wages and salaries in relation to those of men, and the existence of micro-credit aimed primarily at women but whose impact on reducing poverty remains to be seen.

Access to the justice system: the justice system is cumbersome due to social pressure; access to it is minimal and difficulties in accessing the help of a lawyer continue.

Women in politics: significant progress has been made in this area with the adoption of legislation setting a quota of 20% of women on the electoral rolls and in parliamentary functions.

The administration: for the first time ever, women have been promoted to the positions of governing territorial administration and ambassador. Promotions to senior government positions are still very rare. The judiciary is closed to women.

In conclusion, in the context of Mauritania, a country with undeveloped resources and infrastructures and a conservative society, CEDAW can only be implemented gradually and will need time. In order to make more rapid progress, a clear strategy is necessary, which gives priority to mobilizing women to demand their rights, to increasing awareness within the society of women's rights in general, and the implementation of concrete political measures in favour of women.

Closing statement by the Honourable Rose-Marie Losier-Cool, President of the Network of Women Parliamentarians

In her statement, Senator Losier-Cool made a few observations on the Seminar's proceedings. She expressed her view that CEDAW was still unknown, and this could lead to a misapprehension, if not ignorance, of some of the concepts and strategies that are essential for reaching gender equality.

Nearly 30 years after its adoption, CEDAW still gives rise to debate on its basic implications and its implementation. Women parliamentarians must take responsibility for its implementation, in association, not opposition, with men parliamentarians.

The Senator emphasized the fact that, while dealing specifically with the status of women, CEDAW concerns all human beings, both men and women. CEDAW must therefore be a concern for both women and men at all levels and in all areas. The Senator expressed her wish that she would be able to rely on the valuable support of men parliamentarians in seeking equality and a more just society.

Respectfully submitted,

Rose-Marie Losier-Cool, Senator
Member of the Canadian Branch of the
Assemblée parlementaire de la Francophonie (APF)

Travel Cost

ASSOCIATION	Canadian Branch of the <i>Assemblée parlementaire de la Francophonie (APF)</i>
ACTIVITY	Seminar of the APF Network of Women Parliamentarians on the Convention on the Elimination of All Forms of Discrimination Against Women
DESTINATION	Nouakchott, Mauritania
DATES	May 21 and 22, 2008
DELEGATION	
SENATE	Hon. Rose-Marie Losier-Cool
HOUSE OF COMMONS	
STAFF	Jean Michel Roy
TRANSPORTATION	\$ 7,803.27
ACCOMMODATION	\$ 434.49
PER DIEMS	\$ 299.58
MISCELLANEOUS/REGISTRATION FEES	\$ 88.73
TOTAL	\$ 8,626.07