

## Freedom from Violence is a Human Right

### Government Duties to Protect Individuals from Violence, Ill Treatment, and Torture

International law condemns violence against women in all its forms, whether it occurs in the home, schools, the workplace, or in health care facilities. Human rights standards guarantee the right to be free from violence, ill treatment, and torture, as well as the rights to life, health, and non-discrimination. These guarantees create a government duty to protect women from violence, regardless of who perpetrates it. United Nations human rights bodies have been key players in building governments' understanding of their affirmative duties to stop violence against women.

This briefing paper examines the standards developed by six UN bodies, or Committees, in the area of violence, ill treatment, and torture. Following a brief overview of the origin and work of the TMBs, the paper reviews standards each body has adopted as it has monitored governments' compliance with their duties under international human rights law. Again and again, these committees have stressed that international treaty commitments require government action against violence against women.

- Overview Chapter
- Abortion
- Contraception & Family Planning
- Female Genital Mutilation
- HIV/AIDS
- Marriage & Private Life
- Maternal Mortality
- Sexuality Education
- Violence Against Women

## Background

### **Treaty Monitoring Bodies and their Role in Developing International Law**

The UN treaty monitoring system was created to ensure governments' compliance with their treaty obligations.<sup>1</sup> Each of the six major international human rights treaties provides for the establishment of a committee whose primary mandate is to monitor governmental progress in implementing the treaty. Monitoring is achieved primarily through a "country reporting" process, which requires states to report periodically on their efforts to respect, protect, and fulfill the human rights enshrined in a particular treaty.<sup>2</sup> Following in-person dialogues with government representatives, committee members issue concluding observations to the reporting government. Every year, these observations are compiled in a report and sent to the General Assembly of the UN.<sup>3</sup>

In addition to the concluding observations, committees have the authority to issue "general comments" or "general recommendations." These documents elaborate on a treaty's broadly worded human rights guarantees in order to guide government efforts to implement the treaty, providing a working interpretation of the rights in each of the major treaties.<sup>4</sup> Some committees also have a mandate to examine individual complaints of human rights violations, in which cases they issue written decisions.<sup>5</sup>

Key Human Rights Treaties and their Monitoring Committees	
HUMAN RIGHTS TREATY	COMMITTEE
Convention on the Elimination of All Forms of Discrimination against Women ( <i>CEDAW</i> )	Committee on the Elimination of Discrimination against Women ( <i>CEDAW Committee</i> )
Convention on the Rights of the Child ( <i>Children's Rights Convention</i> )	Committee on the Rights of the Child ( <i>CRC</i> )
International Covenant on Civil and Political Rights ( <i>Civil and Political Rights Covenant</i> )	Human Rights Committee ( <i>HRC</i> )
International Covenant on Economic, Social and Cultural Rights ( <i>Economic, Social and Cultural Rights Covenant</i> )	Committee on Economic, Social and Cultural Rights ( <i>CESCR</i> )
International Convention on the Elimination of All Forms of Racial Discrimination ( <i>Convention against Racial Discrimination</i> )	Committee on the Elimination of Racial Discrimination ( <i>CERD</i> )
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment ( <i>Convention against Torture</i> )	Committee against Torture ( <i>CAT</i> )

Taken together, the concluding observations, general comments and case decisions of the TMBs serve to guide governments and advocates in further promoting human rights. They are also a crucial tool for holding governments accountable under international human rights law. The standards elaborated upon by the TMBs, summarized in this briefing paper, can and should be used to measure government compliance with human rights treaty obligations. Materials cited in this paper can be used to support legal challenges in national, regional and international human rights institutions. They can also be used to hold governments accountable politically in campaigns aimed at liberating women and children from violence.

What follows is a discussion of the statements from January 1993 to June 2007 relating to violence, ill treatment and torture by six TMBs: the CEDAW Committee; the Committee on the Rights of the Child; the Human Rights Committee; the Committee on Economic, Social and Cultural Rights; the Committee on the Elimination of Racial Discrimination; and the Committee against Torture.<sup>6</sup>

# 1.

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## CEDAW Committee

### General Recommendations

#### RELEVANT PROVISIONS OF CEDAW

**Article 5** *requires states parties to take all appropriate measures to eliminate social and cultural patterns and practices that perpetuate notions of women's inferiority.*

**Article 12** *protects women's right to health and requires states parties to eliminate discrimination against women in the area of health care, including reproductive health care such as family planning services.*

#### General Recommendation 19: Violence against Women<sup>7</sup>

In its General Recommendation 19, the CEDAW Committee provides a comprehensive reporting guide for states parties and includes an article-by-article interpretation of CEDAW with respect to violence against women; it also contains very specific recommendations on how to eliminate such violence. This interpretation of CEDAW is particularly important because the treaty itself does not explicitly discuss violence against women in the context of discrimination. The general recommendation also delineates the human rights and fundamental freedoms recognized under international law and human rights treaties that are implicated when gender-based violence occurs. These rights include the right to life; the right not to be subject to torture or inhuman, cruel, or degrading treatment; the right to liberty and security of the person; the right to equal protection of the law; the right to equality in the family; and the right to the highest attainable standard of physical and mental health.

#### General Recommendation 12: Violence against Women<sup>8</sup>

In its General Recommendation 12, a precursor to General Recommendation 19, the CEDAW Committee calls on states parties to include information on violence against women in their periodic reports, and to outline steps being taken to eliminate it.

## Concluding Observations

The CEDAW Committee has dealt with violence against women comprehensively and its concluding observations in this area are well developed. The Committee starts with the assumption that violence against women exists in all countries and, therefore, when states parties' reports do not present information on this issue, the Committee consistently asks for information and disaggregated data.<sup>9</sup>

The Committee has also recognized that gender intersects with other characteristics such as race, ethnicity, disability, and economic status, in the context of violence.<sup>10</sup> For example, in its Concluding Observations to Germany, on the subject of violence motivated by xenophobia and racism, the Committee asked the government to improve collection of statistics on victims disaggregated by sex, race, and ethnicity, and to implement protective measures to ensure that foreign women victims are made aware of their rights and have access to effective remedies.<sup>11</sup>

### **Domestic Violence**

The CEDAW Committee has commented often on domestic violence,<sup>12</sup> and its concluding observations have generally been extremely comprehensive. The Committee has advanced the principle of state responsibility for domestic violence in numerous concluding observations, advocating for the enactment<sup>13</sup> and enforcement of legislation to prevent and punish acts of domestic violence. The Committee has also called upon states to provide shelters, counseling services, and legal aid for victims of domestic violence.<sup>14</sup> Moreover, while the Committee has praised states parties for implementing laws or policies that address domestic violence,<sup>15</sup> including criminal provisions, the Committee has expressed concern regarding low rates of prosecution, conviction, and sentencing of perpetrators.<sup>16</sup> It has urged states parties to take measures including sensitization and awareness-raising of law-enforcement personnel and the judiciary.<sup>17</sup>

The Committee has also expressed concern regarding states' overemphasis on marital reconciliation in cases of marital breakdown, including cases where violence has occurred.<sup>18</sup> It has also made an effort to put the issue of domestic violence against women in a broader social context by prioritizing the need for awareness and sensitization programs that address the problem,<sup>19</sup> and in particular, the root causes,<sup>20</sup> such as discriminatory attitudes and cultural norms.<sup>21</sup>

The Committee has recommended that governments enact legislation to criminalize violence such as marital rape,<sup>22</sup> or repeal or amend legislation that discriminates against married women by not penalizing marital rape.<sup>23</sup> The Committee has commended states parties for recognizing marital rape as a criminal offense,<sup>24</sup> but expressed concern over circumstances where victims can forgive the crime, thus extinguishing the act's criminal dimension and the consequent severity of the penalty.<sup>25</sup>

### **Sexual Violence**

The CEDAW Committee has made an effort to address existing laws that discriminate against women by implicitly condoning violence against them. To this end, the Committee has criticized penal codes of states parties that do not provide sufficiently stringent punishment for crimes of sexual violence,<sup>26</sup> including those penal code exceptions that allow a rapist to escape criminal liability by marrying his victim.<sup>27</sup> The Committee has urged states parties to amend criminal laws to explicitly define the offense of rape as sexual intercourse without consent.<sup>28</sup>

The Committee has also recommended measures to ensure privacy and protection for victims of sexual violence during judicial proceedings.<sup>29</sup> It has recognized sexual abuse of girls by older men as a violation of their reproductive rights.<sup>30</sup> The Committee has also requested that states parties explicitly criminalize sexual violence within the family, such as incest, and provide victims with effective means of redress and protection.<sup>31</sup> The Committee has also expressed concern that violence is perpetuated by discriminatory attitudes, and urged states parties to address violence through public awareness campaigns and other efforts, focusing on sexual violence.<sup>32</sup> The Committee has linked sexual violence and access to abortion, condemning the criminalization of abortion, even in cases of rape.<sup>33</sup>

On numerous occasions the Committee has expressed grave concern over violence against women and girls during armed conflict, in conflict zones, or in areas with a heavy military presence,<sup>34</sup> and explicitly condemned the use of rape as a weapon of war.<sup>35</sup> Along similar lines, the Committee has recommended special protective measures in judicial proceedings for victims of violence committed during armed conflict.<sup>36</sup> It has also called for the allocation of financial resources, and provision of health insurance and health services to the civilian victims of sexual violence during armed conflict.<sup>37</sup> The Committee has not referred to domestic implementation of international humanitarian law in its concluding observations nor has it explicitly called for ratification of the Rome Treaty of the International Criminal Court,<sup>38</sup> which classifies rape and sexual violence committed during armed conflict as war crimes and crimes<sup>39</sup> against humanity.<sup>40</sup>

### **Sexual Harassment**

The CEDAW Committee has explicitly identified sexual harassment as a form of violence against women.<sup>41</sup> It has frequently expressed concern over high levels of sexual harassment against women,<sup>42</sup> including in school and work environments.<sup>44</sup> The Committee has also recognized that armed conflict may increase women's exposure to sexual harassment.<sup>45</sup> The Committee has shown concern over lack of legislation on sexual harassment,<sup>46</sup> explicitly recommended that states parties adopt sexual harassment laws,<sup>47</sup> and praised states parties for adopting such legislation.<sup>48</sup> The Committee has also discussed other measures to address the problem of sexual violence, such as awareness-raising campaigns.<sup>49</sup>

### **Violence in Reproductive Health Services**

The CEDAW Committee has found that coercive implementation of population policies and family planning programs is a form of violence against women.<sup>50</sup> By asking governments to emphasize reproductive choice as part of these policies, the Committee has advocated a human rights approach to population issues. In particular, the Committee has criticized states for having high rates of sex-selective abortion, female infanticide, and forced abortions.<sup>51</sup>

The Committee has expressed concern regarding the sterilization of women—especially minority women—without informed consent, as well as the lack of government action to improve informed consent laws and policies.<sup>52</sup> Additionally, it has called upon at least one state party to adopt legislative changes regarding forced sterilization, provide mandatory trainings on patients' rights, and compensate victims of coercive sterilization.<sup>53</sup>

### **Individual Cases**

In the case of *A.T. v. Hungary*,<sup>54</sup> which involved a woman who was subjected to severe domestic violence, the CEDAW Committee held that Hungary's failure to prevent and protect against violence against women constituted a violation of the petitioner's human rights and fundamental freedoms, particularly her right to security of person. The Committee found specific violations of the state's duties to take action to address discrimination (Article 2 (a), (b) and (e)) and address patterns of family violence (Articles 5(a) and 16).<sup>55</sup>

In the case of *A.S. v. Hungary*,<sup>56</sup> which involved the involuntary sterilization of a Hungarian woman of Roma origin, the CEDAW Committee held that the failure to provide reproductive health information and to ensure that A.S. provided her full and informed consent to be sterilized violated her most basic human rights. The Committee found specific violations of the right to non-discrimination in the fields of education (Article 10(h)) and health care (Article 12), as well as denial of the right to determine the number and spacing of one's children (Article 16(1)(e)).<sup>57</sup>

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### **Committee on the Rights of the Child**

#### **General Comments**

##### **General Comment 3: HIV/AIDS and the Rights of the Child<sup>58</sup>**

In its General Comment 3, the Committee on the Rights of the Child recognizes that children who are exposed to violence or abuse, particularly sexual violence, may have an increased risk of contracting

**RELEVANT PROVISIONS  
OF THE CHILDREN'S  
RIGHTS CONVENTION**

**Article 19** *requires states parties to protect children from all forms of abuse.*

**Article 34** *protects children from sexual exploitation and abuse.*

**Article 39** *establishes that states parties must assist in the recovery and reintegration of child victims of all forms of harm and abuse.*

or being affected by HIV/AIDS.<sup>59</sup> The Committee emphasizes that the right of children to be protected from violence, including sexual exploitation and abuse, must be considered as states parties take measures to address HIV/AIDS and the pandemic's impact on children.<sup>60</sup>

The Committee notes that rape and other forms of sexual abuse can occur in the family or foster setting, and that those with specific responsibilities to care for children, such as teachers or employees of institutions working with children, may perpetuate these acts.<sup>61</sup> The Committee stresses that states parties are obligated to protect children from all forms of violence and abuse, including in the home, in school, or in the community.<sup>62</sup>

The Committee also addresses the connection between the sexual exploitation of children and HIV/AIDS. The Committee emphasizes that children who live in poverty, including those who are orphaned as a result of AIDS, are particularly vulnerable to becoming victims of different forms of exploitation, such as the exchange of sexual services for money.<sup>63</sup> The Committee calls on states parties to take action to protect children from being sexually and economically exploited.<sup>64</sup>

The Committee notes the importance of taking into consideration the particular environment in which children live in developing programs to help them. Specifically, the Committee notes that special attention should be paid to the relationship between HIV/AIDS and the violence or abuse to which children are subjected during times of war or armed conflict, and in particular, the impact of HIV/AIDS on children who are economically or sexually exploited, internally displaced, or living in refugee camps during times of war and armed conflict. The Committee urges states parties to put in place active campaigns, counseling services, and prevention and detection mechanisms in regions affected by conflict and disaster.<sup>65</sup>

**General Comment 4: Adolescent Health and Development<sup>66</sup>**

In its General Comment 4, the Committee on the Rights of the Child emphasizes that states parties must pay increased attention to the vulnerability of adolescents to abuse and exploitation.<sup>67</sup> To that end, the Committee urges states parties to develop programs and campaigns to raise awareness regarding traditional practices, including early marriage and honor killings, that can have harmful effects on adolescent girls.<sup>68</sup> Additionally, the Committee notes that adolescents who are sexually exploited have a right to physical recovery and social reintegration in an environment that fosters health, self-respect, and dignity.<sup>69</sup>

**General Comment 6: Treatment of Unaccompanied and Separated Children  
Outside Their Country of Origin<sup>70</sup>**

In its General Comment 6, the Committee on the Rights of the Child recognizes that unaccompanied<sup>71</sup> or separated children<sup>72</sup> are particularly vulnerable to exploitation and abuse.<sup>73</sup> The Committee

emphasizes that girls are particularly at risk of being trafficked, including trafficking for purposes of sexual exploitation.<sup>74</sup> Therefore, the Committee urges states parties to take appropriate measures to prevent trafficking. Towards that end, the Committee recommends that states parties identify unaccompanied or separated children, conduct information campaigns, and pass appropriate legislation.<sup>75</sup>

In the context of armed conflict, the Committee urges states parties to provide support for, and facilitate the reintegration of, girls who were associated with the military. This includes girls who were combatants or otherwise in contact with the military.<sup>76</sup>

**General Comment 7: Implementing Child Rights in Early Childhood<sup>77</sup>**

In its General Comment 7, the Committee on the Rights of the Child recognizes that young children, particularly girls, are vulnerable to sexual abuse and exploitation at an early age, whether committed within or outside the family.<sup>78</sup> The Committee notes that children in “difficult circumstances,” for example children who work as domestic workers, may be especially at risk.<sup>79</sup>

**General Recommendation 8: The Right of the Child to Protection from Corporal Punishment and Other Cruel or Degrading Forms of Punishment<sup>80</sup>**

In its General Comment 8, the Committee on the Rights of the Child notes that not only are states parties obligated to address and work to eliminate the acceptance or tolerance of corporal punishment of children, but that doing so is a “key strategy” to reduce and prevent violence in society.<sup>81</sup> The Committee notes that its recommendations to states parties to prohibit all forms of corporal punishment have been reiterated throughout state reporting sessions.<sup>82</sup>

The Committee also notes that while the International Covenant on Civil and Political Rights protects freedom of religious belief, such beliefs cannot justify corporal punishment, which is a violation of human rights.<sup>83</sup> The Committee further notes that to ensure that all corporal punishment is prohibited, states parties may need to amend or add to existing law, including criminal, civil, and family law.<sup>84</sup> The Committee expresses concern about the fact that corporal and other types of punishment are used against children who work, and emphasizes the need for states parties to protect children from such punishment, including by enforcing existing prohibitions.<sup>85</sup>

## Concluding Observations

The Children’s Rights Convention was the first international human rights treaty to explicitly recognize sexual violence and abuse, whether perpetrated by public or private actors, as an international human rights violation.<sup>86</sup>

The Committee on the Rights of the Child's concluding observations have reflected a multi-disciplinary approach to eliminating violence against children. The Committee has examined the factors that result in violence against children and recommended various measures to address the problem, including further data collection,<sup>87</sup> rehabilitation and reintegration services,<sup>88</sup> legal and policy measures,<sup>89</sup> and awareness-raising and educational campaigns.<sup>90</sup> More specifically, the Committee has called for assessing the scope, nature, and causes of child abuse,<sup>91</sup> as well as establishing procedures for the thorough investigation of child abuse<sup>92</sup> and programs aimed at assisting victims of abuse.<sup>93</sup> With regard to awareness-raising, the Committee has advocated training to recognize signs of violence or child abuse for law enforcement agents, teachers, and health care workers,<sup>94</sup> as well as widespread educational campaigns for the general public to combat traditional attitudes toward violence against children.<sup>95</sup>

In urging a state party to take measures to address various forms of violence against children, the Committee has discussed the need to create strategies based on Covenant rights.<sup>96</sup> The Committee has also made an important link between domestic violence against women and child abuse,<sup>97</sup> and has highlighted the role that traditional attitudes play in perpetuating violence.<sup>98</sup> Along similar lines, the Committee has recognized that traditional attitudes regarding domestic violence against women and children may inhibit victims, especially women and girls, from seeking redress from the government for these crimes.<sup>99</sup>

The Committee has expressed concern regarding use of corporal punishment within the family, schools, or other institutions,<sup>100</sup> and has recommended that states parties adopt legislation prohibiting corporal punishment wholesale.<sup>101</sup> The Committee has also called for states parties to conduct campaigns to measure awareness of the harmful effects of corporal punishment, to change public perception that it is an acceptable form of physical violence,<sup>102</sup> and to make legislative amendments to abolish the imposition of capital punishment on children.<sup>103</sup>

The Committee has expressed concern regarding the number of children living on the street (street children)<sup>104</sup> and their vulnerability to violence and abuse, including by police officers or state officials.<sup>105</sup> The Committee has also recognized that a notable percentage of street children belong to racial or ethnic minority groups.<sup>106</sup> The Committee has recommended that states parties provide street children with food, clothing, housing, health services, educational opportunities and vocational training.<sup>107</sup> The Committee has also called for state parties to provide services for reintegration<sup>108</sup> and recovery from physical, psychological, and substance abuse,<sup>109</sup> and to facilitate reunification of street children with their families.<sup>110</sup> The Committee has further called for states parties to end criminalization and detention of street children,<sup>111</sup> and to protect street children from police brutality.<sup>112</sup> Finally, the Committee has recommended that states parties conduct studies to determine the scope and

root causes of the phenomenon of street children, with the aim of creating a comprehensive preventive program to address the problem.<sup>113</sup>

Outside of its discussion of FGM, the Committee has not comprehensively discussed the disparate impact of violence on girls. While the Committee has recognized that girls may be more vulnerable to certain forms of violence, especially domestic violence and sexual exploitation,<sup>114</sup> its recommendations on other forms of violence – such as rape and sexual assault – have mainly been gender-neutral.<sup>115</sup> Additionally, the Committee has criticized legislation with respect to sexual abuse and sexual exploitation that fails to protect both boys and girls,<sup>116</sup> and deemed such legislation discriminatory against boys.<sup>117</sup> To ameliorate such discrimination, the Committee has recommended that states parties reform existing laws against sexual violence—such as rape, incest, and sexual exploitation—to include boys within the defined class of victims.<sup>118</sup>

### **Torture**

The Committee on the Rights of the Child has expressed concern that children may be victims of torture (both physical and psychological, such as forced disappearances and extrajudicial executions) at police stations, detention places and prisons, and has recommended that states parties take investigative measures<sup>119</sup> and legislative action,<sup>121</sup> or implement existing legislation, to prevent such acts.<sup>122</sup> The Committee has recognized that girls may be the target of certain forms of torture and ill-treatment such as rape, sexual violence, and acid attacks (shallishes) by both private and government actors.<sup>123</sup>

### **Armed Conflict**

The Committee on the Rights of the Child has expressed concern on several occasions regarding violence against children during armed conflict.<sup>124</sup> The Committee has prioritized the recovery and reintegration of child victims of armed conflict (including former child soldiers),<sup>125</sup> and promoted the use of a truth and reconciliation commission.<sup>126</sup> The Committee has emphasized state responsibility for protecting children from violence during armed conflict, and called for states parties to cease abuses committed by security forces against children's personal security,<sup>127</sup> and to punish the perpetrators of such abuse.<sup>128</sup>

A number of the Committee's concluding observations and recommendations with respect to armed conflict have been gender-specific. It has acknowledged that during times of armed conflict, girls and boys may be the targets of different forms of violence, and has recommended that states parties develop programs of recovery and reintegration that account for such differences.<sup>129</sup>

The Committee has also recognized that child refugees are particularly susceptible to violence,<sup>130</sup> and that girl child refugees may be the targets of sexual violence in refugee camps.<sup>131</sup>

### **Sexual Exploitation**

The Committee on the Rights of the Child has expressed concern regarding sexual exploitation of children, including child prostitution,<sup>132</sup> sex tourism,<sup>133</sup> and trafficking and sale of children.<sup>134</sup> In that regard, the Committee has recommended that states parties amend legislation to bring it in line with the Convention,<sup>135</sup> develop and implement programs to prevent sexual exploitation of children,<sup>136</sup> and assist with their physical and psychological recovery and social reintegration.<sup>137</sup> The Committee has recommended that at least one state party “promote and develop universal policies that directly address the social, economic and ideological factors” which render children “vulnerable to sexual exploitation and foster the conditions for commission of this crime.”<sup>138</sup> Finally, the Committee has also called upon states parties to train law enforcement personnel to receive, investigate, and prosecute complaints of sexual exploitation of children.<sup>139</sup>

The Committee has also expressed specific concern regarding child pornography,<sup>140</sup> and recommended that states parties undertake studies to investigate the problem,<sup>141</sup> as well as implement policies and programs for the prevention and reintegration of children who are victims of such exploitation.<sup>142</sup>

The Committee has expressed concern that children are being exposed to inappropriate information such as violence, racism, and pornography through mobile technologies, video games, movies, and the Internet.<sup>143</sup> In that regard, the Committee has called upon states parties to use mobile technologies, media advertisements and the Internet to raise awareness among both children and parents regarding material injurious to the well-being of children.<sup>144</sup>

### **Slavery**

The Committee on the Rights of the Child has expressed concern regarding children being abducted and enslaved within the context of armed conflict or for commercial gain.<sup>145</sup> The Committee has also expressed concern that a state party’s legislation fails to prohibit child slavery, or sanction those who engage in it. In that instance, the Committee recommended that the state party end all forms of child slavery and abductions; amend its legislation to prohibit all forms of child slavery; prosecute persons engaged in the abduction, sale, purchase, or illegal forced recruitment of children; and provide assistance to children returning from slavery or abduction with reintegration in their families and communities.<sup>146</sup>

# 3.

## Human Rights Committee

### General Comments

#### RELEVANT PROVISIONS OF THE CIVIL AND POLITICAL RIGHTS COVENANT

**Article 6** *recognizes every person's right to life.*

**Article 7** *denounces torture and inhuman or degrading treatment.*

**Article 9** *establishes that all people have a right to liberty and security of the person.*

#### **General Comment 28: Equality of Rights between Men and Women**<sup>147</sup>

In its General Comment 28, the Human Rights Committee includes a gender dimension in its discussion of violence. Paragraph 11 denounces domestic violence and sexual violence against women as violations of Article 7 of the Civil and Political Rights Covenant, which guarantees the right to be free from torture and other cruel, inhuman, or degrading treatment. The Committee requests “information on national laws and practice with regard to domestic and other types of violence against women, including rape,”<sup>148</sup> and emphasizes that such information should include “measures of protection, including legal remedies, for women whose rights under Article 7 have been violated.”<sup>149</sup>

#### **General Comment 6: Right to Life**<sup>150</sup>

In its General Comment 6, adopted in 1982, the Human Rights Committee broadly defines the right to life, and requires states parties to adopt positive measures to ensure this right. The Committee places specific focus on reducing infant mortality and increasing life expectancy.<sup>151</sup> General Comment 6 does not explicitly recognize, however, that some violations of, or threats to, the right to life affect women exclusively. Nor does it discuss the interaction between Article 6 and Article 3, which deal with equality of rights between men and women.

#### **General Comment 8: Right to Security of the Person**<sup>152</sup>

In its General Comment 8 on “the right to security of the person,” also adopted in 1982, the Human Rights Committee briefly discusses Article 9 of the Civil and Political Rights Covenant, primarily in the context of detention. The Committee does not mention the frequent gender-based violence that detained women experience. Nor does it recognize that most forms of violence, including violence against women, are a direct threat to the security of the person.

### Concluding Observations

The Human Rights Committee’s concluding observations on violence have generally treated it as a violation of the right to life.<sup>153</sup> The Committee has consistently recommended that states parties implement and enforce legal measures that punish violence against women.<sup>154</sup> The Committee has also used concluding observations to recommend education campaigns to address domestic violence.<sup>155</sup> Moreover, the Committee has called for the collection of data on incidents of violence against women.<sup>156</sup>

**Domestic Violence**

The Human Rights Committee's numerous concluding observations to states parties on domestic violence<sup>157</sup> reinforce state responsibility by placing a strong emphasis on the need to adopt legislation addressing domestic violence.<sup>158</sup> The Committee has also expressed concern that despite some states parties' existing legislation, incidence of domestic violence remains high.<sup>159</sup> Specifically, governments fail to apply existing laws on domestic violence<sup>160</sup> or prosecute cases of domestic violence under pertinent criminal procedure provisions.<sup>161</sup> In instances where states parties have applicable domestic violence legislation, the Committee has called for more specific legislation to combat the problem,<sup>162</sup> or for states parties to strengthen the effectiveness of existing legislation.<sup>163</sup> The Committee has also called for the introduction of restraining orders as a means to protect victims from violent family members,<sup>164</sup> and consistently recommended the enactment of legislation criminalizing marital rape.<sup>165</sup>

The Committee has called for states parties to take additional necessary measures to combat domestic violence. It has recommended that states parties train law enforcement personnel on the issue generally,<sup>166</sup> and specifically, to sensitize them to the needs of victims<sup>167</sup> and instruct them to handle domestic violence cases properly.<sup>168</sup> The Committee has also called for states parties to institute more generalized education and sensitization programs regarding the issue.<sup>169</sup>

The Committee has recommended that states parties take measures to encourage women to report domestic violence to authorities<sup>170</sup> and to provide shelters for victims of domestic violence.<sup>171</sup> The Committee has also called for states parties to collect data and statistics on domestic violence.<sup>172</sup>

The Committee has expressed concern regarding forced marriage, and called upon states parties to combat the practice.<sup>173</sup> It has recommended that a state party bring its family code into compliance with international instruments by recognizing the rights of both spouses within marriage and ending quasi-impunity for forced marriage.<sup>174</sup> Along similar lines, the Committee has called upon states parties to abolish any leniency in penal codes for honor crimes.<sup>175</sup>

The Committee has not yet explicitly addressed how some traditional attitudes that discriminate against women give rise to domestic violence. Nor has the committee framed the issue as a violation of Article 3 (equal rights between men and women) of the Civil and Political Rights Covenant. The Committee has, however, identified economic dependence as a factor underlying women and children's vulnerability to domestic violence,<sup>176</sup> and as a factor that prevents women from reporting abuse.<sup>177</sup>

### **Sexual Violence**

The Human Rights Committee has discussed sexual violence against women within various concluding observations,<sup>178</sup> placing a strong emphasis on the need for remedial measures.<sup>179</sup> The Committee has also discussed remedies for sexual violence as necessary for equal protection.<sup>180</sup> The Committee has called upon states parties to revise legislation requiring a victim's consent to pursue a rape prosecution,<sup>181</sup> and to ensure that rape does not go unpunished.<sup>182</sup> It has not addressed traditional attitudes and cultural stereotypes that perpetuate notions of women's inferiority, and thus, sexual violence and harassment. The Committee has commented on the situation of migrant girls who are particularly vulnerable to rape and ill treatment.<sup>183</sup>

Where the Committee has addressed sexual violence during armed conflict, it has emphasized state responsibility for prevention and punishment of such abuse,<sup>184</sup> and has called for the provision of compensation to victims and their families.<sup>185</sup> The Committee has yet to reference, in its concluding observations, provisions of humanitarian law or the Rome Statute of the International Criminal Court,<sup>186</sup> which deal specifically with this issue.

### **Sexual Harassment**

The Human Rights Committee considers sexual harassment to be a form of discrimination against women,<sup>187</sup> and has discussed it primarily in the context of employment. The Committee has expressed concern over sexual harassment in both the public and private spheres, recommending that women be made aware of their rights and remedies in that regard.<sup>188</sup>

### **Violence in Reproductive Health Services**

The Human Rights Committee has discussed forced sterilization of women in reproductive health services,<sup>189</sup> and has expressed particular concern for vulnerable populations.<sup>190</sup> The Committee has asked states parties to take measures to ensure free and informed consent of women,<sup>191</sup> and to compensate victims of forced sterilization.<sup>192</sup> In one instance, the Committee called upon a state party to take adequate measures to prohibit employers from requiring sterilization certificates as a prerequisite to employment.<sup>193</sup>

The Committee has also called for the legalization of abortion in cases of rape or incest.<sup>194</sup> With respect to at least one state party, where abortion is legally permitted in instances of rape but not available in practice, the Committee has called for even greater liberalization of abortion legislation and practice.<sup>195</sup>

## 4.

**RELEVANT PROVISION  
OF THE ECONOMIC,  
SOCIAL AND CULTURAL  
RIGHTS COVENANT**

**Article 12** *protects the right to the highest attainable standard of physical and mental health.*

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## Committee on Economic, Social and Cultural Rights

### General Comments

#### **General Comment 14: The Right to the Highest Attainable Standard of Health**<sup>196</sup>

In its General Comment 14, the Committee on Economic, Social and Cultural Rights briefly discusses the impact of domestic violence on women's ability to exercise their right to health. It states that "[a] major goal [of states parties] should be reducing women's health risks, particularly lowering rates of maternal mortality and protecting women from domestic violence."<sup>197</sup>

### Concluding Observations

The Committee on Economic, Social and Cultural Rights has expressed its concern over violence against women,<sup>198</sup> and has recommended that states parties provide more information on the issue,<sup>199</sup> as well as support for prevention programs,<sup>200</sup> awareness campaigns,<sup>201</sup> and enforcement of legal protections.<sup>202</sup>

The Committee has discussed the effects of violence and armed conflict on internally displaced conditions of those individuals.<sup>203</sup>

#### **Domestic Violence**

Most of the concluding observations relating to violence against women issued by the Committee on Economic, Social and Cultural Rights deal with domestic violence.<sup>203</sup> In addition to expressing its deep concern over high rates of domestic violence, the Committee has recommended a range of measures to address the problem, including: enactment,<sup>205</sup> implementation,<sup>206</sup> or amendment of legislation;<sup>207</sup> collection of data and information;<sup>208</sup> the establishment of shelters;<sup>209</sup> and the establishment of support services.<sup>210</sup> The Committee has taken the lead in making recommendations to states parties for the sensitization and training of the general public regarding domestic violence.<sup>211</sup> The Committee has also frequently recommended training on domestic violence for law enforcement,<sup>212</sup> the judiciary,<sup>213</sup> and medical personnel,<sup>214</sup> and specifically, training and sensitization regarding the serious and criminal nature of domestic violence for law enforcement<sup>215</sup> and the judiciary.<sup>216</sup> Finally, the Committee has called for training for law enforcement and the judiciary regarding the rights and needs of victims,<sup>217</sup> and training for police officers regarding implementation of domestic violence legislation.<sup>218</sup>

The Committee has recognized that domestic violence often goes unreported due to women's economic dependency on their spouses, and has called upon at least one state party to enforce appropriate mechanisms to ensure that domestic violence victims are not prevented from seeking assistance for fear of deportation or expulsion from the country.<sup>219</sup>

The Committee has criticized legislation that discriminates against women by implicitly condoning violence against them, such as laws that do not prohibit marital rape.<sup>220</sup> It has recommended that states parties adopt legislation criminalizing marital or spousal rape.<sup>221</sup>

### **Sexual Violence**

The statements of the Committee on Economic, Social and Cultural Rights on sexual violence have been less frequent and less comprehensive than its concluding observations on domestic violence. While the Committee has recognized the link between women's economic disempowerment and their vulnerability to violence,<sup>222</sup> it has not discussed the effects of sexual violence on women's ability to exercise their economic rights. In addition, the Committee has yet to address the underlying discriminatory attitudes that contribute to women's vulnerability to sexual violence, and the psychosocial or reproductive health-related impact of sexual violence.

The Committee has discussed sexual violence during armed conflict and expressed concern regarding the lack of information provided by one state party regarding mental health services for victims of physical and sexual violence within the context of armed conflict.<sup>223</sup> The Committee called upon that state party to provide adequate counseling and other assistance to such victims, in particular to women and children, and to include information in its next report to the Committee documenting the number of victims and services provided to those victims.<sup>224</sup>

Along similar lines, the Committee has expressed concern to another state party regarding its lack of a coherent strategy to support victims of sexual violence during armed conflict<sup>225</sup> and recommended that the state party take the following steps: accord these victims "civilian war victim" status; devise and implement a state-level strategy to protect the economic, social and cultural rights of victims and their families; and include victims in the decision-making process in matters that affect them.<sup>226</sup> On a related note, the Committee has expressed concern regarding the extent of poverty faced by individuals who suffered sexual violence during armed conflict,<sup>227</sup> and has called upon a state party to "protect the economic, social and cultural rights of victims of sexual violence and their family members . . . ." <sup>228</sup>

### **Sexual Harassment**

The Committee on Economic, Social and Cultural Rights has addressed the issue of sexual harassment both in the context of the workplace<sup>229</sup> and more generally.<sup>230</sup> It has recommended that state

parties enact<sup>231</sup> and implement<sup>232</sup> legislation on sexual harassment. It has also called for awareness-raising efforts for law enforcement, the judiciary and the general public.<sup>233</sup>

### Violence in Reproductive Health Services

In the context of reproductive health, the Committee on Economic, Social and Cultural Rights has expressed concern over forced sterilization<sup>234</sup> and forced abortions.<sup>235</sup>

## 5.

### RELEVANT PROVISIONS OF THE CONVENTION AGAINST RACIAL DISCRIMINATION

**Article 5(b)** links the right to be free from racial discrimination to the enjoyment of the right to security of person and the right to protection from violence and bodily harm.

**Article 5(e)** links the right to be free from racial discrimination to the enjoyment of a number of economic, social, and cultural rights, including the right to health.

## Committee on the Elimination of Racial Discrimination

### General Recommendations

#### General Recommendation 25: Gender-Related Dimensions of Racial Discrimination<sup>136</sup>

In its General Recommendation 25, the Committee on the Elimination of Racial Discrimination specifically recognizes that some forms of racial discrimination, such as sexual violence during armed conflict, may be experienced only by women and may be directed at women because of their gender.<sup>237</sup> The Committee further recognizes that some forms of racial discrimination disproportionately affect women.<sup>238</sup>

#### General Recommendation 29: Gender-Related Dimensions of Descent-Based Discrimination<sup>239</sup>

In its General Recommendation 29, the Committee on the Elimination of Racial Discrimination discusses discrimination against women members of descent-based communities.<sup>240</sup> The Committee clarifies that descent-based discrimination, as referenced in the Convention and several of the Committee's General Recommendations, includes "discrimination against members of communities based on forms of social stratification such as caste and analogous systems of inherited status which nullify or impair their equal enjoyment of human rights . . . ."<sup>241</sup> In that regard, the Committee recommends that states parties "take into account, in all programmes and projects planned and implemented and in measures adopted, the situation of women members of . . . [descent-based] communities, as victims of multiple discrimination, sexual exploitation and forced prostitution . . . ."<sup>242</sup> The Committee also recommends that states parties take all measures necessary to eliminate this multiple discrimination, "including descent-based discrimination against women, particularly in the areas of personal security, employment and education."<sup>243</sup>

## Concluding Observations

### **Domestic Violence**

The Committee on the Elimination of Racial Discrimination has expressed concern regarding domestic violence against women, particularly among aboriginal women,<sup>244</sup> women from disadvantaged or poor ethnic groups,<sup>245</sup> and foreign women who do not seek assistance, separation, or divorce for fear of expulsion from the country.<sup>246</sup> The Committee has also expressed concern regarding the lack of available and accessible services for victims of gender-based violence in remote areas.<sup>247</sup> In that regard, the Committee has recommended that at least one state party “strengthen and expand existing services, including shelters and counselling, for victims of gender-based violence, so as to ensure their accessibility . . . and to take effective measures to provide culturally-sensitive training for all law enforcement officers, taking into consideration the specific vulnerability of aboriginal women and women belonging to racial/ethnic minority groups to gender-based violence.”<sup>248</sup> The Committee has also called upon states parties to take all appropriate measures to remove deterrents to seeking separation or divorce,<sup>249</sup> and to address double discrimination in the context of gender-based violence.<sup>250</sup>

### **Sexual Violence**

The Committee on the Elimination of Racial Discrimination has explicitly referenced sexual exploitation and violence as a form of gender-related racial discrimination, and asked at least one state party to provide “socio-economic data disaggregated by gender and national and ethnic group and information on measures taken to prevent” such discrimination.<sup>251</sup> It has also addressed, more generally, sexual violence against women,<sup>252</sup> and abductions of women.<sup>253</sup>

### **Sexual Harassment**

The Committee on the Elimination of Racial Discrimination has not issued any concluding observations relating to sexual harassment.

### **Violence in Reproductive Health Services**

The Committee on the Elimination of Racial Discrimination has discussed violence against women in reproductive health services on at least one occasion, when it asked a state party for more information on allegations of forced sterilization of women and on population policies affecting the reproductive rights of ethnic minority women.<sup>254</sup>

# 6.

## RELEVANT PROVISIONS OF THE CONVENTION AGAINST TORTURE

**Article 1** *defines torture as any intentional act, inflicted for reasons based on discrimination of any kind, which causes severe physical or mental suffering, and is committed with the consent or acquiescence of a public official.*

**Article 3** *prohibits states parties from returning or expelling a person to another state where that person would be in danger of suffering or torture.*

## Committee Against Torture

### General Comments

#### General Comment 1: Implementation of Article 3 of the Convention in the Context of Article 22<sup>255</sup>

In its General Comment 1, the Committee against Torture discusses the use of the individual complaint mechanism of Article 22 of the Convention against Torture to enforce states parties' obligations to individuals who would be at risk of torture if returned to their country of origin.

### Concluding Observations

The Committee against Torture has expressed general concern over issues of gender discrimination<sup>256</sup> and praised at least one state party for amending its constitution to prohibit discrimination based on gender.<sup>257</sup> The Committee has also diligently requested from states parties gender-disaggregated information on torture and other cruel, inhuman or degrading treatment.<sup>258</sup>

#### Domestic Violence

The Committee against Torture has expressed concern over violence against women, specifically violence in prisons and domestic violence,<sup>259</sup> and has praised states parties for the adoption of legislation to prevent domestic violence<sup>260</sup> and violence against women generally.<sup>261</sup> The Committee has also recommended that states parties establish programs and undertake measures to prevent, combat, and punish violence against women,<sup>262</sup> including sexual violence,<sup>263</sup> domestic violence,<sup>264</sup> and trafficking of women.<sup>265</sup>

#### Sexual Violence

The Committee against Torture considers violence against women, especially sexual violence, to be within its mandate, and has recommended to one state party that it enable victims of sexual violence to file complaints under the state party's National Commission on Political Imprisonment and Torture.<sup>266</sup> The Committee has called for adequate redress for victims of sexual violence, such as rehabilitation services, and recognition as victims of torture, thus granting them the capacity to pursue redress and fair and adequate compensation.<sup>267</sup> The Committee has also praised states parties for strengthening and expanding legislation making sexual violence while in detention a violation of law,<sup>268</sup> and increasing punishments for sexual crimes.<sup>269</sup> The Committee's concluding observations relating to violence against women have dealt with the subjects of female detainees,<sup>270</sup> rape and other forms of sexual violence as forms of torture,<sup>271</sup> and rape and other forms of sexual violence in the context of operations against illegal armed groups.<sup>272</sup> The Committee's discussion of sexual

violence has also touched on criminal codes that exempt rapists from punishment if they marry their victims,<sup>273</sup> sexual violence in camps for internally displaced persons,<sup>274</sup> sexual violence aimed at migrant and domestic workers,<sup>275</sup> and rape by military personnel.<sup>276</sup>

The Committee has recommended that states parties establish systems to monitor all forms of violence in prisons and/or detention centers,<sup>277</sup> and specifically, to monitor sexual violence,<sup>278</sup> prisoner-on-prisoner violence,<sup>279</sup> and proxy violence by acquiescence of officials.<sup>280</sup> The Committee has further called for states parties to conduct prompt and impartial investigations of complaints of violence in prisons,<sup>281</sup> and to prosecute<sup>282</sup> and appropriately sentence perpetrators of the violence.<sup>283</sup> With respect to victims of violence in prisons or detention centers, the Committee has recommended that states parties provide protection from violence and psychological and medical treatment,<sup>284</sup> and further, has called upon states parties to enable victims to seek legal redress, including appropriate compensation.<sup>285</sup>

On a related note, the Committee has expressed concern where men and women are not physically separated in prisons.<sup>286</sup> The Committee has also expressed concern to at least one state party that its military code does not expressly exclude sexual offenses from military courts' jurisdiction.<sup>287</sup> Along similar lines, the Committee has recommended that in cases of right to life violations, signs of torture that may be exhibited by victims, particularly sexual abuse, should be documented in forensic reports to ensure that investigations of the cases not only address homicide, but torture.<sup>288</sup>

The Committee has also expressed particular concern over abuses of women for the purpose of pressuring or punishing their imprisoned or exiled relatives.<sup>289</sup> The Committee's concluding observations also demonstrate its concern over torture for reasons based on discrimination,<sup>290</sup> including on the basis of social origin or sexual orientation,<sup>291</sup> or torture motivated by sexual gratification.<sup>292</sup>

### **Sexual Harassment**

The Committee against Torture has not issued any concluding observations on the issue of sexual harassment.

### **Violence in Reproductive Health Services**

The Committee against Torture has addressed forced sterilization in its discussions of sexual violence.<sup>293</sup> It has also expressed concern to at least one state party regarding its law prohibiting abortion even in cases of rape, which leads to unnecessary deaths of women.<sup>294</sup> The Committee also expressed concern regarding denial by state-employed medical personnel of treatment required to ensure that pregnant women do not undertake illegal abortions, and deemed it cruel and inhumane treatment to the fail to prevent such acts.<sup>295</sup> In that case, the Committee recommended that the state party take whatever legal and other measures necessary to prevent acts that place women's health

at grave risk, including provision of required medical treatment, strengthening of family planning programs, and ensuring better access to information and reproductive health services, including for adolescents.<sup>296</sup>

The Committee has also expressed concern regarding situations where “life-saving medical care for women suffering complications after illegal abortions is administered only on condition that they provide information on those performing such abortions[,]” and that such confessions are then used against women and third-parties in legal proceedings.<sup>297</sup> The Committee has called upon at least one state party to stop the practice of extracting such confessions for prosecution purposes, investigate convictions where coerced statements were obtained and admitted into evidence, and “take remedial measures including nullifying convictions which are not in conformity with the Convention.”<sup>298</sup>

## Individual Cases

In *Pauline Muzonzo Paku Kisoki v. Sweden*,<sup>299</sup> the Committee against Torture found that a Zairian woman, residing in Sweden, who had been raped repeatedly while in custody in Zaire, ran a substantial risk of being subjected to torture if returned to Zaire.<sup>300</sup> Thus, the Committee found that her return would constitute a violation of Article 3 of the Convention against Torture.<sup>300</sup>

In *G.R.B. (name withheld) v. Sweden*,<sup>302</sup> the Committee considered the case of a Peruvian woman who had been raped and imprisoned by the group, the Shining Path, and who was seeking asylum in Sweden.<sup>303</sup> The Committee found that under the definition of torture enshrined in Article 1, rape by a non-governmental entity such as the Shining Path did not constitute torture.<sup>304</sup> Thus the Committee found no breach of Article 3 of the Convention against Torture if she were returned to Peru.<sup>305</sup>

In *S.C. (name withheld) v. Denmark*,<sup>305</sup> the Committee found that an Ecuadorian woman, residing in Denmark, who had been raped while in detention in Ecuador did not run a real and personal risk of being tortured if returned to Ecuador.<sup>307</sup> Therefore, the Committee found no violation of Article 3 of the Convention against Torture.<sup>308</sup>

### KEY CONCLUDING OBSERVATIONS ON VIOLENCE, ILL TREATMENT, AND TORTURE

“The Committee calls on the State party to implement awareness-raising efforts about all forms of violence against women, including domestic violence, and the unacceptability of all such violence. It encourages the State party to put in place training measures aimed at judicial officers, including judges, lawyers, prosecutors, and police and health-care officials in order to enhance their capacity to deal with violence against women in a gender-sensitive manner. It also encourages the State party to provide economic assistance to women victims of violence who cannot afford to pay fees for medical examination. The Committee furthermore requests the State party to implement victim support measures, such as increasing the number of shelters or comparable safe places for women victims of violence, and to collect sex-disaggregated data on the incidence of violence against women.”

*Concluding Observations of the CEDAW Committee: Ghana, 25/08/2006, U.N. Doc. CEDAW/C/GHA/CO/5, ¶ 24.*

“The Committee recommends that the State party ensure that victims of sexual violence suffered during the armed conflict of 1992-1995 obtain the status of civilian war victims, to devise and implement a coherent strategy at State level to protect the economic, social and cultural rights of victims of sexual violence and their family members, and to ensure the participation of victims of sexual violence in any decision-making processes affecting them.”

*Concluding Observations of the Committee on Economic, Social and Cultural Rights: Bosnia and Herzegovina, 12/01/2006, U.N. Doc. E/C.12/BIH/CO/1, ¶ 41.*

“The Committee recommends that the State party strengthen and expand existing services, including shelters and counselling, for victims of gender-based violence, so as to ensure their accessibility. Furthermore, it recommends that the State party take effective measures to provide culturally-sensitive training for all law enforcement officers, taking into consideration the specific vulnerability of aboriginal women and women belonging to racial/ethnic minority groups to gender-based violence.”

*Concluding Observations of the Committee on the Elimination of Racial Discrimination: Canada, 25/05/2007, U.N. Doc. CERD/C/CAN/CO/18, ¶ 20.*

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## Summary Assessment

All of the committees have condemned violence against women in their concluding observations. The **CEDAW Committee** has taken its analysis further by recognizing that violence is a form of discrimination against women. The **CEDAW Committee** has also discussed how traditional, discriminatory attitudes give rise to violence against women, and has made specific recommendations regarding education and awareness-building programs to combat such attitudes.

The committees have consistently focused on domestic violence. The **CEDAW Committee**, **Human Rights Committee**, and **Committee on Economic, Social and Cultural Rights** have been particularly strong in advocating state responsibility for domestic violence against women, including the criminalization of marital rape.

All of the committees have treated the issue of sexual violence against women in a progressively comprehensive manner. The committees have persistently emphasized the need for legal remedies for sexual violence; some committees have condemned laws that implicitly condone sexual violence against women, such as those that allow a rapist to escape criminal liability by marrying his victim. The **CEDAW Committee** has commented on underlying discriminatory attitudes that make women more vulnerable to sexual violence.

The **Committee against Torture** has increasingly recognized rape and other forms of sexual violence against women as a gender-based form of torture. However, the committee has not yet made the connection between domestic violence and state acquiescence to torture and inhuman or degrading treatment. This step would require holding states parties responsible for failing to take measures to prevent and remedy domestic violence.

Most of the Committees have commented on violence against women in reproductive health services. The **CEDAW Committee** and **Committee on the Elimination of Racial Discrimination** have taken the lead in analyzing how gender and race intersect to increase women's vulnerability to violence.

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## **Conclusions**

- In its concluding observations, the **CEDAW Committee** has characterized violence against women as a form of discrimination. This should serve as an example for the other committees.
  - *The **CEDAW Committee's** General Recommendation 19 outlines the rights and freedoms that are violated by gender-based violence. It is an important tool in advancing recognition of gender-based violence as a form of discrimination. The Committee could refer to this framework in its concluding observations with even greater frequency.*

- The link between women's lack of empowerment and the prevalence of gender-based violence could be addressed through specific recommendations on measures aimed at empowering women politically, economically, and socially.
  - *The **Committee on the Rights of the Child** has started to use a gender analysis in its discussion of such issues as child and forced marriage or trafficking and prostitution. But it could also make the connection between these issues and the prevalence of violence against girls. For example, girls may be more vulnerable to violence within a child marriage, particularly when there is a large age difference between spouses. This gender-based violence often has a severe impact on their reproductive and sexual health.*
  - *The **Committee on Economic, Social and Cultural Rights** has recognized that economic dependency on spouses can make women more vulnerable to domestic violence and is well situated to make recommendations on the economic empowerment of women as a way to combat various forms of violence.*
- While the **CEDAW Committee** has urged states to criminalize marital rape, all committees could take a stronger stance by condemning legislation that condones violence against married women, such as exclusions or omissions of marital rape and "honor killings" in penal codes, as well as laws that excuse defendants from rape charges if they marry their victims.
- The committees could explicitly reject customary and religious laws that serve to justify or excuse violence against specific populations of women.
- A systematic approach to combating violence against women should include an examination of its health-related consequences.
  - *The **Committee on the Rights of the Child** has begun to examine the impact of violence on vulnerability to HIV/AIDS and other reproductive health problems. The **CEDAW Committee** and the **Committee on Economic, Social and Cultural Rights** are also well situated to address the health-related consequences of violence against women. The committees should ask states parties to report on measures being taken to address the reproductive and psychological impact of such violence.*

- Although the committees have acknowledged that certain groups are more vulnerable to gender-based violence, it is important to develop and use an intersectional analysis of gender and other characteristics, such as race, ethnicity, economic status, and age. The committees should follow the lead of the **CEDAW Committee** in asking for disaggregated data.
  - *Article 19 of the **Children's Rights Convention**, which specifically protects children from intra-familial violence, could be an excellent tool for the **Committee on the Rights of the Child** in developing such an analysis.*
  - *The **Committee on the Elimination of Racial Discrimination** is well situated to address the fact that victims of violence who are racial minorities may face additional obstacles to accessing justice. For example, minority women who are victims of violence may be unable to access legal remedies or may be more reluctant to use the judicial system due to a fear of state authorities*
- Where the committees have access to this information, a further analysis of the health and psychosocial effects of sexual violence against women would strengthen their concluding observations to states parties.
- The **Committee on the Elimination of Racial Discrimination** is beginning to use its General Recommendation 25 as a tool to examine how violence, particularly sexual violence and violence against women in reproductive health services, is a form of discrimination that may be experienced disproportionately or differently by women who belong to racial minorities. It could further extend this analysis to include the issues of domestic violence and sexual harassment against racial and ethnic minority women. In addition, the **Committee on the Elimination of Racial Discrimination** is an appropriate forum for highlighting the problem of using a male-gendered norm to discuss violence that results from racial discrimination; it is also an important venue for recognizing that minority women may be more vulnerable to violence due to their economic situation.
- The **Committee against Torture** could begin to recognize domestic violence as a form of torture which may entail at least the tacit involvement or acquiescence of the state when it fails to prevent and protect women from domestic violence. Domestic violence as a form of physical or mental abuse, which is motivated by gender discrimination, falls well within the mandate of the committee.■

## Endnotes:

- <sup>1</sup> See OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS, TREATY BODIES 7, (Feb. 2002), *available at* <http://www.unhchr.ch/pdf/leafletontreatybodies.pdf>.
- <sup>2</sup> A particular provision of each treaty establishes the treaty body and provides for its oversight mandate. See Convention on the Elimination of All Forms of Discrimination against Women, *adopted* Dec. 18, 1979, G.A. Res. 34/180, U.N. GAOR, 34th Sess., Supp. No. 46, at 193, art. 17, U.N. Doc. A/34/46, (1979) (*entered into force* Sept. 3, 1981); Convention on the Rights of the Child, *adopted* Nov. 20, 1989, G.A. Res. 44/25, annex, U.N. GAOR, 44th Sess., Supp. No. 49, at 166, art. 43, U.N. Doc. A/44/49 (1989), *reprinted in* 28 I.L.M. 1448 (*entered into force* Sept. 2, 1990); International Covenant on Civil and Political Rights, *adopted* Dec. 16, 1966, G.A. Res. 2200A (XXI), U.N. GAOR, 21st Sess., Supp. No. 16, at 52, art. 28, U.N. Doc. A/6316 (1966), 999 U.N.T.S. 171 (*entered into force* Mar. 23, 1976); International Convention on the Elimination of All Forms of Racial Discrimination, *adopted* Dec. 21, 1965, G.A. Res. 2106 (XX), art. 8, 660 U.N.T.S. 195 (*entered into force* Jan. 4, 1969); Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, *adopted* Dec. 10, 1984, G.A. Res. 39/46, UN GAOR, 39th Sess., Supp. No. 51, at 197, art. 17, U.N. Doc. A/39/51 (1984), 1465 U.N.T.S. 85 (*entered into force* June 26, 1987). The International Covenant on Economic, Social and Cultural Rights *adopted* Dec. 16, 1966, G.A. Res. 2200A (XXI), U.N. GAOR, 21st Sess., Supp. No. 16, at 49, U.N. Doc. A/6316 (1966), 993 U.N.T.S. 3 (*entered into force* Jan. 3, 1976), does not actually provide for the establishment of the committee. The Economic and Social Council established the committee in 1985. ESC Res. 1985/17, U.N. ESCOR, 1985, Supp. No.1, at 15, U.N. Doc. No. E/1985/85 (1985).
- <sup>3</sup> For a fuller explanation of the work of the committees, see CENTER FOR REPRODUCTIVE RIGHTS, BRINGING RIGHTS TO BEAR 21-34 (2002).
- <sup>4</sup> Andrew Byrnes, *Toward More Effective Enforcement of Women's Human Rights Through the Use of International Human Rights Law and Procedures*, in HUMAN RIGHTS OF WOMEN 218 (Rebecca Cook ed., 1994).
- <sup>5</sup> The following treaties have either an additional optional protocol empowering the treaty monitoring body to hear individual complaints, or a similar mechanism found in the treaty itself: Convention on the Elimination of All Forms of Discrimination against Women, International Covenant on Civil and Political Rights, International Convention on the Elimination of All Forms of Racial Discrimination, and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
- <sup>6</sup> This briefing paper covers materials available in the United Nations Treaty Body Database, *available at* <http://www.unhchr.ch/tbs/doc.nsf>.
- <sup>7</sup> CEDAW Committee, *General Recommendation 19: Violence against Women*, U.N. Doc. HRI/GEN/1/Rev.5 (2001).
- <sup>8</sup> CEDAW Committee, *General Recommendation 12: Violence against Women*, U.N. Doc. HRI/GEN/1/Rev.5 (2001).
- <sup>9</sup> See, e.g., **Armenia**, ¶ 66, U.N. Doc. A/52/38/Rev.1 (1997), Part II; **Barbados**, ¶ 449(c), U.N. Doc. A/49/38 (1994); **Bolivarian Republic of Venezuela**, ¶ 26, U.N. Doc. CEDAW/C/VEN/CO/6 (2006); **Bolivia**, ¶ 101, U.N. Doc. A/50/38 (1995); **Colombia**, ¶ 384, U.N. Doc. A/54/38 (1999); **Cuba**, ¶¶ 263-264, U.N. Doc. A/55/38 (2000); **Denmark**, ¶ 264, U.N. Doc. A/52/38/Rev.1 (1997); **Dominican Republic**, ¶ 344, A/53/38 (1998); **Egypt**, ¶ 343, U.N. Doc. A/56/38 (2001); **Eritrea**, ¶¶ 16-17, U.N. Doc. CEDAW/C/ERI/CO/3 (2006); **Georgia**, ¶¶ 19-20, U.N. Doc. CEDAW/C/GEO/CO/3 (2006); **Ghana**, ¶ 24, U.N. Doc. CEDAW/C/GHA/CO/5 (2006); **India**, ¶ 70, U.N. Doc. A/55/38 (2000); **Indonesia**, ¶ 303, U.N. Doc. A/53/38 (1998); **Iraq**, ¶¶ 189-190, U.N. Doc. A/55/38 (2000); **Kyrgyzstan**, ¶ 123, U.N. Doc. A/54/38 (1999); **Libyan Arab Jamahiriya**, ¶ 184, U.N. Doc. A/49/38 (1994); **Madagascar**, ¶ 243, U.N. Doc. A/49/38 (1994); **Moldova**, ¶¶ 22-23, U.N. Doc. CEDAW/C/MDA/CO/3 (2006); **Myanmar**, ¶ 134, U.N. Doc. A/55/38 (2000); **Portugal**, ¶¶ 325-326, U.N. Doc. A/57/38 (2002); **Sweden**, ¶ 353, U.N. Doc. A/56/38 (2001); **Togo**, ¶¶ 18-19, U.N. Doc. CEDAW/C/TGO/CO/5 (2006); **United Republic of Tanzania**, ¶ 240, U.N. Doc. A/54/38 (1998); **Uzbekistan**, ¶¶ 21-22, U.N. Doc. CEDAW/C/UZB/CO/3 (2006).
- <sup>10</sup> See, e.g., **Australia**, ¶ 597, U.N. Doc. A/50/38 (1995); **Austria**, ¶ 230, U.N. Doc. A/55/38 (2000); **Finland**, ¶ 395, U.N. Doc. A/50/38 (1995); **Germany**, ¶ 318, U.N.

Doc. A/55/38 (2000); **India**, ¶¶ 68, 74, U.N. Doc. A/55/38 (2000); **Netherlands**, ¶¶ 205–206, U.N. Doc. A/56/38 (2001); **Norway**, ¶ 494, U.N. Doc. A/50/38 (1995); **Philippines**, ¶¶ 29–30, U.N. Doc. CEDAW/C/PHI/CO/6 (2006); **Sweden**, ¶¶ 353, 356–357, U.N. Doc. A/56/38 (2001).

<sup>11</sup> See **Germany**, ¶ 318, U.N. Doc. A/55/38 (2000).

<sup>12</sup> See, e.g., **Algeria**, ¶ 79, U.N. Doc. A/54/38 (1999); **Australia**, ¶ 397, U.N. Doc. A/52/38/Rev.1, Part II (1997); **Bolivarian Republic of Venezuela**, ¶¶ 25–26, U.N. Doc. CEDAW/C/VEN/CO/6 (2006); **Cameroon**, ¶¶ 49–50, U.N. Doc. A/55/38 (2000); **Colombia**, ¶¶ 373–374, 397, U.N. Doc. A/54/38 (1999); **Cuba**, ¶ 19, U.N. Doc. CEDAW/C/CUB/CO/6 (2006); **Cyprus**, ¶ 25, U.N. Doc. CEDAW/C/CYP/CO/5 (2006); **Egypt**, ¶ 342, U.N. Doc. A/56/38 (2001); **Eritrea**, ¶¶ 16–17, U.N. Doc. CEDAW/C/ERI/CO/3 (2006); **Estonia**, ¶¶ 97–98, U.N. Doc. A/57/38 (2002); **Fiji**, ¶ 36, U.N. Doc. A/57/38 (2002); **Germany**, ¶¶ 306, 308, U.N. Doc. A/55/38 (2000); **Ghana**, ¶¶ 23–24, U.N. Doc. CEDAW/C/GHA/CO/5 (2006); **Iceland**, ¶ 246, U.N. Doc. A/57/38 (2002); **India**, ¶ 69, U.N. Doc. A/55/38 (2000); **Italy**, ¶ 359, U.N. Doc. A/52/38/Rev.1, Part II, (1997); **Jamaica**, ¶¶ 13–15, U.N. Doc. CEDAW/C/JAM/CO/5 (2006); **Kazakhstan**, ¶ 95, U.N. Doc. A/56/38 (2001); **Maldives**, ¶ 137, U.N. Doc. A/56/38 (2001); **Mauritius**, ¶ 18, U.N. Doc. CEDAW/C/MAR/CO/5 (2006); **Moldova**, ¶ 22, U.N. Doc. CEDAW/C/MDA/CO/3 (2006); **Mongolia**, ¶ 261, U.N. Doc. A/56/38 (2001); **Namibia**, ¶ 120, U.N. Doc. A/52/38/Rev.1, Part II (1997); **New Zealand**, ¶ 279, U.N. Doc. A/53/38/Rev.1 (1998); **Peru**, ¶ 325, U.N. Doc. A/53/38/Rev.1 (1998); **Portugal**, ¶¶ 310–313, U.N. Doc. A/57/38 (2002); **Saint Lucia**, ¶¶ 21–22, U.N. Doc. CEDAW/C/LCA/CO/6 (2006); **Singapore**, ¶ 79, U.N. Doc. A/56/38 (2001); **Spain**, ¶ 263, U.N. Doc. A/54/38 (1999); **Sweden**, ¶ 352, U.N. Doc. A/56/38 (2001); **Thailand**, ¶ 243, U.N. Doc. A/54/38 (1999); **Togo**, ¶¶ 12–13, U.N. Doc. CEDAW/C/TGO/CO/5 (2006); **Turkmenistan**, ¶¶ 24–25, U.N. Doc. CEDAW/C/TKM/CO/2 (2006); **United Kingdom of Great Britain and Northern Ireland**, ¶ 311, U.N. Doc. A/54/38 (1999); **Uruguay**, ¶¶ 175, 183, U.N. Doc. A/57/38 (2002); **Uzbekistan**, ¶¶ 21–22, U.N. Doc. CEDAW/C/UZB/CO/3 (2006); **Vietnam**, ¶ 258, U.N. Doc. A/56/38 (2001); **Zambia**, ¶ 363, U.N. Doc. A/49/38 (1994).

<sup>13</sup> See, e.g., **Ghana**, ¶ 24, U.N. Doc. CEDAW/C/GHA/CO/5

(2006); **Kazakhstan**, ¶ 96, U.N. Doc. A/56/38 (2001); **Luxembourg**, ¶ 220, U.N. Doc. A/52/38/Rev.1, Part II (1997); **Maldives**, ¶ 138, U.N. Doc. A/56/38 (2001); **Mali**, ¶ 20, U.N. Doc. CEDAW/C/MLI/CO/5 (2006); **Mongolia**, ¶ 262, U.N. Doc. A/56/38 (2001); **Turkmenistan**, ¶ 25, U.N. Co. CEDAW/C/TKM/CO/2 (2006).

<sup>14</sup> See, e.g., **Denmark**, ¶ 21, U.N. Doc. CEDAW/C/DEN/CO/6 (2006); **India**, ¶ 69, U.N. Doc. A/55/38 (2000); **Jamaica**, ¶ 26, U.N. Doc. CEDAW/C/JAM/CO/5 (2006); **Spain**, ¶ 264, U.N. Doc. A/54/38 (1999).

<sup>15</sup> See, e.g., **China**, ¶ 36, U.N. Doc. CEDAW/C/CHN/CO/6 (2006); **Denmark**, ¶ 21, U.N. Doc. CEDAW/C/DEN/CO/6 (2006); **Ghana**, ¶ 24, U.N. Doc. CEDAW/C/GHA/CO/5 (2006); **Mali**, ¶ 20, U.N. Doc. CEDAW/C/MLI/CO/5 (2006); **Turkmenistan**, ¶ 25, U.N. Co. CEDAW/C/TKM/CO/2 (2006).

<sup>16</sup> See, e.g., **China**, ¶ 35, U.N. Doc. CEDAW/C/CHN/CO/6 (2006); **Czech Republic**, ¶ 15, U.N. Doc. CEDAW/C/CZE/CO/3 (2006); **Portugal**, ¶¶ 320, 331, U.N. Doc. A/57/38 (2002).

<sup>17</sup> See, e.g., **Estonia**, ¶¶ 97–98, A/57/38 (2002); **Portugal**, ¶ 332, A/57/38 (2002).

<sup>18</sup> See **Vietnam**, ¶ 258, U.N. Doc. A/56/38 (2001).

<sup>19</sup> See, e.g., **Algeria**, ¶ 79, U.N. Doc. A/54/38 (1999); **Burkina Faso**, ¶ 271, U.N. Doc. A/55/38 (2000); **Estonia**, ¶ 98, U.N. Doc. A/57/38 (2002); **Germany**, ¶ 318, U.N. Doc. A/55/38 (2000); **Maldives**, ¶ 138, U.N. Doc. A/56/38 (2001); **Republic of Moldova**, ¶ 102, U.N. Doc. A/55/38 (2001); **Spain**, ¶ 264, U.N. Doc. A/54/38 (1999); **Vietnam**, ¶ 259, U.N. Doc. A/56/38 (2001).

<sup>20</sup> See, e.g., **Belarus**, ¶ 370, U.N. Doc. A/55/38 (2000); **Egypt**, ¶ 345, U.N. Doc. A/56/38 (2001).

<sup>21</sup> See, e.g., **Czech Republic**, ¶¶ 13–14, U.N. Doc. CEDAW/C/CZE/CO/3 (2006); **Jamaica**, ¶¶ 13–16, U.N. Doc. CEDAW/C/JAM/CO/5 (2006); **Philippines**, ¶¶ 17–18, U.N. Doc. CEDAW/C/PHI/CO/6 (2006).

<sup>22</sup> See, e.g., **Eritrea**, ¶ 16, U.N. Doc. CEDAW/C/ERI/CO/3 (2006); **Mali**, ¶¶ 19–20, U.N. Doc. CEDAW/C/MLI/CO/5 (2006); **Moldova**, ¶ 22, U.N. Doc. CEDAW/C/MDA/CO/3 (2006); **Mongolia**, ¶ 262, U.N. Doc. A/56/38 (2001);

- Togo**, ¶¶ 18-19, U.N. Doc. U.N. Doc CEDAW/C/TGO/CO/5 (2006); **Uzbekistan**, ¶¶ 21-22, U.N. Doc CEDAW/C/UZB/CO/3 (2006); **Vietnam**, ¶¶ 258-259, U.N. Doc. A/56/38 (2001).
- <sup>23</sup> See, e.g., **Ghana**, ¶ 24, U.N. Doc. CEDAW/C/GHA/CO/5 (2006); **Greece**, ¶ 192, U.N. Doc. A/54/38 (1999); **Malaysia**, ¶ 21, U.N. Doc. CEDAW/C/MYS/CO/2 (2006).
- <sup>24</sup> See, e.g., **Philippines**, ¶ 15, U.N. Doc CEDAW/C/PHI/CO/6 (2006); **Trinidad and Tobago**, ¶ 136, U.N. Doc. A/57/38 (2002).
- <sup>25</sup> See **Philippines**, ¶ 15, U.N. Doc CEDAW/C/PHI/CO/6 (2006).
- <sup>26</sup> See **Iceland**, ¶ 246, U.N. Doc. A/57/38 (2002).
- <sup>27</sup> See, e.g., **Eritrea**, ¶ 17, U.N. Doc. CEDAW/C/ERI/CO/3 (2006); **Romania**, ¶ 306, U.N. Doc. A/55/38 (2000); **Vietnam**, ¶¶ 258-259, U.N. Doc. A/56/38 (2001).
- <sup>28</sup> See **Estonia**, ¶ 98, U.N. Doc. A/57/38 (2002).
- <sup>29</sup> See, e.g., **Namibia**, ¶¶ 107, 120, U.N. Doc. A/52/38/Rev.1, Part II (1997); **Rwanda**, ¶ 325, U.N. Doc. A/51/38 (1996).
- <sup>30</sup> See **Nicaragua**, ¶¶ 298-299, U.N. Doc. A/56/38 (2001).
- <sup>31</sup> See **Portugal**, ¶¶ 333-34, A/57/38 (2002).
- <sup>32</sup> See **Trinidad and Tobago**, ¶¶ 145-146, U.N. Doc. A/57/38 (2002).
- <sup>33</sup> See, e.g., **Colombia**, ¶ 393, U.N. Doc. A/54/38 (1999); **Jordan**, ¶¶ 180-181, U.N. Doc. A/55/38 (2000); **Myanmar**, ¶ 129, U.N. Doc. A/55/38 (2000); **Nepal**, ¶ 147, U.N. Doc. A/54/38 (1999); **Panama**, ¶ 201, U.N. Doc. A/53/38/Rev.1 (1998); **Venezuela**, ¶ 236, U.N. Doc. A/52/38/Rev.1 (1997).
- <sup>34</sup> See, e.g., **Algeria**, ¶ 77, U.N. Doc. A/54/38 (1999); **Bosnia and Herzegovina**, ¶¶ 38-39, U.N. Doc. CEDAW/C/BIH/CO/3 (2006); **Burundi**, ¶ 49, U.N. Doc. A/56/38 (2001); **Colombia**, ¶ 371, U.N. Doc. A/54/38 (1999); **Croatia**, ¶¶ 585-586, U.N. Doc. A/53/38 (1995); **Democratic Republic of the Congo**, ¶¶ 209, 217, U.N. Doc. A/55/38 (2000); **India**, ¶ 71, U.N. Doc. A/55/38 (2000); **Mexico**, ¶ 14, U.N. Doc CEDAW/C/MEX/CO/6 (2006); **Peru**, ¶ 36, U.N. Doc. A/53/38/Rev.1 (1998); **Philippines**, ¶¶ 29-30, U.N. Doc CEDAW/C/PHI/CO/6 (2006); **Rwanda**, ¶ 321, U.N. Doc. A/51/38 (1996); **Yugoslavia**, ¶ 775, U.N. Doc. A/49/38 (1994).
- <sup>35</sup> See **Croatia**, ¶ 586, U.N. Doc. A/53/38 (1995); **Democratic Republic of the Congo**, ¶ 217, U.N. Doc. A/55/38 (2000).
- <sup>36</sup> See **Rwanda**, ¶¶ 323-327, U.N. Doc. A/51/38 (1996).
- <sup>37</sup> See **Bosnia and Herzegovina**, ¶¶ 37-38, U.N. Doc. CEDAW/C/BIH/CO/3 (2006).
- <sup>38</sup> Rome Statute of the International Criminal Court, *adopted* July 17, 1998, United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, Rome, Italy, June 15-July 17, 1998, U.N. Doc. A/CONF.183/9 (1998) *reprinted in* 37 I.L.M. 1002 (*entered into force* July 1, 2002).
- <sup>39</sup> Rome Statute of the International Criminal Court, *adopted* July 17, 1998, United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, Rome, Italy, June 15-July 17, 1998, art. 8(2)(e)(vi), U.N. Doc. A/CONF.183/9 (1998) *reprinted in* 37 I.L.M. 1002 (*entered into force* July 1, 2002).
- <sup>40</sup> Rome Statute of the International Criminal Court, *adopted* July 17, 1998, United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, Rome, Italy, June 15-July 17, 1998, art. 7(1)(g), U.N. Doc. A/CONF.183/9 (1998) *reprinted in* 37 I.L.M. 1002 (*entered into force* July 1, 2002).
- <sup>41</sup> See, e.g., **Cape Verde**, ¶¶ 19-20, U.N. Doc. CEDAW/C/CPV/CO/6 (2006); **Mali**, ¶¶ 19-20, U.N. Doc. CEDAW/C/MLI/CO/5 (2006); **Mexico**, ¶ 14, U.N. Doc. CEDAW/C/MEX/CO/6 (2006); **Thailand**, ¶ 243, U.N. Doc. A/54/38 (1999); Togo, ¶ 19, U.N. Doc. CEDAW/C/TGO/CO/5 (2006); **United Republic of Tanzania**, ¶ 228, U.N. Doc. A/53/38/Rev.1 (1998).
- <sup>42</sup> See, e.g., **Fiji**, ¶ 57, U.N. Doc. A/57/38 (2002); **India**, ¶ 69, U.N. Doc. A/55/38 (2000); **Luxembourg**, ¶ 207, U.N. Doc. A/52/38/Rev.1, Part II (1997); **United Republic of Tanzania**, ¶ 228, U.N. Doc. A/53/38/Rev.1 (1998).
- <sup>43</sup> See **Ethiopia**, ¶ 151, U.N. Doc. A/51/38 (1996).
- <sup>44</sup> See, e.g., **Mexico**, ¶ 14, U.N. Doc. CEDAW/C/MEX/CO/6 (2006); **Saint Lucia**, ¶¶ 29-30, U.N. Doc.

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CEDAW/C/LCA/CO/6 (2006).

- <sup>45</sup> See **India**, ¶ 71, U.N. Doc. A/55/38 (2000).
- <sup>46</sup> See, e.g., **Luxembourg**, ¶ 207, U.N. Doc. A/52/38/Rev.1, Part II (1997); **Trinidad and Tobago**, ¶ 151, U.N. Doc. A/57/38 (2002).
- <sup>47</sup> See, e.g., **India**, ¶ 70, U.N. Doc. A/55/38 (2000); **Thailand**, ¶ 243, U.N. Doc. A/54/38 (1999); **Trinidad and Tobago**, ¶ 152, U.N. Doc. A/57/38 (2002).
- <sup>48</sup> See, e.g., **Lithuania**, ¶ 131, U.N. Doc. A/55/38 (2000); **Philippines**, ¶ 286, U.N. Doc. A/52/38/Rev.1 (1997).
- <sup>49</sup> See **Republic of Korea**, ¶ 375, U.N. Doc. A/53/38/Rev.1 (1998).
- <sup>50</sup> See **China**, ¶¶ 274, 299(b), U.N. Doc. A/54/38 (1999).
- <sup>51</sup> See **China**, ¶¶ 31-32, U.N. Doc. CEDAW/C/CHN/CO/6 (2006).
- <sup>52</sup> See **Czech Republic**, ¶ 23, U.N. Doc. CEDAW/C/CZE/CO/3 (2006).
- <sup>53</sup> See **Czech Republic**, ¶ 24, U.N. Doc. CEDAW/C/CZE/CO/3 (2006).
- <sup>54</sup> A.T. v. Hungary, Communication No. 2/2003, U.N. Doc. CEDAW/C/32/D/2/2003 (CEDAW Committee 2005).
- <sup>55</sup> A.T. v. Hungary, Communication No. 2/2003, ¶¶ 9.3-9.4, U.N. Doc. CEDAW/C/32/D/2/2003 (CEDAW Committee 2005).
- <sup>56</sup> A.S. v. Hungary, Communication No. 4/2004, U.N. Doc. CEDAW/C/36/D/4/2004 (CEDAW Committee 2006).
- <sup>57</sup> A.S. v. Hungary, Communication No. 4/2004, ¶ 11.4, U.N. Doc. CEDAW/C/36/D/4/2004, (CEDAW Committee 2006).
- <sup>58</sup> Committee on the Rights of the Child, *General Comment 3: HIV/AIDS and the Rights of the Child*, U.N. Doc. CRC/GC/2003/3 (2003).
- <sup>59</sup> Committee on the Rights of the Child, *General Comment 3: HIV/AIDS and the Rights of the Child*, ¶ 37, U.N. Doc. CRC/GC/2003/3 (2003).
- <sup>60</sup> Committee on the Rights of the Child, *General Comment 3: HIV/AIDS and the Rights of the Child*, ¶ 6, U.N. Doc. CRC/GC/2003/3 (2003).
- <sup>61</sup> Committee on the Rights of the Child, *General Comment 3: HIV/AIDS and the Rights of the Child*, ¶ 37, U.N. Doc. CRC/GC/2003/3 (2003).
- <sup>62</sup> Committee on the Rights of the Child, *General Comment 3: HIV/AIDS and the Rights of the Child*, ¶ 37, U.N. Doc. CRC/GC/2003/3 (2003).
- <sup>63</sup> Committee on the Rights of the Child, *General Comment 3: HIV/AIDS and the Rights of the Child*, ¶ 36, U.N. Doc. CRC/GC/2003/3 (2003).
- <sup>64</sup> Committee on the Rights of the Child, *General Comment 3: HIV/AIDS and the Rights of the Child*, ¶ 36, U.N. Doc. CRC/GC/2003/3 (2003).
- <sup>65</sup> Committee on the Rights of the Child, *General Comment 3: HIV/AIDS and the Rights of the Child*, ¶ 38, U.N. Doc. CRC/GC/2003/3 (2003).
- <sup>66</sup> Committee on the Rights of the Child, *General Comment 4: Adolescent Health and Development in the Context of the Convention of the Rights of the Child*, U.N. Doc. CRC/GC/2003/4 (2003).
- <sup>67</sup> Committee on the Rights of the Child, *General Comment 4: Adolescent Health and Development in the Context of the Convention of the Rights of the Child*, ¶ 12, U.N. Doc. CRC/GC/2003/4 (2003).
- <sup>68</sup> Committee on the Rights of the Child, *General Comment 4: Adolescent Health and Development in the Context of the Convention of the Rights of the Child*, ¶ 24, U.N. Doc. CRC/GC/2003/4 (2003).
- <sup>69</sup> Committee on the Rights of the Child, *General Comment 4: Adolescent Health and Development in the Context of the Convention of the Rights of the Child*, ¶ 37, U.N. Doc. CRC/GC/2003/4 (2003).
- <sup>70</sup> Committee on the Rights of the Child, *General Comment 6: Treatment of Unaccompanied and Separated Children Outside Their Country of Origin*, U.N. Doc. CRC/GC/2005/6 (2005).
- <sup>71</sup> Committee on the Rights of the Child, *General Comment 6: Treatment of Unaccompanied and Separated Children Outside Their Country of Origin*, ¶ 7, U.N. Doc. CRC/GC/2005/6 (2005): ““Unaccompanied children” (also called unaccompanied minors) are children, as defined in article 1 of the Convention, who have been separated from both parents and other relatives and are not

being cared for by an adult who, by law or custom, is responsible for doing so.”

<sup>72</sup> Committee on the Rights of the Child, *General Comment 6: Treatment of Unaccompanied and Separated Children Outside Their Country of Origin*, ¶ 8, U.N. Doc. CRC/GC/2005/6 (2005): “Separated children” are children, as defined in article 1 of the Convention, who have been separated from both parents, or from their previous legal or customary primary caregiver, but not necessarily from other relatives. These may, therefore, include children accompanied by other adult family members.”

<sup>73</sup> Committee on the Rights of the Child, *General Comment 6: Treatment of Unaccompanied and Separated Children Outside Their Country of Origin*, ¶¶ 1, 3, U.N. Doc. CRC/GC/2005/6 (2005).

<sup>74</sup> Committee on the Rights of the Child, *General Comment 6: Treatment of Unaccompanied and Separated Children Outside Their Country of Origin*, ¶ 50, U.N. Doc. CRC/GC/2005/6 (2005).

<sup>75</sup> Committee on the Rights of the Child, *General Comment 6: Treatment of Unaccompanied and Separated Children Outside Their Country of Origin*, ¶ 52, U.N. Doc. CRC/GC/2005/6 (2005).

<sup>76</sup> Committee on the Rights of the Child, *General Comment 6: Treatment of Unaccompanied and Separated Children Outside Their Country of Origin*, ¶ 56, U.N. Doc. CRC/GC/2005/6 (2005).

<sup>77</sup> Committee on the Rights of the Child, *General Recommendation 7: Implementing Child Rights in Early Childhood*, U.N. Doc. CRC/GC/2005/7 (2005).

<sup>78</sup> Committee on the Rights of the Child, *General Recommendation 7: Implementing Child Rights in Early Childhood*, ¶ 36 (g), U.N. Doc. CRC/GC/2005/7 (2005).

<sup>79</sup> Committee on the Rights of the Child, *General Recommendation 7: Implementing Child Rights in Early Childhood*, ¶ 36 (g), U.N. Doc. CRC/GC/2005/7 (2005).

<sup>80</sup> Committee on the Rights of the Child, *General Recommendation 8: The Right of the Child to Protection from Corporal Punishment and Other Cruel or Degrading Forms of Punishment*, U.N. Doc. CRC/C/GC/8 (2006).

<sup>81</sup> Committee on the Rights of the Child, *General Recommendation 8: The Right of the Child to Protection from Corporal Punishment and Other Cruel or Degrading Forms of Punishment*, ¶ 3, U.N. Doc. CRC/C/GC/8 (2006).

<sup>82</sup> Committee on the Rights of the Child, *General Recommendation 8: The Right of the Child to Protection from Corporal Punishment and Other Cruel or Degrading Forms of Punishment*, ¶ 5, U.N. Doc. CRC/C/GC/8 (2006).

<sup>83</sup> Committee on the Rights of the Child, *General Recommendation 8: The Right of the Child to Protection from Corporal Punishment and Other Cruel or Degrading Forms of Punishment*, ¶ 29, U.N. Doc. CRC/C/GC/8 (2006).

<sup>84</sup> Committee on the Rights of the Child, *General Recommendation 8: The Right of the Child to Protection from Corporal Punishment and Other Cruel or Degrading Forms of Punishment*, ¶ 39, U.N. Doc. CRC/C/GC/8 (2006).

<sup>85</sup> Committee on the Rights of the Child, *General Recommendation 8: The Right of the Child to Protection from Corporal Punishment and Other Cruel or Degrading Forms of Punishment*, ¶ 36, U.N. Doc. CRC/C/GC/8 (2006).

<sup>86</sup> Convention on the Rights of the Child, *adopted* Nov. 20, 1989, G.A. Res. 44/25, annex, U.N. GAOR, 44th Sess., Supp. No. 49, at 166, art. 19, U.N. Doc. A/44/49 (1989), *reprinted in* 28 I.L.M. 1448 (*entered into force* Sept. 2, 1990).

<sup>87</sup> See, e.g., **Antigua and Barbuda**, ¶ 21, U.N. Doc. CRC/C/15/Add.247 (2004); **Argentina**, ¶ 23, U.N. Doc. CRC/5/15/Add.187 (2002); **Azerbaijan**, ¶ 19, U.N. Doc. CRC/C/AZE/CO/2 (2006); **Bangladesh**, ¶ 23, U.N. Doc. CRC/5/15/Add.221 (2003); **Botswana**, ¶ 22, U.N. Doc. CRC/C/15/Add.242 (2004); **Canada**, ¶ 20, U.N. Doc. CRC/5/15/Add.215 (2003); **Croatia**, ¶ 18, U.N. Doc. CRC/C/15/Add.243 (2004); **Democratic People's Republic of Korea**, ¶ 20, U.N. Doc. CRC/C/15/Add.239 (2004); **Greece**, ¶ 51 (a), U.N. Doc. CRC/5/15/Add.170 (2002); **Haiti**, ¶ 16, U.N. Doc. CRC/5/15/Add.202 (2003); **India**, ¶ 22, U.N. Doc. CRC/C/15/Add.228 (2004); **Israel**, ¶ 15, U.N. Doc. CRC/5/15/Add.195 (2002); **Mexico**, ¶ 14, U.N. Doc. CRC/C/MEX/CO/3 (2006); **Nicaragua**, ¶ 19, U.N. Doc. CRC/C/15/Add.265

(2005); **Pakistan**, ¶¶ 23, 49, U.N. Doc. CRC/5/15/Add.217 (2003); **Qatar**, ¶¶ 45-46, U.N. Doc. CRC/5/15/Add.163 (2001); **United Arab Emirates**, ¶35, U.N. Doc. CRC/5/15/Add.183 (2002); **Yemen**, ¶ 25, U.N. Doc. CRC/5/15/Add.267 (2005).

<sup>88</sup> See, e.g., **Arab Emirates**, ¶ 35, U.N. Doc. CRC/5/15/Add.183 (2002); **Belarus**, ¶¶ 38(g), 40(e), U.N. Doc. CRC/5/15/Add.180 (2002); **Brunei Darussalam**, ¶¶ 44(f), 56(f), U.N. Doc. CRC/5/15/Add.219 (2003); **Burkina Faso**, ¶¶ 37(e), 57(b), 58–59, U.N. Doc. CRC/5/15/Add.1193 (2002); **Côte d'Ivoire**, ¶ 37, U.N. Doc. CRC/5/15/Add.155 (2001); **Nepal**, ¶¶ 57(e), 82(e), 86(c), 89(e), U.N. Doc. CRC/5/15/Add.261 (2005); **Oman**, ¶ 36(f), U.N. Doc. CRC/5/15/Add.161 (2001); **Pakistan**, ¶ 49, U.N. Doc. CRC/5/15/Add.217 (2003); **Spain**, ¶ 37 (d) , U.N. Doc. CRC/5/15/Add.185 (2002); **Seychelles**, ¶¶ 41(c), 51, U.N. Doc. CRC/5/15/Add.189 (2002); **Syrian Arab Republic**, ¶ 37(f), U.N. Doc. CRC/5/15/Add.212 (2003); **Thailand**, ¶¶ 28, 45(c), 74, 75(d), U.N. Doc. CRC/C/THA/CO/2 (2006); **Uzbekistan**, ¶¶ 46(f), 62(b), 68(d), U.N. Doc. CRC/5/15/Add.167 (2001).

<sup>89</sup> See, e.g., **Albania**, ¶ 49, U.N. Doc. CRC/5/15/Add.249 (2005); **Algeria**, ¶ 51, U.N. Doc. CRC/5/15/Add.269 (2005); **Angola**, ¶ 37, U.N. Doc. CRC/5/15/Add.246 (2004); **Antigua and Barbuda**, ¶ 48, U.N. Doc. CRC/5/15/Add.247 (2004); **Arab Emirates**, ¶ 35, U.N. Doc. CRC/5/15/Add.183 (2002); **Azerbaijan**, ¶ 42, U.N. Doc. CRC/C/AZE/CO/2 (2006); **Bangladesh**, ¶ 50, U.N. Doc. CRC/5/15/Add.221 (2003); **Belarus**, ¶ 40, U.N. Doc. CRC/5/15/Add.180 (2002); **Bolivia**, ¶ 44, U.N. Doc. CRC/5/15/Add.256 (2005); **Botswana**, ¶ 45, U.N. Doc. CRC/5/15/Add.242 (2004); **Brunei Darussalam**, ¶ 44, U.N. Doc. CRC/5/15/Add.219 (2003); **Burkina Faso**, ¶ 37, U.N. Doc. CRC/5/15/Add.1193 (2002); **Canada**, ¶ 33, U.N. Doc. CRC/5/15/Add.215 (2003); **Costa Rica**, ¶ 50, U.N. Doc. CRC/5/15/Add.266 (2005); **Côte d'Ivoire**, ¶ 37, U.N. Doc. CRC/5/15/Add.155 (2001); **Eritrea**, ¶ 32, U.N. Doc. CRC/5/15/Add.206 (2003); **Greece**, ¶ 52, U.N. Doc. CRC/5/15/Add.170 (2002); **India**, ¶ 51, U.N. Doc. CRC/5/15/Add.228 (2004); **Jamaica**, ¶ 33, U.N. Doc. CRC/5/15/Add.210 (2003); **Malta**, ¶ 34, U.N. Doc. CRC/5/15/Add.129 (2000); **Mauritius**, ¶ 48, U.N. Doc. CRC/C/MUS/CO/2 (2006); **Morocco**, ¶¶ 21-28, U.N. Doc. CRC/C/OPSC/MAR/CO/1 (2006); **Nepal**, ¶ 57, U.N. Doc. CRC/5/15/Add.261 (2005); **Nicaragua**, ¶ 33, U.N. Doc. CRC/5/15/Add.108 (1999); **Oman**, ¶ 36, U.N. Doc. CRC/5/15/Add.161 (2001); **Pakistan**, ¶ 49, U.N. Doc.

CRC/5/15/Add.217 (2003); **Qatar**, ¶ 46, U.N. Doc. CRC/5/15/Add.163 (2001); **Spain**, ¶ 37, U.N. Doc. CRC/5/15/Add.185 (2002); **Syrian Arab Republic**, ¶ 37, U.N. Doc. CRC/5/15/Add.212 (2003); **Thailand**, ¶ 45, U.N. Doc. CRC/C/THA/CO/2 (2006); **Uzbekistan**, ¶ 46, U.N. Doc. CRC/C/UZB/CO/2 (2006); **Yemen**, ¶ 52, U.N. Doc. CRC/5/15/Add.267 (2005).

<sup>90</sup> See, e.g., **Angola**, ¶ 37, U.N. Doc. CRC/5/15/Add.246 (2004); **Antigua and Barbuda**, ¶ 48, U.N. Doc. CRC/5/15/Add.247 (2004); **Arab Emirates**, ¶ 35, U.N. Doc. CRC/5/15/Add.183 (2002); **Brunei Darussalam**, ¶ 44, U.N. Doc. CRC/5/15/Add.219 (2003); **Eritrea**, ¶ 32, U.N. Doc. CRC/5/15/Add.206 (2003); **India**, ¶ 51, U.N. Doc. CRC/5/15/Add.228 (2004); **Israel**, ¶ 39, U.N. Doc. CRC/5/15/Add.178 (2002); **Jamaica**, ¶ 33, U.N. Doc. CRC/5/15/Add.210 (2003); **Malta**, ¶ 34, U.N. Doc. CRC/5/15/Add.129 (2000); **Mexico**, ¶ 44, U.N. Doc. CRC/5/15/Add.112 (1999); **Oman**, ¶ 36(c), U.N. Doc. CRC/5/15/Add.161 (2001); **Qatar**, ¶ 46, U.N. Doc. CRC/5/15/Add.163 (2001); **Seychelles**, ¶ 41, U.N. Doc. CRC/5/15/Add.189 (2002); **Syrian Arab Republic**, ¶ 37(b) U.N. Doc. CRC/5/15/Add.212 (2003); **Uzbekistan**, ¶ 46(c), U.N. Doc. CRC/C/UZB/CO/2 (2006).

<sup>91</sup> See, e.g., **Albania**, ¶ 49, U.N. Doc. CRC/5/15/Add.249 (2005); **Burkina Faso**, ¶ 37, U.N. Doc. CRC/5/15/Add.1193 (2002); **China (including Hong Kong and Macau Special Administrative Regions)**, ¶ 54–59, U.N. Doc. CRC/C/CHN/CO/2 (2005); **Guatemala**, ¶ 37, U.N. Doc. CRC/5/15/Add.154 (2001); **Iraq**, ¶ 21, U.N. Doc. CRC/5/15/Add.94 (1998); **Libyan Arab Jamahiriya**, ¶ 34, U.N. Doc. CRC/5/15/Add.209 (2003); **United Kingdom of Great Britain and Northern Ireland – Overseas Territories**, ¶ 13, U.N. Doc. CRC/5/15/Add.134 (2000).

<sup>92</sup> See, e.g., **Albania**, ¶ 49, U.N. Doc. CRC/5/15/Add.249 (2005); **Australia**, ¶ 26, U.N. Doc. CRC/5/15/Add.79 (1997); **Bulgaria**, ¶ 30, U.N. Doc. CRC/5/15/Add.66 (1997); **Burkina Faso**, ¶ 37, U.N. Doc. CRC/5/15/Add.1193 (2002); **China (including Hong Kong and Macau Special Administrative Regions)**, ¶ 58, U.N. Doc. CRC/C/CHN/CO/2 (2005); **Democratic Republic of the Congo**, ¶ 47, U.N. Doc. CRC/5/15/Add.153 (2001); **Ecuador**, ¶ 48, U.N. Doc. CRC/5/15/Add.262 (2005); **Egypt**, ¶ 45, U.N. Doc. CRC/5/15/Add.145 (2001); **Guatemala**, ¶¶ 31, 37, U.N. Doc. CRC/5/15/Add.154 (2001); **India**, ¶ 51, U.N. Doc. CRC/5/15/Add.228 (2004); **Iraq**, ¶ 21, U.N. Doc. CRC/5/15/Add.94 (1998); **Libyan Arab Jamahiriya**, ¶ 34, U.N. Doc. CRC/5/15/Add.209 (2003); **Malta**, ¶ 34, U.N.

Doc. CRC/C/15/Add.129 (2000); **Tanzania**, ¶ 40, U.N. Doc. CRC/C/TZA/CO/2 (2006); **United Kingdom of Great Britain and Northern Ireland – Overseas Territories**, ¶ 25, U.N. Doc. CRC/C/15/Add.134 (2000).

<sup>93</sup> See, e.g., **Albania**, ¶ 49, U.N. Doc. CRC/C/15/Add.249 (2005); **Australia**, ¶ 26, U.N. Doc. CRC/C/15/Add.79 (1997); **Bulgaria**, ¶ 30, U.N. Doc. CRC/C/15/Add.66 (1997); **Burkina Faso**, ¶ 37, U.N. Doc. CRC/5/15/Add.1193 (2002); **Cambodia**, ¶ 43, U.N. Doc. CRC/C/15/Add.128 (2000); **Chad**, ¶ 25, U.N. Doc. CRC/C/15/Add.107 (1999); **China (including Hong Kong and Macau Special Administrative Regions)**, ¶¶ 57–58, U.N. Doc. CRC/C/CHN/CO/2 (2005); **Colombia**, ¶ 46, U.N. Doc. CRC/C/COL/CO/3 (2006); **Democratic Republic of the Congo**, ¶ 47, U.N. Doc. CRC/C/15/Add.153 (2001); **Dominican Republic**, ¶ 34, U.N. Doc. CRC/C/15/Add.150 (2001); **Ecuador**, ¶ 48, U.N. Doc. CRC/C/15/Add.262 (2005); **Egypt**, ¶ 45, U.N. Doc. CRC/C/15/Add.145 (2001); **Georgia**, ¶ 43, U.N. Doc. CRC/C/15/Add.124 (2000); **Guatemala**, ¶¶ 31, 37, U.N. Doc. CRC/C/15/Add.154 (2001); **India**, ¶ 51, U.N. Doc. CRC/C/15/Add.228 (2004); **Iraq**, ¶ 21, U.N. Doc. CRC/C/15/Add.94 (1998); **Kyrgyzstan**, ¶ 44, U.N. Doc. CRC/C/15/Add.244 (2004); **Liechtenstein**, ¶ 25, U.N. Doc. CRC/C/15/Add.143 (2001); **Malta**, ¶ 34, U.N. Doc. CRC/C/15/Add.129 (2000); **Tanzania**, ¶ 40, U.N. Doc. CRC/C/TZA/CO/2 (2006).

<sup>94</sup> See, e.g., **Arab Emirates**, ¶ 35, U.N. Doc. CRC/5/15/Add.183 (2002); **Bhutan**, ¶ 41, U.N. Doc. CRC/C/15/Add.157 (2001); **Colombia**, ¶ 59, U.N. Doc. CRC/C/COL/CO/3 (2006); **India**, ¶ 51, U.N. Doc. CRC/C/15/Add.228 (2004); **Iran (Islamic Republic of)**, ¶ 40, U.N. Doc. CRC/C/15/Add.123 (2000); **Kyrgyzstan**, ¶ 44(c), U.N. Doc. CRC/C/15/Add.244 (2004); **Panama**, ¶ 40(b), U.N. Doc. CRC/C/15/Add.233 (2004); **Syrian Arab Republic**, ¶ 37(h) U.N. Doc. CRC/5/15/Add.212 (2003).

<sup>95</sup> See, e.g., **Algeria**, ¶ 35, U.N. Doc. CRC/C/15/Add.76 (1997); **Arab Emirates**, ¶ 35, U.N. Doc. CRC/5/15/Add.183 (2002); **Bhutan**, ¶ 41, U.N. Doc. CRC/C/15/Add.157 (2001); **Bolivia**, ¶ 44(b), U.N. Doc. CRC/C/15/Add.256 (2005); **Croatia**, ¶ 50(b), U.N. Doc. CRC/C/15/Add.243 (2004); **Hungary**, ¶ 37(b), U.N. Doc. CRC/C/HUN/CO/2 (2006); **India**, ¶ 51, U.N. Doc. CRC/C/15/Add.228 (2004); **Iran (Islamic Republic of)**, ¶ 40, U.N. Doc. CRC/C/15/Add.123 (2000); **Kyrgyzstan**, ¶ 44(b), U.N. Doc. CRC/C/15/Add.244 (2004); **Mexico**, ¶ 25, U.N. Doc. CRC/C/15/Add.112 (1999); **Palau**, ¶ 45, U.N. Doc. CRC/C/15/Add.149 (2001); **Panama**, ¶ 40(a), U.N. Doc. CRC/C/15/Add.233 (2004); **Seychelles**,

¶ 41, U.N. Doc. CRC/5/15/Add.189 (2002); **Syrian Arab Republic**, ¶ 28, U.N. Doc. CRC/C/15/Add.70 (1997); **Syrian Arab Republic**, ¶ 37(b), U.N. Doc. CRC/5/15/Add.212 (2003); **Vietnam**, ¶ 34(f), U.N. Doc. CRC/5/15/Add.200 (2003).

<sup>96</sup> See **El Salvador**, ¶ 30, U.N. Doc. CRC/C/15/Add.232 (2004).

<sup>97</sup> See, e.g., **Estonia**, ¶ 30, U.N. Doc. CRC/5/15/Add.196 (2003); **Ethiopia**, ¶¶ 46–47, U.N. Doc. CRC/C/15/Add.144 (2001); **Mongolia**, ¶ 38, U.N. Doc. CRC/C/15/Add.264 (2005); **Mozambique**, ¶¶ 40–41, U.N. Doc. CRC/5/15/Add.172 (2002); **Nigeria**, ¶¶ 44–45, U.N. Doc. CRC/C/15/Add.257 (2005); **Uzbekistan**, ¶¶ 47–48, U.N. Doc. CRC/5/15/Add.167 (2001).

<sup>98</sup> See, e.g., **Cambodia**, ¶ 43, U.N. Doc. CRC/C/15/Add.128 (2000); **Comoros**, ¶ 32, U.N. Doc. CRC/C/15/Add.141 (2000); **Georgia**, ¶ 41, U.N. Doc. CRC/C/15/Add.124 (2000); **Honduras**, ¶ 25, U.N. Doc. CRC/C/15/Add.105 (1999); **Iraq**, ¶ 21, U.N. Doc. CRC/C/15/Add.94 (1998); **Jamaica**, ¶ 32, U.N. Doc. CRC/5/15/Add.210 (2003); **Malta**, ¶ 34, U.N. Doc. CRC/C/15/Add.129 (2000); **Mexico**, ¶ 25, U.N. Doc. CRC/C/15/Add.112 (1999); **Nigeria**, ¶ 44, U.N. Doc. CRC/C/15/Add.257 (2005); **Pakistan**, ¶ 74, U.N. Doc. CRC/5/15/Add.217 (2003); **Saint Kitts and Nevis**, ¶ 25, U.N. Doc. CRC/C/15/Add.104 (1999); **Suriname**, ¶ 40, U.N. Doc. CRC/C/15/Add.130 (2000); **United Republic of Tanzania**, ¶ 45, U.N. Doc. CRC/C/15/Add.156 (2001).

<sup>99</sup> See, e.g., **Ghana**, ¶ 45, U.N. Doc. CRC/C/GHA/CO/2 (2006); **Guinea Bissau**, ¶ 31, U.N. Doc. CRC/5/15/Add.177 (2002); **Malaysia**, ¶ 57, U.N. Doc. CRC/C/MYS/CO1 (2007).

<sup>100</sup> See, e.g., **Albania**, ¶ 50, U.N. Doc. CRC/C/15/Add.249 (2005); **Bolivia**, ¶ 35, U.N. Doc. CRC/C/15/Add.256 (2005); **Brazil**, ¶ 42, U.N. Doc. CRC/C/15/Add.241 (2004); **Colombia**, ¶ 61, U.N. Doc. CRC/C/COL/CO/3 (2006); **Ecuador**, ¶ 37, U.N. Doc. CRC/C/15/Add.262 (2005); **Nigeria**, ¶ 38, U.N. Doc. CRC/C/15/Add.257 (2005); **Pakistan**, ¶ 42, U.N. Doc. CRC/5/15/Add.217 (2003); **Seychelles**, ¶ 32, U.N. Doc. CRC/5/15/Add.189 (2002).

<sup>101</sup> See, e.g., **Albania**, ¶ 51, U.N. Doc. CRC/C/15/Add.249 (2005); **Bolivia**, ¶ 35, U.N. Doc. CRC/C/15/Add.256 (2005); **Brazil**, ¶ 43, U.N. Doc. CRC/C/15/Add.241 (2004); **Colombia**, ¶ 62, U.N. Doc. CRC/C/COL/CO/3 (2006); **Ecuador**, ¶ 38, U.N. Doc. CRC/C/15/Add.262

(2005); **Honduras**, ¶ 55, U.N. Doc. CRC/C/HND/CO/3 (2007); **Nigeria**, ¶ 39, U.N. Doc. CRC/C/15/Add.257 (2005); **Pakistan**, ¶ 43, U.N. Doc. CRC/5/15/Add.217 (2003).

<sup>102</sup> See, e.g., **Albania**, ¶ 51, U.N. Doc. CRC/C/15/Add.249 (2005); **Bolivia**, ¶ 35, U.N. Doc. CRC/C/15/Add.256 (2005); **Brazil**, ¶ 43, U.N. Doc. CRC/C/15/Add.241 (2004); **Colombia**, ¶ 62, U.N. Doc. CRC/C/COL/CO/3 (2006); **Ecuador**, ¶ 38, U.N. Doc. CRC/C/15/Add.262 (2005); **Honduras**, ¶ 55, U.N. Doc. CRC/C/HND/CO/3 (2007); **Nigeria**, ¶ 39, U.N. Doc. CRC/C/15/Add.257 (2005); **Pakistan**, ¶ 43, U.N. Doc. CRC/5/15/Add.217 (2003); **Seychelles**, ¶ 33, U.N. Doc. CRC/5/15/Add.189 (2002).

<sup>103</sup> See **Malaysia**, ¶¶ 38–39, U.N. Doc. CRC/C/MYS/CO1 (2007).

<sup>104</sup> See, e.g., **Azerbaijan**, ¶ 63, U.N. Doc. CRC/C/AZE/CO/2 (2006); **Bangladesh**, ¶ 75, U.N. Doc. CRC/5/15/Add.221 (2003); **Bosnia and Herzegovina**, ¶ 65, U.N. Doc. CRC/C/15/Add.260 (2005); **Canada**, ¶ 54, U.N. Doc. CRC/5/15/Add.215 (2003); **Czech Republic**, ¶ 63, U.N. Doc. CRC/5/15/Add.201 (2003); **Germany**, ¶ 58, U.N. Doc. CRC/C/15/Add.226 (2004); **Indonesia**, ¶ 79, U.N. Doc. CRC/C/15/Add.223 (2004); **Kyrgyzstan**, ¶ 63, U.N. Doc. CRC/C/15/Add.244 (2004); **Nicaragua**, ¶ 66, U.N. Doc. CRC/C/15/Add.265 (2005); **Ukraine**, ¶ 68, U.N. Doc. CRC/5/15/Add.191 (2002).

<sup>105</sup> See, e.g., **Bangladesh**, ¶ 75, U.N. Doc. CRC/5/15/Add.221 (2003); **Czech Republic**, ¶ 63, U.N. Doc. CRC/5/15/Add.201 (2003); **Indonesia**, ¶ 79, U.N. Doc. CRC/C/15/Add.223 (2004); **Kyrgyzstan**, ¶ 63, U.N. Doc. CRC/C/15/Add.244 (2004); **Ukraine**, ¶ 68, U.N. Doc. CRC/5/15/Add.191 (2002).

<sup>106</sup> See, e.g., **Bosnia and Herzegovina**, ¶ 65, U.N. Doc. CRC/C/15/Add.260 (2005); **Canada**, ¶ 54, U.N. Doc. CRC/5/15/Add.215 (2003); **Germany**, ¶ 58, U.N. Doc. CRC/C/15/Add.226 (2004).

<sup>107</sup> See, e.g., **Azerbaijan**, ¶ 64, U.N. Doc. CRC/C/AZE/CO/2 (2006); **Bangladesh**, ¶ 76, U.N. Doc. CRC/5/15/Add.221 (2003); **Bosnia and Herzegovina**, ¶ 66, U.N. Doc. CRC/C/15/Add.260 (2005); **Czech Republic**, ¶ 64, U.N. Doc. CRC/5/15/Add.201 (2003); **Germany**, ¶ 59, U.N. Doc. CRC/C/15/Add.226 (2004); **Kyrgyzstan**, ¶ 64, U.N. Doc. CRC/C/15/Add.244 (2004); **Lebanon**, ¶ 78, U.N. Doc. CRC/C/LBN/CO/3 (2006); **Ukraine**, ¶ 69, U.N. Doc. CRC/5/15/Add.191 (2002).

<sup>108</sup> See, e.g., **Azerbaijan**, ¶ 64, U.N. Doc. CRC/C/AZE/CO/2 (2006); **Germany**, ¶ 59, U.N. Doc. CRC/C/15/Add.226 (2004); **Indonesia**, ¶ 80, U.N. Doc. CRC/C/15/Add.223 (2004); **Kyrgyzstan**, ¶ 64, U.N. Doc. CRC/C/15/Add.244 (2004); **Lebanon**, ¶ 78, U.N. Doc. CRC/C/LBN/CO/3 (2006); **Nicaragua**, ¶ 67, U.N. Doc. CRC/C/15/Add.265 (2005); **Ukraine**, ¶ 69, U.N. Doc. CRC/5/15/Add.191 (2002).

<sup>109</sup> See, e.g., **Azerbaijan**, ¶ 64, U.N. Doc. CRC/C/AZE/CO/2 (2006); **Bangladesh**, ¶ 76, U.N. Doc. CRC/5/15/Add.221 (2003); **Germany**, ¶ 59, U.N. Doc. CRC/C/15/Add.226 (2004); **Kyrgyzstan**, ¶ 64, U.N. Doc. CRC/C/15/Add.244 (2004); **Lebanon**, ¶ 78, U.N. Doc. CRC/C/LBN/CO/3 (2006); **Nicaragua**, ¶ 67, U.N. Doc. CRC/C/15/Add.265 (2005); **Ukraine**, ¶ 69, U.N. Doc. CRC/5/15/Add.191 (2002).

<sup>110</sup> See, e.g., **Azerbaijan**, ¶ 64, U.N. Doc. CRC/C/AZE/CO/2 (2006); **Bangladesh**, ¶ 76, U.N. Doc. CRC/5/15/Add.221 (2003); **Germany**, ¶ 59, U.N. Doc. CRC/C/15/Add.226 (2004); **Kyrgyzstan**, ¶ 64, U.N. Doc. CRC/C/15/Add.244 (2004).

<sup>111</sup> See, e.g., **Indonesia**, ¶ 80, U.N. Doc. CRC/C/15/Add.223 (2004); **Lebanon**, ¶ 78, U.N. Doc. CRC/C/LBN/CO/3 (2006).

<sup>112</sup> See **Kyrgyzstan**, ¶ 64, U.N. Doc. CRC/C/15/Add.244 (2004).

<sup>113</sup> See, e.g., **Azerbaijan**, ¶ 64, U.N. Doc. CRC/C/AZE/CO/2 (2006); **Bangladesh**, ¶ 76, U.N. Doc. CRC/5/15/Add.221 (2003); **Bosnia and Herzegovina**, ¶ 65, U.N. Doc. CRC/C/15/Add.260 (2005); **Canada**, ¶ 55, U.N. Doc. CRC/5/15/Add.215 (2003); **Nicaragua**, ¶ 67, U.N. Doc. CRC/C/15/Add.265 (2005); **Lebanon**, ¶ 78, U.N. Doc. CRC/C/LBN/CO/3 (2006); **Ukraine**, ¶ 69, U.N. Doc. CRC/5/15/Add.191 (2002).

<sup>114</sup> See, e.g., **Belize**, ¶ 48 U.N. Doc. CRC/C/15/Add.252 (2005); **Cape Verde**, ¶ 59, U.N. Doc. CRC/5/15/Add.168 (2001); **Colombia**, ¶ 58, U.N. Doc. CRC/C/COL/CO/3 (2006); **Democratic Republic of the Congo**, ¶¶ 60–61, U.N. Doc. CRC/C/15/Add.153 (2001); **India**, ¶ 74, U.N. Doc. CRC/C/15/Add.115 (2000); **Kenya**, ¶ 54, U.N. Doc. CRC/5/15/Add.160 (2001); **Kyrgyzstan**, ¶ 40, U.N. Doc. CRC/C/15/Add.127 (2000); **Russian Federation**, ¶¶ 23, 31, U.N. Doc. CRC/C/15/Add.110 (1999); **Turkey**, ¶ 45, U.N. Doc. CRC/C/15/Add.152 (2001); **United Republic of Tanzania**, ¶¶ 56–59, U.N. Doc. CRC/C/15/Add.156 (2001).

<sup>115</sup> See, e.g., **Armenia**, ¶¶ 43, 54–55, U.N. Doc. CRC/C/15/Add.119 (2000); **Bhutan**, ¶ 41, U.N. Doc.

- CRC/C/15/Add.157 (2001); Democratic Republic of the Congo**, ¶¶ 46–47, U.N. Doc. CRC/C/15/Add.153 (2001); **Denmark**, ¶¶ 34–35, U.N. Doc. CRC/C/15/Add.151 (2001); **Dominica**, ¶ 35, U.N. Doc. CRC/C/15/Add.238 (2004); **Ethiopia**, ¶¶ 72–73, U.N. Doc. CRC/C/15/Add.144 (2001); **Honduras**, ¶ 33, U.N. Doc. CRC/C/15/Add.105 (1999); **Latvia**, ¶¶ 31–32, 50, U.N. Doc. CRC/C/15/Add.142 (2001); **Lesotho**, ¶¶ 41–42, U.N. Doc. CRC/C/15/Add.147 (2001); **Nepal**, ¶ 89, U.N. Doc. CRC/C/15/Add.261 (2005); **Netherlands**, ¶ 27, U.N. Doc. CRC/C/15/Add.114 (1999); **Norway**, ¶¶ 55–56, U.N. Doc. CRC/C/15/Add.126 (2000); **Palau**, ¶¶ 42–43, 46–47, U.N. Doc. CRC/C/15/Add.149 (2001); **Saudi Arabia**, ¶ 36, U.N. Doc. CRC/C/15/Add.148 (2001); **South Africa**, ¶ 27, U.N. Doc. CRC/C/15/Add.122 (2000); **United Republic of Tanzania**, ¶ 44, U.N. Doc. CRC/C/15/Add.156 (2001).
- <sup>116</sup> See, e.g., **Antigua and Barbuda**, ¶ 65, U.N. Doc. CRC/C/15/Add.247 (2004); **Greece**, ¶ 76 (d), U.N. Doc. CRC/5/15/Add.170 (2002); **Lebanon**, ¶ 47, U.N. Doc. CRC/C/LBN/CO/3 (2006); **Netherlands Antilles**, ¶ 60, U.N. Doc. CRC/5/15/Add.186 (2002); **Saint Lucia**, ¶ 70, U.N. Doc. CRC/C/15/Add.258 (2005); **Uganda**, ¶ 75, U.N. Doc. CRC/C/15/Add.270 (2005).
- <sup>117</sup> See, e.g., **Antigua and Barbuda**, ¶ 47, U.N. Doc. CRC/C/15/Add.247 (2004); **Belize**, ¶ 68, U.N. Doc. CRC/C/15/Add.252 (2005); **Uganda**, ¶ 75, U.N. Doc. CRC/C/15/Add.270 (2005).
- <sup>118</sup> See, e.g., **Greece**, ¶ 51(d), U.N. Doc. CRC/5/15/Add.170 (2002); **Lebanon**, ¶ 48, U.N. Doc. CRC/C/LBN/CO/3 (2006); **Saint Lucia**, ¶ 71, U.N. Doc. CRC/C/15/Add.258 (2005).
- <sup>119</sup> See, e.g., **Argentina**, ¶ 36, U.N. Doc. CRC/5/15/Add.187 (2002); **Brazil**, ¶ 40, U.N. Doc. CRC/C/15/Add.241 (2004); **Cameroon**, ¶ 34, U.N. Doc. CRC/5/15/Add.164 (2001); **Chile**, ¶ 38, U.N. Doc. CRC/C/CHL/CO/3 (2007); **Democratic People's Republic of Korea**, ¶ 34, U.N. Doc. CRC/C/15/Add.239 (2004); **El Salvador**, ¶ 35, U.N. Doc. CRC/C/15/Add.232 (2004); **Nicaragua**, ¶ 34, U.N. Doc. CRC/C/15/Add.265 (2005); **Kazakhstan**, ¶ 36, U.N. Doc. CRC/5/15/Add.213 (2003); **Kazakhstan**, ¶ 34, U.N. Doc. CRC/C/KAZ/CO/3 (2007); **Kenya**, ¶ 35, U.N. Doc. CRC/5/15/Add.160 (2001); **Lebanon**, ¶ 85, U.N. Doc. CRC/C/LBN/CO/3 (2006); **Mexico**, ¶¶ 33–34, U.N. Doc. CRC/C/MEX/CO/3 (2006); **Philippines**, ¶ 38, U.N. Doc. CRC/C/15/Add.259 (2005).
- <sup>120</sup> See, e.g., **Argentina**, ¶ 37, U.N. Doc. CRC/5/15/Add.187 (2002); **Cameroon**, ¶ 34, U.N. Doc. CRC/5/15/Add.164 (2001); **Chile**, ¶ 38, U.N. Doc. CRC/C/CHL/CO/3 (2007); **El Salvador**, ¶ 36, U.N. Doc. CRC/C/15/Add.232 (2004); **Kenya**, ¶ 35, U.N. Doc. CRC/5/15/Add.160 (2001–); **Mexico**, ¶ 35, U.N. Doc. CRC/C/MEX/CO/3 (2006); **Philippines**, ¶ 39, U.N. Doc. CRC/C/15/Add.259 (2005).
- <sup>121</sup> See **Philippines**, ¶ 39, U.N. Doc. CRC/C/15/Add.259 (2005).
- <sup>122</sup> See **Brazil**, ¶ 41, U.N. Doc. CRC/C/15/Add.241 (2004); **Lebanon**, ¶ 85, U.N. Doc. CRC/C/LBN/CO/3 (2006).
- <sup>123</sup> See, e.g., **Bangladesh**, ¶ 41, U.N. Doc. CRC/5/15/Add.221 (2003); **Colombia**, ¶¶ 50–51, U.N. Doc. CRC/C/COL/CO/3 (2006); **Pakistan**, ¶¶ 40–41, U.N. Doc. CRC/5/15/Add.217 (2003).
- <sup>124</sup> See, e.g., **Algeria**, ¶ 70, U.N. Doc. CRC/C/15/Add.269 (2005); **Bosnia and Herzegovina**, ¶ 63, U.N. Doc. CRC/C/15/Add.260 (2005); **Burundi**, ¶¶ 62, 71, U.N. Doc. CRC/C/15/Add.133 (2000); **Colombia**, ¶ 80, U.N. Doc. CRC/C/COL/CO/3 (2006); **Democratic Republic of the Congo**, ¶ 26, U.N. Doc. CRC/C/15/Add.153 (2001); **Ethiopia**, ¶ 68, U.N. Doc. CRC/C/15/Add.144 (2001); **Guatemala**, ¶ 39, U.N. Doc. CRC/C/15/Add.58 (1996); **India**, ¶ 68, U.N. Doc. CRC/C/15/Add.228 (2004); **Lebanon**, ¶ 69, U.N. Doc. CRC/C/LBN/CO/3 (2006); **Myanmar**, ¶ 45, U.N. Doc. CRC/C/15/Add.69 (1997); **Philippines**, ¶¶ 75–76, U.N. Doc. CRC/C/15/Add.259 (2005); **Russian Federation**, ¶ 68, U.N. Doc. CRC/C/RUS/CO/3 (2005); **Sierra Leone**, ¶ 44, U.N. Doc. CRC/C/15/Add.116 (2000); **Yugoslavia**, ¶ 38, U.N. Doc. CRC/C/15/Add.49 (1996).
- <sup>125</sup> See, e.g., **Myanmar**, ¶ 45, U.N. Doc. CRC/C/15/Add.69 (1997); **Nepal**, ¶ 82, U.N. Doc. CRC/C/15/Add.261 (2005).
- <sup>126</sup> See **Sierra Leone**, ¶ 44, U.N. Doc. CRC/C/15/Add.116 (2000).
- <sup>127</sup> See **Russian Federation**, 23/11/2005, U.N. Doc. CRC/C/RUS/CO/3, ¶ 69.
- <sup>128</sup> See, e.g., **Democratic Republic of the Congo**, ¶ 27, U.N. Doc. CRC/C/15/Add.153 (2001); **Indonesia**, ¶ 71, U.N. Doc. CRC/C/15/Add.223 (2004); **Nepal**, ¶ 82, U.N. Doc. CRC/C/15/Add.261 (2005); **Philippines**, ¶¶ 77–78, U.N. Doc. CRC/C/15/Add.259 (2005); **Yugoslavia**, ¶ 38, U.N. Doc. CRC/C/15/Add.49 (1996).
- <sup>129</sup> See, e.g., **Angola**, ¶ 61, U.N. Doc. CRC/C/15/Add.246 (2004); **Liberia**, ¶ 59, U.N. Doc. CRC/C/15/Add.236 (2001).

- (2004); **Philippines**, ¶ 77, U.N. Doc. CRC/C/15/Add.259 (2005); **Uganda**, ¶¶ 65-70, U.N. Doc. CRC/C/15/Add.270 (2005).
- <sup>130</sup> See, e.g., **Lebanon**, ¶ 74, U.N. Doc. CRC/C/LBN/CO/3 (2006); **Liberia**, ¶ 61(b), U.N. Doc. CRC/C/15/Add.236 (2004); **Uganda**, ¶ 63, U.N. Doc. CRC/C/15/Add.270 (2005).
- <sup>131</sup> See, e.g., **Liberia**, ¶ 61(b), U.N. Doc. CRC/C/15/Add.236 (2004); **Uganda**, ¶ 63, U.N. Doc. CRC/C/15/Add.270 (2005).
- <sup>132</sup> See, e.g., **Costa Rica**, ¶¶ 49-50, U.N. Doc. CRC/C/15/Add.266 (2005); **Gambia**, ¶¶ 64-65, U.N. Doc. CRC/C/15/Add.165 (2001).
- <sup>133</sup> See, e.g., **Ghana**, ¶ 67, U.N. Doc. CRC/C/GHA/CO/2 (2006); **The Kingdom of the Netherlands (Netherlands and Aruba)**, ¶¶ 56-57, U.N. Doc. CRC/C/15/Add.227 (2004); **Thailand**, ¶ 72, U.N. Doc. CRC/C/THA/CO/2 (2006); **Trinidad and Tobago**, ¶ 69, U.N. Doc. CRC/C/TTO/CO/2 (2006).
- <sup>134</sup> See **Albania**, ¶¶ 70-71, U.N. Doc. CRC/C/15/Add.249 (2005).
- <sup>135</sup> See, e.g., **Albania**, ¶ 71, U.N. Doc. CRC/C/15/Add.249 (2005); **Costa Rica**, ¶ 50, U.N. Doc. CRC/C/15/Add.266 (2005).
- <sup>136</sup> See, e.g., **Albania**, ¶ 71, U.N. Doc. CRC/C/15/Add.249 (2005); **Denmark**, ¶ 57, U.N. Doc. CRC/C/DNK/CO/3 (2005).
- <sup>137</sup> See **Gambia**, ¶ 65, U.N. Doc. CRC/C/15/Add.165 (2001).
- <sup>138</sup> See **Costa Rica**, ¶ 50, U.N. Doc. CRC/C/15/Add.266 (2005).
- <sup>139</sup> See, e.g., **Albania**, ¶ 71, U.N. Doc. CRC/C/15/Add.249 (2005); **Denmark**, ¶ 57, U.N. Doc. CRC/C/DNK/CO/3 (2005).
- <sup>140</sup> See, e.g., **Bahamas**, ¶ 57, U.N. Doc. CRC/C/15/Add.253 (2005); **Burkina Faso**, ¶ 58, U.N. Doc. CRC/5/15/Add.1193 (2002); **Denmark**, ¶ 55, U.N. Doc. CRC/C/15/Add.273 (2005); **Philippines**, ¶ 85, U.N. Doc. CRC/C/15/Add.259 (2005).
- <sup>141</sup> See, e.g., **Bahamas**, ¶ 57, U.N. Doc. CRC/C/15/Add.253 (2005); **Belize**, ¶ 69, U.N. Doc. CRC/C/15/Add.252 (2005); **Burkina Faso**, ¶ 59, U.N. Doc. CRC/5/15/Add.1193 (2002); **Philippines**, ¶ 87, U.N. Doc. CRC/C/15/Add.259 (2005); **Seychelles**, ¶ 51, U.N. Doc. CRC/5/15/Add.189 (2002).
- <sup>142</sup> See, e.g., **Bahamas**, ¶ 58, U.N. Doc. CRC/C/15/Add.253 (2005); **Belize**, ¶ 69, U.N. Doc. CRC/C/15/Add.252 (2005); **Burkina Faso**, ¶ 59, U.N. Doc. CRC/5/15/Add.1193 (2002); **Denmark**, ¶ 57, U.N. Doc. CRC/C/15/Add.273 (2005); **Philippines**, ¶ 87, U.N. Doc. CRC/C/15/Add.259 (2005).
- <sup>143</sup> See, e.g., **Lithuania**, ¶ 35, U.N. Doc. CRC/C/LTU/CO/2 (2006); **Luxembourg**, ¶ 30, U.N. Doc. CRC/C/15/Add.250 (2005).
- <sup>144</sup> See, e.g., **Lithuania**, ¶ 36, U.N. Doc. CRC/C/LTU/CO/2 (2006); **Luxembourg**, ¶ 31, U.N. Doc. CRC/C/15/Add.250 (2005).
- <sup>145</sup> See **Sudan**, ¶ 61, U.N. Doc. CRC/5/15/Add.190 (2002).
- <sup>146</sup> See **Sudan**, ¶ 62, U.N. Doc. CRC/5/15/Add.190 (2002).
- <sup>147</sup> Human Rights Committee, *General Comment 28: Equality of Rights Between Men and Women (Art. 3)*, U.N. Doc. HRI/GEN/1/Rev.5 (2001).
- <sup>148</sup> Human Rights Committee, *General Comment 28: Equality of Rights Between Men and Women (Art. 3)*, ¶ 11, U.N. Doc. HRI/GEN/1/Rev.5 (2001).
- <sup>149</sup> Human Rights Committee, *General Comment 28: Equality of Rights Between Men and Women (Art. 3)*, ¶ 11, U.N. Doc. HRI/GEN/1/Rev.5 (2001).
- <sup>150</sup> Human Rights Committee, *General Comment 6: Art. 6*, U.N. Doc. HRI/GEN/1/Rev.5 (2001).
- <sup>151</sup> Human Rights Committee, *General Comment 6: Art. 6*, ¶ 5, U.N. Doc. HRI/GEN/1/Rev.5 (2001).
- <sup>152</sup> Human Rights Committee, *General Comment 8: Art. 9*, U.N. Doc. HRI/GEN/1/Rev.5 (2001).
- <sup>153</sup> See **Colombia**, ¶¶ 24, 37, U.N. Doc. CCPR/C/79/Add.76 (1997).
- <sup>154</sup> See, e.g., **Algeria**, ¶ 6, U.N. Doc. CCPR/C/79/Add.95 (1998); **Armenia**, ¶ 16, U.N. Doc. CCPR/C/79/Add.100 (1998); **Brazil**, ¶ 30, U.N. Doc. CCPR/C/79/Add.66 (1996); **Colombia**, ¶ 37, U.N. Doc. CCPR/C/79/Add.76 (1996); **Costa Rica**, ¶ 12, U.N. Doc. CCPR/C/79/Add.107 (1999); **Czech Republic**, ¶ 14, U.N. Doc. CCPR/CO/72/CZE (2001); **Ecuador**, ¶ 10, U.N. Doc. CCPR/C/79/Add.92 (1998); **Guatemala**, ¶ 24, U.N. Doc. CCPR/CO/72/GTM (2001); **India**, ¶ 16, U.N. Doc. CCPR/C/79/Add.81 (1997); **Kyrgyzstan**, ¶ 14, U.N. Doc. CCPR/CO/69/KGZ (2000);

- Lithuania**, ¶ 11, U.N. Doc. CCPR/C/79/Add.87 (1997); **Peru**, ¶ 22, U.N. Doc. CCPR/C/79/Add.72 (1996); **Senegal**, ¶ 13, U.N. Doc. CCPR/C/79/Add.82 (1997); **Uzbekistan**, ¶ 19, U.N. Doc. CCPR/CO/71/UZB (2001); **Venezuela**, ¶¶ 17, 20, U.N. Doc. CCPR/CO/71/VEN (2001); **Zambia**, ¶ 9, U.N. Doc. CCPR/C/79/Add.62 (1996); **Zimbabwe**, ¶ 14, U.N. Doc. CCPR/C/79/Add.89 (1998).
- <sup>155</sup> See, e.g., **Azerbaijan**, ¶ 17, U.N. Doc. CCPR/CO/73/AZE (2001); **Senegal**, ¶ 13, U.N. Doc. CCPR/C/79/Add.82 (1997); **Sri Lanka**, ¶ 20, U.N. Doc. CCPR/CO/79/LKA (2003); **Uzbekistan**, ¶ 19, U.N. Doc. CCPR/CO/71/UZB (2001); **Zimbabwe**, ¶ 14, U.N. Doc. CCPR/C/79/Add.89 (1998).
- <sup>156</sup> See **Azerbaijan**, ¶ 17, U.N. Doc. CCPR/CO/73/AZE (2001).
- <sup>157</sup> See, e.g., **Argentina**, ¶ 15, U.N. Doc. CCPR/CO/70/ARG (2000); **Armenia**, ¶ 16, U.N. Doc. CCPR/C/79/Add.100 (1998); **Azerbaijan**, ¶ 17, U.N. Doc. CCPR/CO/73/AZE (2001); **Colombia**, ¶ 14, U.N. Doc. CCPR/CO/80/COL (2004); **Costa Rica**, ¶ 12, U.N. Doc. CCPR/C/79/Add.107 (1999); **Czech Republic**, ¶ 14, U.N. Doc. CCPR/CO/72/CZE (2001); **Democratic Republic of the Congo**, ¶ 12, U.N. Doc. CCPR/C/COD/CO/3 (2006); **Dominican Republic**, ¶ 19, U.N. Doc. CCPR/CO/71/DOM (2001); **The Former Yugoslav Republic of Macedonia**, ¶ 14, U.N. Doc. CCPR/C/79/Add.96 (1998); **Guatemala**, ¶ 33, U.N. Doc. CCPR/C/79/Add.63 (1996); **Guyana**, ¶ 14, U.N. Doc. CCPR/C/79/Add.121 (2000); **Iceland**, ¶ 12, U.N. Doc. CCPR/CO/83/ISL (2005); **India**, ¶ 16, U.N. Doc. CCPR/C/79/Add.81 (1997); **Jamaica**, ¶ 12, U.N. Doc. CCPR/C/79/Add.83 (1997); **Japan**, ¶ 30, U.N. Doc. CCPR/C/79/Add.102 (1998); **Kenya**, ¶ 11, U.N. Doc. CCPR/CO/83/KEN (2005); **Kyrgyzstan**, ¶ 14, U.N. Doc. CCPR/CO/69/KGZ (2000); **Libyan Arab Jamahiriya**, ¶ 17, U.N. Doc. CCPR/C/79/Add.101 (1998); **Lithuania**, ¶ 9, U.N. Doc. CCPR/CO/80/LTU (2004); **Mali**, ¶ 12, U.N. Doc. CCPR/CO/77/MLI (2003); **Mexico**, ¶ 17, U.N. Doc. CCPR/C/79/Add.32 (1994); **Mongolia**, ¶ 8, U.N. Doc. CCPR/C/79/Add.120 (2000); **Morocco**, ¶ 28, U.N. Doc. CCPR/CO/82/MAR (2004); **Paraguay**, ¶ 9, U.N. Doc. CCPR/C/PRY/CO/2 (2006); **Senegal**, ¶ 13, U.N. Doc. CCPR/C/79/Add.82 (1997); **Serbia and Suriname**, ¶ 12, U.N. Doc. CCPR/CO/80/SUR (2004); **Thailand**, ¶ 12, U.N. Doc. CCPR/CO/84/THA (2005); **The United Republic of Tanzania**, ¶ 11, U.N. Doc. CCPR/C/79/Add.97 (1998); **Uganda**, ¶ 11, U.N. Doc. CCPR/CO/80/UGA (2004); **Ukraine**, ¶ 10, U.N. Doc. CCPR/CO/73/UKR (2001); **Yemen**, ¶ 255, U.N. Doc. CCPR/C/79/Add.51, A/50/40 (1995); **Yemen**, ¶ 12, U.N. Doc. CCPR/CO/84/YEM (2005); **Zimbabwe**, ¶ 14, U.N. Doc. CCPR/C/79/Add.89 (1998).
- <sup>158</sup> See, e.g., **Costa Rica**, ¶ 12, U.N. Doc. CCPR/C/79/Add.107 (1998); **Czech Republic**, ¶ 14, U.N. Doc. CCPR/CO/72/CZE (2001); **Guatemala**, ¶ 33, U.N. Doc. CCPR/C/79/Add.63 (1996); **Japan**, ¶¶ 30, 33, U.N. Doc. CCPR/C/79/Add.102 (1998); **Kyrgyzstan**, ¶ 14, U.N. Doc. CCPR/CO/69/KGZ (2000); **Mali**, ¶ 12, U.N. Doc. CCPR/CO/77/MLI (2003); **Senegal**, ¶ 13, U.N. Doc. CCPR/C/79/Add.82 (1997); **Uzbekistan**, ¶ 19, U.N. Doc. CCPR/CO/71/UZB (2001); **Yemen**, ¶¶ 255, 261, U.N. Doc. CCPR/C/79/Add.51 (1995).
- <sup>159</sup> See, e.g., **Mauritius**, ¶ 10, U.N. Doc. CCPR/CO/83/MUS (2005); **Mongolia**, ¶ 8(e), U.N. Doc. CCPR/C/79/Add.120 (2000); **Sweden**, ¶ 7, U.N. Doc. CCPR/CO/74/SWE (2002).
- <sup>160</sup> See, e.g., **Guyana**, ¶ 14, U.N. Doc. CCPR/C/79/Add.121 (2000); **Kyrgyzstan**, ¶ 14, U.N. Doc. CCPR/CO/69.KGZ (2000).
- <sup>161</sup> See **Mongolia**, ¶ 8(e), U.N. Doc. CCPR/C/79/Add.120 (2000).
- <sup>162</sup> See, e.g., **Hungary**, ¶ 10, U.N. Doc. CCPR/CO/74/HUN (2002); **Mali**, ¶ 12, U.N. Doc. CCPR/CO/77/MLI (2003).
- <sup>163</sup> See, e.g., **Lithuania**, ¶ 9, U.N. Doc. CCPR/CO/80/LTU (2004); **Sweden**, ¶ 7, U.N. Doc. CCPR/CO/74/SWE (2000); **Vietnam**, ¶ 14, U.N. Doc. CCPR/CO/75/VNM (2002).
- <sup>164</sup> See, e.g., **Hungary**, ¶ 10, U.N. Doc. CCPR/CO/74/HUN (2002); **Kosovo (Serbia)**, ¶ 11, U.N. Doc. CCPR/C/UNK/CO/1 (2006); **Lithuania**, ¶ 9, U.N. Doc. CCPR/CO/80/LTU (2004); **Poland**, ¶ 11, U.N. Doc. CCPR/CO/82/POL (2004).
- <sup>165</sup> See, e.g., **Greece**, ¶ 7, U.N. Doc. CCPR/CO/83/GRC (2005); **India**, ¶ 16, U.N. Doc. CCPR/C/79/Add.81 (1997); **Mongolia**, ¶ 8(g), U.N. Doc. CCPR/C/79/Add.120 (2000); **Sri Lanka**, ¶ 20, U.N. Doc. CCPR/CO/79/LKA (2003); **The United Republic of Tanzania**, ¶ 11, U.N. Doc. CCPR/C/79/Add.97 (1998); **Uzbekistan**, ¶ 19, U.N. Doc. CCPR/CO/71/UZB (2001); **Zimbabwe**, ¶ 14, U.N. Doc. CCPR/C/79/Add.89 (1998).
- <sup>166</sup> See, e.g., **Hong Kong**, ¶ 16, U.N. Doc. CCPR/C/HKG/CO/2 (2006); **Georgia**, ¶ 14, U.N. Doc. CCPR/CO/74/GEO (2002); **Mali**, ¶ 12, U.N. Doc. CCPR/CO/77/MLI (2003); **Namibia**, ¶

- 20, U.N. Doc. CCPR/CO/81/NAM (2004); **Tajikistan**, ¶ 6, U.N. Doc. CCPR/CO/84/TJK (2005); **Thailand**, ¶ 12, U.N. Doc. CCPR/CO/84/THA (2005); **Uganda**, ¶ 11, U.N. Doc. CCPR/CO/80/UGA (2004).
- <sup>167</sup> See **Namibia**, ¶ 20, U.N. Doc. CCPR/CO/81/NAM (2004).
- <sup>168</sup> See, e.g., **China**, ¶ 16, U.N. Doc. CCPR/C/HKG/CO/2 (2006); **Thailand**, ¶ 12, U.N. Doc. CCPR/CO/84/THA (2005); **Uganda**, ¶ 11, U.N. Doc. CCPR/CO/80/UGA (2004).
- <sup>169</sup> See, e.g., **Argentina**, ¶ 15, U.N. Doc. CCPR/CO/70/ARG (2000); **Benin**, ¶ 9, U.N. Doc. CCPR/CO/82/BEN (2004); **Brazil**, ¶ 11, U.N. Doc. CCPR/C/BRA/CO/2 (2005); **Democratic Republic of the Congo**, ¶ 12, U.N. Doc. CCPR/C/COD/CO/3 (2006); **Georgia**, ¶ 14, U.N. Doc. CCPR/CO/74/GEO (2002); **Jamaica**, ¶ 12, U.N. Doc. CCPR/C/79/Add.83 (1997); **Kenya**, ¶ 11, U.N. Doc. CCPR/CO/83/KEN (2005); **Paraguay**, ¶ 9, U.N. Doc. CCPR/C/PRY/CO/2 (2006); **Senegal**, ¶ 13, U.N. Doc. CCPR/C/79/Add.82 (1997); **Serbia and Montenegro**, ¶ 17, U.N. Doc. CCPR/CO/81/SEMO (2004); **Suriname**, ¶ 12, U.N. Doc. CCPR/CO/80/SUR (2004); **Tajikistan**, ¶ 6, U.N. Doc. CCPR/CO/84/TJK (2005); **Thailand**, ¶ 12, U.N. Doc. CCPR/CO/84/THA (2005); **Vietnam**, ¶ 14, U.N. Doc. CCPR/CO/75/VNM (2002); **Yemen**, ¶ 12, U.N. Doc. CCPR/CO/84/YEM (2005).
- <sup>170</sup> See, e.g., **Hungary**, ¶ 10, U.N. Doc. CCPR/CO/74/HUN, (2002); **Lithuania**, ¶ 9, U.N. Doc. CCPR/CO/80/LTU (2004).
- <sup>171</sup> See, e.g., **Albania**, ¶ 10, U.N. Doc. CCPR/CO/82/ALB (2004); **Hungary**, ¶ 10, U.N. Doc. CCPR/CO/74/HUN (2002); **Lithuania**, ¶ 9, U.N. Doc. CCPR/CO/80/LTU (2004); **Namibia**, ¶ 20, U.N. Doc. CCPR/CO/81/NAM (2004); **Poland**, ¶ 11, U.N. Doc. CCPR/CO/82/POL (2004); **Serbia and Montenegro**, ¶ 17, U.N. Doc. CCPR/CO/81/SEMO (2004); **Thailand**, ¶ 12, U.N. Doc. CCPR/CO/84/THA (2005).
- <sup>172</sup> See, e.g., **Argentina**, ¶ 15, U.N. Doc. CCPR/CO/70/ARG (2000); **Colombia**, ¶ 14, U.N. Doc. CCPR/CO/80/COL (2004); **Georgia**, ¶ 14, U.N. Doc. CCPR/CO/74/GEO (2002); **Italy**, ¶ 9, U.N. Doc. CCPR/C/ITA/CO/5 (2005); **Norway**, ¶ 10, U.N. Doc. CCPR/C/NOR/CO/5 (2006); **Yemen**, ¶ 12, U.N. Doc. CCPR/CO/84/YEM (2005).
- <sup>173</sup> See, e.g., **Democratic Republic of the Congo**, ¶ 11, U.N. Doc. CCPR/C/COD/CO/3 (2006); **Uzbekistan**, ¶ 24, U.N. Doc. CCPR/CO/83/UZB (2005).
- <sup>174</sup> See **Democratic Republic of the Congo**, ¶ 11, U.N. Doc. CCPR/C/COD/CO/3 (2006).
- <sup>175</sup> See, e.g., **Syrian Arab Republic**, ¶ 16, U.N. Doc. CCPR/CO/84/SYR (2005); **Yemen**, ¶ 12, U.N. Doc. CCPR/CO/84/YEM (2005).
- <sup>176</sup> See **Madagascar**, ¶ 11, U.N. Doc. CCPR/C/MDG/CO/3 (2007).
- <sup>177</sup> See **Mauritius**, ¶ 10, U.N. Doc. CCPR/CO/83/MUS (2005).
- <sup>178</sup> See, e.g., **Algeria**, ¶ 6, U.N. Doc. CCPR/C/79/Add.95 (1998); **Argentina**, ¶ 15, U.N. Doc. CCPR/CO/70/ARG (2000); **Armenia**, ¶ 16, U.N. Doc. CCPR/C/79/Add.100 (1998); **Azerbaijan**, ¶ 17, U.N. Doc. CCPR/CO/73/AZE (2001); **Colombia**, ¶ 14, U.N. Doc. CCPR/CO/80/COL (2004); **Czech Republic**, ¶ 23, U.N. Doc. CCPR/CO/72/CZE (2001); **Democratic Republic of the Congo**, ¶¶ 12–13, U.N. Doc. CCPR/C/COD/CO/3 (2006); **Dominican Republic**, ¶ 19, U.N. Doc. CCPR/CO/71/DOM (2001); **Ecuador**, ¶ 11, U.N. Doc. CCPR/C/79/Add.92 (1998); **Guatemala**, ¶ 16, U.N. Doc. CCPR/C/79/Add.63 (1996); **Guatemala**, ¶ 24, U.N. Doc. CCPR/CO/72/GTM (2001); **Hungary**, ¶ 10, U.N. Doc. CCPR/CO/74/HUN (2002); **Iceland**, ¶ 11, U.N. Doc. CCPR/CO/83/ISL (2005); **India**, ¶ 16, U.N. Doc. CCPR/C/79/Add.81 (1997); **Japan**, ¶ 30, U.N. Doc. CCPR/C/79/Add.102 (1998); **Libyan Arab Jamahiriya**, ¶ 17, U.N. Doc. CCPR/C/79/Add.101 (1998); **Lithuania**, ¶ 11, U.N. Doc. CCPR/C/79/Add.87 (1997); **Mongolia**, ¶ 8(f), U.N. Doc. CCPR/C/79/Add.120 (2000); **Peru**, ¶¶ 13, 22, U.N. Doc. CCPR/C/79/Add.72 (1996); **Russian Federation**, ¶ 14, U.N. Doc. CCPR/C/79/Add.54 (1995); **The United Republic of Tanzania**, ¶ 11, U.N. Doc. CCPR/C/79/Add.97 (1998); **United States of America**, ¶ 285, U.N. Doc. CCPR/C/79/Add.50, A/50/40 (1995); **Uruguay**, ¶ 9, U.N. Doc. CCPR/C/79/Add.90 (1998); **Venezuela**, ¶¶ 17, 20, U.N. Doc. CCPR/CO/71/VEN (2001); **Yugoslavia**, ¶ 5, U.N. Doc. CCPR/C/79/Add.16 (1992); **Zimbabwe**, ¶ 14, U.N. Doc. z. 89 (1998).
- <sup>179</sup> See, e.g., **Armenia**, ¶ 16, U.N. Doc. CCPR/C/79/Add.100 (1998); **Czech Republic**, ¶ 23, U.N. Doc. CCPR/CO/72/CZE (2001); **Japan**, ¶¶ 30, 33, U.N. Doc. CCPR/C/79/Add.102 (1998); **Kenya**, ¶ 11, U.N. Doc. CCPR/CO/83/KEN (2005); **Lithuania**, ¶ 11, U.N. Doc. CCPR/C/79/Add.87 (1997); **Venezuela**, ¶¶ 17, 20, U.N. Doc. CCPR/CO/71/VEN (2001).
- <sup>180</sup> See **Russian Federation**, ¶ 14, U.N. Doc. CCPR/C/79/Add.54 (1995).

- <sup>181</sup> See **Colombia**, ¶ 14, U.N. Doc. CCPR/CO/80/COL (2004).
- <sup>182</sup> See **Iceland**, ¶ 11, U.N. Doc. CCPR/CO/83/ISL (2005).
- <sup>183</sup> See **Mali**, ¶ 18, U.N. Doc. CCPR/CO/77/MLI (2003).
- <sup>184</sup> See, e.g., **Algeria**, ¶ 6, U.N. Doc. CCPR/C/79/Add.95 (1998); **Democratic Republic of the Congo**, ¶ 13, U.N. Doc. CCPR/C/COD/CO/3 (2006); **Guatemala**, ¶¶ 16, 26, U.N. Doc. CCPR/C/79/Add.63 (1996); **Russian Federation**, ¶ 13, U.N. Doc. CCPR/CO/79/RUS (2003)..
- <sup>185</sup> See **Russian Federation**, ¶ 13, U.N. Doc. CCPR/CO/79/RUS (2003).
- <sup>186</sup> Rome Statute of the International Criminal Court, *adopted* July 17, 1998, United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, Rome, Italy, June 15–July 17, 1998, U.N. Doc. A/CONF.183/9 (1998) reprinted in 37 I.L.M. 1002 (entered into force July 1, 2002).
- <sup>187</sup> See **Argentina**, ¶ 15, U.N. Doc. CCPR/CO/70/ARG (2000).
- <sup>188</sup> See **Argentina**, ¶ 15, U.N. Doc. CCPR/CO/70/ARG (2000).
- <sup>189</sup> See, e.g., **Japan**, ¶ 31, U.N. Doc. CCPR/C/79/Add.102 (1998); **Peru**, ¶ 21, U.N. Doc. CCPR/CO/70/PER (2000); **Slovakia**, ¶ 12, U.N. Doc. CCPR/CO/78/SVK (2003).
- <sup>190</sup> See, e.g., **Peru**, ¶ 21, U.N. Doc. CCPR/CO/70/PER (2000); **Slovakia**, ¶ 12, U.N. Doc. CCPR/CO/78/SVK (2003).
- <sup>191</sup> See, e.g., **Peru**, ¶ 21, U.N. Doc. CCPR/CO/70/PER (2000); **Slovakia**, ¶ 12, U.N. Doc. CCPR/CO/78/SVK (2003).
- <sup>192</sup> See, e.g., **Japan**, ¶ 31, U.N. Doc. CCPR/C/79/Add.102 (1998); **Slovakia**, ¶ 12, U.N. Doc. CCPR/CO/78/SVK (2003).
- <sup>193</sup> See **Brazil**, ¶ 11, U.N. Doc. CCPR/C/BRA/CO/2 (2005).
- <sup>194</sup> See, e.g., **Colombia**, ¶ 13, U.N. Doc. CCPR/CO/80/COL (2004); **Gambia**, ¶ 17, U.N. Doc. CCPR/CO/75/GMB (2004).
- <sup>195</sup> See **Poland**, ¶ 8, U.N. Doc. CCPR/CO/82/POL (2004).
- <sup>196</sup> Committee on Economic, Social and Cultural Rights, *General Comment 14: The Right to the Highest Attainable Standard of Health (Art. 12)*, U.N. Doc. HRI/GEN/1/Rev.5 (2001).
- <sup>197</sup> Committee on Economic, Social and Cultural Rights, *General Comment 14: The Right to the Highest Attainable Standard of Health (Art. 12)* (22nd Sess., 2000), in Compilation of General Comments and General Recommendations by Human Rights Treaty Bodies, at 90, ¶ 21, U.N. Doc. HRI/GEN/1/Rev.5 (2001).
- <sup>198</sup> See, e.g., **Guatemala**, ¶ 21, U.N. Doc. E/C.12/1/Add.93 (2003); **Jamaica**, ¶¶ 7, 14; U.N. Doc. E/C.12/1/Add.75 (2001); **Senegal**, ¶ 25, U.N. Doc. E/C.12/1/Add.62 (2001).
- <sup>199</sup> See, e.g., **Bolivia**, ¶ 37, U.N. Doc. E/C.12/1/Add.60 (2001); **Jamaica**, ¶ 27; U.N. Doc. E/C.12/1/Add.75 (2001); **Trinidad and Tobago**, ¶ 53, U.N. Doc. E/C.12/1/Add.80 (2002).
- <sup>200</sup> See **Bolivia**, ¶ 37, U.N. Doc. E/C.12/1/Add.60 (2001).
- <sup>201</sup> See **Brazil**, ¶ 53, U.N. Doc. E/C.12/1/Add.87 (2003).
- <sup>202</sup> See, e.g., **Brazil**, ¶ 53, U.N. Doc. E/C.12/1/Add.87 (2003); **Senegal**, ¶ 46, U.N. Doc. E/C.12/1/Add.62 (2001); **Trinidad and Tobago**, ¶ 45, U.N. Doc. E/C.12/1/Add.80 (2002).
- <sup>203</sup> See **Colombia**, ¶¶ 11, 22, 43, U.N. Doc. E/C.12/1/Add.74 (2001).
- <sup>204</sup> See, e.g., **Argentina**, ¶¶ 25, 39, U.N. Doc. E/C.12/1/Add.38 (1999); **Bulgaria**, ¶ 31, U.N. Doc. E/C.12/1/Add.37 (1999); **Cameroon**, ¶¶ 16, 34, U.N. Doc. E/C.12/1/Add.40 (1999); **People's Republic of China (including Hong Kong and Macao)**, ¶¶ 57, 112, U.N. Doc. E/C.12/1/Add.107 (2005); **Democratic Republic of the Congo**, ¶ 17, U.N. Doc. E/C.12/1/Add.45 (2000); **Dominican Republic**, ¶ 22, U.N. Doc. E/C.12/1/Add.16 (1997); **El Salvador**, ¶ 20, U.N. Doc. E/C.12/Add.4 (1996); **Guatemala**, ¶¶ 21, 39, U.N. Doc. E/C.12/1/Add.93 (2003); **Iceland**, ¶¶ 15, 25, U.N. Doc. E/C.12/1/Add.89 (2003); **Israel**, ¶ 31, U.N. Doc. E/C.12/1/Add.27 (1998); **Jamaica**, ¶ 14; U.N. Doc. E/C.12/1/Add.75 (2001); **Jordan**, ¶¶ 16, 31–32, U.N. Doc. E/C.12/1/Add.46 (2000); **Malta**, ¶¶ 19, 37, U.N. Doc. E/C.12/1/Add.101 (2004); **Mauritius**, ¶ 245, U.N. Doc. E/C.12/1995/18 (1996); **Mexico**, ¶ 26, U.N. Doc.

- E/C.12/1/Add.41 (1999); **Mexico**, ¶¶ 19, 38, U.N. Doc. E/C.12/MEX/CO/4 (2006); **Mongolia**, ¶ 12, U.N. Doc. E/C.12/1/Add.47 (2000); **Nigeria**, ¶ 21, U.N. Doc. E/C.12/Add.23 (1998); **Poland**, ¶¶ 13, 21, U.N. Doc. E/C.12/1/Add.26 (1998); **Portugal**, ¶ 12, U.N. Doc. E/C.12/1/Add.53 (2000); **Russian Federation**, ¶¶ 24, 52, U.N. Doc. E/C.12/1/Add.94 (2003); **Serbia and Montenegro**, ¶ 23, U.N. Doc. E/C.12/1/Add.108 (2005); **Slovakia**, ¶¶ 15, 29, U.N. Doc. E/C.12/1/Add. 81 (2002); **Solomon Islands**, ¶¶ 10, 23, U.N. Doc. E/C.12/1/Add.84 (2002); **Spain**, ¶¶ 17, 34, U.N. Doc. E/C.12/1/Add.99 (2004); **Trinidad and Tobago**, ¶¶ 22, 30, 45, U.N. Doc. E/C.12/1/Add.80 (2002); **Yemen**, ¶¶ 14, 33, U.N. Doc. E/C.12/1/Add.92 (2003).
- <sup>205</sup> See, e.g., **Algeria**, ¶ 33, U.N. Doc. E/C.12/1/Add.71 (2001); **Cameroon**, ¶ 34, U.N. Doc. E/C.12/1/Add.40 (1999); **Democratic People's Republic of Korea**, ¶ 39, U.N. Doc. E/C.12/1/Add.95 (2003); **Denmark**, ¶ 30, U.N. Doc. E/C.12/1/Add.102 (2004); **Georgia**, ¶ 36, U.N. Doc. E/C.12/1/Add.83 (2002); **Greece**, ¶ 37, U.N. Doc. E/C.12/1/Add.97 (2004); **Lithuania**, ¶ 43, U.N. Doc. E/C.12/1/Add.96 (2004); **Malta**, ¶ 37, U.N. Doc. E/C.12/1/Add.101 (2004); **Mexico**, ¶ 38, U.N. Doc. E/C.12/MEX/CO/4 (2006); **Morocco**, ¶ 50, U.N. Doc. E/C.12/MAR/CO/3 (2006); **Nepal**, ¶ 44, E/C.12/1/Add.66 (2001); **Russian Federation**, ¶ 52, U.N. Doc. E/C.12/1/Add.94 (2003); **Syrian Arab Republic**, ¶ 40, U.N. Doc. E/C.12/1/Add.63 (2001).
- <sup>206</sup> See, e.g., **Guatemala**, ¶ 39, U.N. Doc. E/C.12/1/Add.93 (2003); **Honduras**, ¶¶ 5, 21, 41, U.N. Doc. E/C.12/1/Add.57 (2001); **Japan**, ¶ 43, U.N. Doc. E/C.12/1/Add.67 (2001).
- <sup>207</sup> See **Guatemala**, ¶ 39, U.N. Doc. E/C.12/1/Add.93 (2003).
- <sup>208</sup> See, e.g., **Algeria**, ¶ 33, U.N. Doc. E/C.12/1/Add.71 (2001); **Bulgaria**, ¶ 31, U.N. Doc. E/C.12/1/Add.37 (1999); **People's Republic of China (including Hong Kong and Macao)**, ¶ 57, U.N. Doc. E/C.12/1/Add.107, Part 1: **China** (2005); **Denmark**, ¶ 30, U.N. Doc. E/C.12/1/Add.102 (2004); **France**, ¶ 21, U.N. Doc. E/C.12/1/Add.72 (2001); **Guatemala**, ¶ 39, U.N. Doc. E/C.12/1/Add.93 (2003); **Ireland**, ¶ 30, U.N. Doc. E/C.12/Add.77 (2002); **Japan**, ¶ 43, U.N. Doc. E/C.12/1/Add.67 (2001); **Mauritius**, ¶ 245, U.N. Doc. E/C.12/1995/18 (1996); **New Zealand**, ¶ 30, U.N. Doc. E/C.12/1/Add.88 (2003); **Panama**, ¶ 33, U.N. Doc. E/C.12/1/Add.64 (2001); **United Kingdom of Great Britain and Northern Ireland—Dependent Territories**, ¶ 35, U.N. Doc. E/C.12/1/Add.79 (2002); **Venezuela**, ¶ 26, U.N. Doc. E/C.12/1/Add.56 (2001).
- <sup>209</sup> See, e.g., **China: Hong Kong Special Administrative Region**, ¶ 6(b), U.N. Doc. E/C.12/1/Add.58 (2001); **Estonia**, ¶ 41, U.N. Doc. E/C.12/1/Add.85 (2002); **Greece**, ¶ 37, U.N. Doc. E/C.12/1/Add.97 (2004); Italy, ¶ 27, U.N. Doc. E/C.12/1/Add.43 (2000); **Lithuania**, ¶ 43, U.N. Doc. E/C.12/1/Add.96 (2004); **Mexico**, ¶ 38, U.N. Doc. E/C.12/MEX/CO/4 (2006); **Mongolia**, ¶ 23, U.N. Doc. E/C.12/1/Add.47 (2000); **Poland**, ¶ 21, U.N. Doc. E/C.12/1/Add.26 (1998); **Poland**, ¶ 47, U.N. Doc. E/C.12/1/Add.82 (2002); **Russian Federation**, ¶ 52, U.N. Doc. E/C.12/1/Add.94 (2003); **United Kingdom of Great Britain and Northern Ireland—Dependent Territories**, ¶ 35, U.N. Doc. E/C.12/1/Add.79 (2002); **Uzbekistan**, ¶ 55, U.N. Doc. E/C.12/UZB/CO/1 (2006).
- <sup>210</sup> See, e.g., **Canada**, ¶ 59, E/C.12/CAN/CO/5 (2006); **Mexico**, ¶ 38, U.N. Doc. E/C.12/MEX/CO/4 (2006); **Solomon Islands**, ¶ 23, U.N. Doc. E/C.12/1/Add.84 (2002); **Uzbekistan**, ¶ 55, U.N. Doc. E/C.12/UZB/CO/1 (2006).
- <sup>211</sup> See, e.g., **Algeria**, ¶ 33, U.N. Doc. E/C.12/1/Add.71 (2001); **Ecuador**, ¶ 50, U.N. Doc. E/C.12/1/Add.100 (2004); **Georgia**, ¶ 36, U.N. Doc. E/C.12/1/Add.83 (2002); **Greece**, ¶ 37, U.N. Doc. E/C.12/1/Add.97 (2004); **Guatemala**, ¶ 39, U.N. Doc. E/C.12/1/Add.93 (2003); **Italy**, ¶ 43, U.N. Doc. E/C.12/1/Add.103 (2004); **Liechtenstein**, ¶ 33, U.N. Doc. E/C.12/LIE/CO/1 (2006); **Solomon Islands**, ¶ 23, U.N. Doc. E/C.12/1/Add.84 (2002); **Uzbekistan**, ¶ 55, U.N. Doc. E/C.12/UZB/CO/1 (2006).
- <sup>212</sup> See, e.g., **Georgia**, ¶ 36, U.N. Doc. E/C.12/1/Add.83 (2002); **Greece**, ¶ 37, U.N. Doc. E/C.12/1/Add.97 (2004).
- <sup>213</sup> See **Georgia**, ¶ 36, U.N. Doc. E/C.12/1/Add.83 (2002).
- <sup>214</sup> See **Greece**, ¶ 37, U.N. Doc. E/C.12/1/Add.97 (2004).
- <sup>215</sup> See, e.g., **People's Republic of China (including Hong Kong and Macao)**, ¶ 57, U.N. Doc. E/C.12/1/Add.107 (2005); **Liechtenstein**, ¶ 33, U.N. Doc. E/C.12/LIE/CO/1 (2006); **Lithuania**, ¶ 43, U.N. Doc. E/C.12/1/Add.96 (2004); **Morocco**, ¶ 50, U.N. Doc. E/C.12/MAR/CO/3 (2006); **Solomon Islands**, ¶ 23, U.N. Doc. E/C.12/1/Add.84 (2002).

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- <sup>216</sup> See, e.g., **Denmark**, ¶ 30, U.N. Doc. E/C.12/1/Add.102 (2004); **Lithuania**, ¶ 43, U.N. Doc. E/C.12/1/Add.96 (2004); **Morocco**, ¶ 50, U.N. Doc. E/C.12/MAR/CO/3 (2006).
- <sup>217</sup> See **Uzbekistan**, ¶ 55, U.N. Doc. E/C.12/UZB/CO/1 (2006).
- <sup>218</sup> See **Honduras**, ¶ 41, U.N. Doc. E/C.12/1/Add.57 (2001).
- <sup>219</sup> See **Denmark**, ¶ 31, U.N. Doc. E/C.12/1/Add.102 (2004).
- <sup>220</sup> See, e.g., **Egypt**, ¶ 35, U.N. Doc. E/C.12/1/Add.44 (2000); **Jordan**, ¶ 32, U.N. Doc. E/C.12/1/Add.46 (2000); **Mongolia**, ¶ 23, U.N. Doc. E/C.12/1/Add.47 (2000); **Syrian Arab Republic**, ¶¶ 24, 40, U.N. Doc. E/C.12/1/Add.63 (2001).
- <sup>221</sup> See, e.g., **Greece**, ¶¶ 16, 37, U.N. Doc. E/C.12/1/Add.97 (2004); **Syrian Arab Republic**, ¶ 40, U.N. Doc. E/C.12/1/Add.63 (2001).
- <sup>222</sup> See, e.g., **Greece**, ¶ 16, U.N. Doc. E/C.12/1/Add.97 (2004); **Nigeria**, ¶ 23, U.N. Doc. E/C.12/1/Add.23 (1998).
- <sup>223</sup> See **Serbia and Montenegro**, ¶ 36, U.N. Doc. E/C.12/1/Add.108 (2005).
- <sup>224</sup> See **Serbia and Montenegro**, ¶ 63, U.N. Doc. E/C.12/1/Add.108 (2005).
- <sup>225</sup> See **Bosnia and Herzegovina**, ¶ 19, U.N. Doc. E/C.12/BIH/CO/1 (2006).
- <sup>226</sup> See **Bosnia and Herzegovina**, ¶ 41, U.N. Doc. E/C.12/BIH/CO/1 (2006).
- <sup>227</sup> See **Bosnia and Herzegovina**, ¶ 23, U.N. Doc. E/C.12/BIH/CO/1 (2006).
- <sup>228</sup> See **Bosnia and Herzegovina**, ¶ 41, U.N. Doc. E/C.12/BIH/CO/1 (2006).
- <sup>229</sup> See, e.g., **People's Republic of China (including Hong Kong and Macao)**, ¶¶ 17, 110, U.N. Doc. E/C.12/1/Add.107 (2005); **Guatemala**, ¶ 16, U.N. Doc. E/C.12/1/Add.93 (2003); **Morocco**, ¶ 52, U.N. Doc. E/C.12/MAR/CO/3 (2006); **Russian Federation**, ¶¶ 20, 48, U.N. Doc. E/C.12/1/Add.94 (2003).
- <sup>230</sup> See **Panama**, ¶ 16, U.N. Doc. E/C.12/1/Add.64 (2001).
- <sup>231</sup> See, e.g., **Chile**, ¶¶ 21, 45, U.N. Doc. E/C.12/1/Add.105 (2004); **Poland**, ¶ 21, U.N. Doc. E/C.12/Add.26 (1998); **Poland**, ¶¶ 18, 40, U.N. Doc. E/C.12/1/Add.82 (2002); **Russian Federation**, ¶ 48, U.N. Doc. E/C.12/1/Add.94 (2003).
- <sup>232</sup> See, e.g., **Georgia**, ¶¶ 18, 36, U.N. Doc. E/C.12/1/Add.83 (2002); **Guatemala**, ¶ 34, U.N. Doc. E/C.12/1/Add.93 (2003); **Japan**, ¶¶ 16, 43, U.N. Doc. E/C.12/1/Add.67 (2001); **Mexico**, ¶¶ 11, 29, U.N. Doc. E/C.12/MEX/CO/4 (2006); **Morocco**, ¶¶ 24, 52, U.N. Doc. E/C.12/MAR/CO/3 (2006).
- <sup>233</sup> See **Georgia**, ¶ 36, U.N. Doc. E/C.12/1/Add.83 (2002).
- <sup>234</sup> See, e.g., **Brazil**, ¶ 27, U.N. Doc. E/C.12/1/Add.87 (2003); **People's Republic of China (including Hong Kong and Macao)**, ¶ 36, U.N. Doc. E/C.12/1/Add.107 (2005).
- <sup>235</sup> See **People's Republic of China (including Hong Kong and Macao)**, ¶ 36, U.N. Doc. E/C.12/1/Add.107, Part 1: China (2005).
- <sup>236</sup> Committee on the Elimination of Racial Discrimination, *General Recommendation 25: Gender Related Dimensions of Racial Discrimination*, U.N. Doc. HRI/GEN/1/Rev.5 (2001).
- <sup>237</sup> Committee on the Elimination of Racial Discrimination, *General Recommendation 25: Gender Related Dimensions of Racial Discrimination*, ¶ 21, U.N. Doc. HRI/GEN/1/Rev.5 (2001).
- <sup>238</sup> Committee on the Elimination of Racial Discrimination, *General Recommendation 25: Gender Related Dimensions of Racial Discrimination*, U.N. Doc. HRI/GEN/1/Rev.5 (2001).
- <sup>239</sup> Committee on the Elimination of Racial Discrimination, *General Recommendation 29: Descent*, ¶¶ 11-13, U.N. Doc. CERD/GC/2002/29 (2002).
- <sup>240</sup> Committee on the Elimination of Racial Discrimination, *General Recommendation 29: Descent*, ¶¶ 11-13, U.N. Doc. CERD/GC/2002/29 (2002).
- <sup>241</sup> Committee on the Elimination of Racial Discrimination, *General Recommendation 29: Descent*, preamble, U.N. Doc. CERD/GC/2002/29 (2002).
- <sup>242</sup> Committee on the Elimination of Racial Discrimination, *General Recommendation 29: Descent*, ¶ 11, U.N. Doc. CERD/GC/2002/29 (2002).
- <sup>243</sup> Committee on the Elimination of Racial Discrimination,

- General Recommendation 29: Descent*, ¶ 12, U.N. Doc. CERD/GC/2002/29 (2002).
- <sup>244</sup> See **Canada**, ¶ 20, U.N. Doc. CERD/C/CAN/CO/18 (2007).
- <sup>245</sup> See **South Africa**, ¶ 16, U.N. Doc. CERD/C/ZAF/CO/3 (2006).
- <sup>246</sup> See **Denmark**, ¶ 14, U.N. Doc. CERD/C/DEN/CO/17 (2006).
- <sup>247</sup> See **Canada**, ¶ 20, U.N. Doc. CERD/C/CAN/CO/18 (2007).
- <sup>248</sup> See **Canada**, ¶ 20, U.N. Doc. CERD/C/CAN/CO/18 (2007).
- <sup>249</sup> See **Denmark**, ¶ 14, U.N. Doc. CERD/C/DEN/CO/17 (2006).
- <sup>250</sup> See **South Africa**, ¶ 16, U.N. Doc. CERD/C/ZAF/CO/3 (2006).
- <sup>251</sup> See **Japan**, ¶ 22, U.N. Doc. CERD/C/304/Add.114 (2001).
- <sup>252</sup> See **Canada**, ¶ 22, U.N. Doc. CERD/C/CAN/CO/18 (2007).
- <sup>253</sup> See **Sudan**, ¶ 12, U.N. Doc. CERD/C/304/add.116 (2001).
- <sup>254</sup> See **Vietnam**, ¶¶ 417, 408-428, U.N. Doc. A/56/18 (2001).
- <sup>255</sup> Committee against Torture, *General Comment 1: The Implementation of Article 3 of the Convention in the context of Article 22*, U.N. Doc. HRI/GEN/1/Rev.5 (2001).
- <sup>256</sup> See **Guatemala**, ¶ 16, U.N. Doc. CAT/C/GTM/CO/4 (2006).
- <sup>257</sup> See **Mauritius**, ¶ 120(c), U.N. Doc. A/54/44 (1999).
- <sup>258</sup> See, e.g., **Albania**, ¶ 8(r), U.N. Doc. CAT/C/CR/34/ALB (2005); **Argentina**, ¶ 7(n), U.N. Doc. CAT/C/CR/33/1 (2004); **Bahrain**, ¶ 8(a), U.N. Doc. CAT/C/CR/34/BHR (2005); **Bosnia and Herzegovina**, ¶ 22, U.N. Doc. CAT/C/BIH/CO/1 (2005); **Cambodia**, 27/05/2003, U.N. Doc. CAT/C/CR/30/2 (2003); **Cambodia**, ¶ 7(m), U.N. Doc. CAT/C/CR/31/7 (2004); **Democratic Republic of Congo**, ¶ 15, U.N. Doc. CAT/C/DRC/CO/1 (2006); **France**, ¶ 24, U.N. Doc. CAT/C/FRA/CO/3 (2006); **Georgia**, ¶ 21, U.N. Doc. CAT/C/GEO/CO/3 (2006); **Guatemala**, ¶ 23, U.N. Doc. CAT/C/GTM/CO/4 (2006); **Morocco**, ¶ 6(k), U.N. Doc. CAT/C/CR/31/2 (2004); **Nepal**, ¶ 36, U.N. Doc. CAT/C/NPL/CO/2 (2007); **Russian Federation**, ¶ 10(a), U.N. Doc. CAT/C/CR/28/4 (2002); **Saudi Arabia**, ¶ 8(l), U.N. Doc. CAT/C/CR/28/5 (2002); **Uganda**, ¶ 12, U.N. Doc. CAT/C/CR/34/UGA (2005); **United States of America**, ¶ 42, U.N. Doc. CAT/C/USA/CO/2 (2006); **Venezuela**, ¶¶ 10(h), 12, U.N. Doc. CAT/C/CR/29/2 (2002); **Yemen**, ¶ 8(b), U.N. Doc. CAT/C/CR/31/4 (2004).
- <sup>259</sup> See **Zambia**, ¶¶ 7(c), U.N. Doc. A/57/44, (2002).
- <sup>260</sup> See **Cyprus**, ¶ 4(c), U.N. Doc. CAT/C/CR/29/1 (2002).
- <sup>261</sup> See **Cameroon**, ¶ 3(g), U.N. Doc. CAT/C/CR/31/6 (2004).
- <sup>262</sup> See, e.g., **Albania**, ¶ 7(o), U.N. Doc. CAT/C/CR/34/ALB (2005); **Bahrain**, ¶ 7(i), U.N. Doc. CAT/C/CR/34/BHR (2005); **Qatar**, ¶ 22, U.N. Doc. CAT/C/QAT/CO/1 (2006); **Ukraine**, ¶ 5(m), U.N. Doc. CAT/C/XXVII/Concl.2 (2001); **Ukraine**, ¶¶ 5(m), U.N. Doc. A/57/44 (2002); **Zambia**, ¶¶ 8(h), 59-67, U.N. Doc. A/57/44 (2002).
- <sup>263</sup> See **Albania**, ¶ 7(o), U.N. Doc. CAT/C/CR/34/ALB (2005).
- <sup>264</sup> See, e.g., **Albania**, ¶ 7(o), U.N. Doc. CAT/C/CR/34/ALB (2005); **Bahrain**, ¶ 7(i), U.N. Doc. CAT/C/CR/34/BHR (2005); **Zambia**, ¶¶ 8(h), U.N. Doc. A/57/44 (2002).
- <sup>265</sup> See, e.g., **Ukraine**, ¶ 5(m), U.N. Doc. CAT/C/XXVII/Concl.2 (2001); **Ukraine**, ¶¶ 5(m), U.N. Doc. A/57/44 (2002).
- <sup>266</sup> See **Chile**, ¶ 7(k), U.N. Doc. CAT/C/CR/32/5 (2004).
- <sup>267</sup> See **Bosnia and Herzegovina**, ¶ 10, U.N. Doc. CAT/C/BIH/CO/1 (2005).
- <sup>268</sup> See **United States of America**, ¶ 9, U.N. Doc. CAT/C/USA/CO/2 (2006).
- <sup>269</sup> See **China**, ¶ 136, U.N. Doc. A/55/44 (2000).
- <sup>270</sup> See, e.g., **Canada**, ¶ 5(b), U.N. Doc. CAT/C/XXV/Concl.4 (2000); **Democratic Republic of Congo**, ¶ 12, U.N. Doc. CAT/C/DRC/CO/1 (2006); **Egypt**, ¶ 209, U.N. Doc. A/54/44 (1999); **Egypt**, ¶ 5(d), U.N. Doc. CAT/C/CR/29/4 (2002); **Georgia**, ¶ 19, U.N. Doc. CAT/C/GEO/CO/3 (2006); **Nepal**, ¶ 27, U.N. Doc. CAT/C/NPL/CO/2 (2007); **Russian Federation**, ¶ 6(e),

- U.N. Doc. CAT/C/CR/28/4 (2002); **Sri Lanka**, ¶ 13, U.N. Doc. CAT/C/LKA/CO/2 (2005); **Togo**, ¶ 20, U.N. Doc. CAT/C/TGO/CO/1 (2006); **United States of America**, ¶ 179(d), U.N. Doc. A/55/44 (2000); **Zambia**, ¶¶ 7(c), U.N. Doc. A/57/44 (2002).
- <sup>271</sup> See **Indonesia**, ¶¶ 7(f), 36-46, U.N. Doc. A/57/44 (2002).
- <sup>272</sup> See **Colombia**, ¶ 10(e), U.N. Doc. CAT/C/CR/31/1 (2004).
- <sup>273</sup> See, e.g., **Cameroon**, ¶¶ 7(c), 11(d), U.N. Doc. CAT/C/CR/31/6 (2004); **Guatemala**, ¶ 19, U.N. Doc. CAT/C/GTM/CO/4 (2006).
- <sup>274</sup> See **Uganda**, ¶ 6(f), U.N. Doc. CAT/C/CR/34/UGA (2005).
- <sup>275</sup> See **Qatar**, ¶ 20, U.N. Doc. CAT/C/QAT/CO/1 (2006).
- <sup>276</sup> See **Togo**, ¶ 12, U.N. Doc. CAT/C/TGO/CO/1 (2006).
- <sup>277</sup> See, e.g., **Chile**, ¶ 7(j), U.N. Doc. CAT/C/CR/32/5 (2004); **Nepal**, ¶ 27, U.N. Doc. CAT/C/NPL/CO/2 (2007); **Russian Federation**, ¶ 8(f), U.N. Doc. CAT/C/CR/28/4 (2002).
- <sup>278</sup> See, e.g., **Argentina**, ¶ 7(p), U.N. Doc. CAT/C/CR/33/1 (2004); **Chile**, ¶ 7(j), U.N. Doc. CAT/C/CR/32/5 (2004); **Estonia**, ¶ 6(c), U.N. Doc. CAT/C/CR/29/5 (2002); **Russian Federation**, ¶ 8(f), U.N. Doc. CAT/C/CR/28/4 (2002); **Uganda**, ¶ 10(m), U.N. Doc. CAT/C/CR/34/UGA (2005).
- <sup>279</sup> See, e.g., **Chile**, ¶ 7(j), U.N. Doc. CAT/C/CR/32/5 (2004); **Estonia**, ¶ 6(c), U.N. Doc. CAT/C/CR/29/5 (2002); **Russian Federation**, ¶ 8(f), U.N. Doc. CAT/C/CR/28/4 (2002).
- <sup>280</sup> See **Russian Federation**, ¶ 8(f), U.N. Doc. CAT/C/CR/28/4 (2002).
- <sup>281</sup> See, e.g., **Bosnia and Herzegovina**, ¶ 16, U.N. Doc. CAT/C/BIH/CO/1 (2005); **Ecuador**, ¶ 16, U.N. Doc. CAT/C/ECU/CO/3 (2006); **Nepal**, ¶ 27, U.N. Doc. CAT/C/NPL/CO/2 (2007); **United States of America**, ¶ 32, U.N. Doc. CAT/C/USA/CO/2 (2006).
- <sup>282</sup> See, e.g., **Ecuador**, ¶ 16, U.N. Doc. CAT/C/ECU/CO/3 (2006); **Nepal**, ¶ 27, U.N. Doc. CAT/C/NPL/CO/2 (2007).
- <sup>283</sup> See, e.g., **Ecuador**, ¶ 16, U.N. Doc. CAT/C/ECU/CO/3 (2006); **United States of America**, ¶ 32, U.N. Doc. CAT/C/USA/CO/2 (2006).
- <sup>284</sup> See, e.g., **Argentina**, ¶ 7(p), U.N. Doc. CAT/C/CR/33/1 (2004); **Uganda**, ¶ 10(m), U.N. Doc. CAT/C/CR/34/UGA, ¶ 10(m) (2005).
- <sup>285</sup> See, e.g., **Ecuador**, ¶ 16, U.N. Doc. CAT/C/ECU/CO/3 (2006); **United States of America**, ¶ 32, U.N. Doc. CAT/C/USA/CO/2 (2006).
- <sup>286</sup> See, e.g., **Bosnia and Herzegovina**, ¶ 14, U.N. Doc. CAT/C/BIH/CO/1 (2005); **Cameroon**, ¶¶ 4(b), 8(d), U.N. Doc. CAT/C/CR/31/6 (2004); **Democratic Republic of Congo**, ¶ 11, U.N. Doc. CAT/C/DRC/CO/1 (2006); **Togo**, ¶ 19, U.N. Doc. CAT/C/TGO/CO/1 (2006).
- <sup>287</sup> See **Colombia**, ¶ 9(d)(ii), U.N. Doc. CAT/C/CR/31/1 (2004).
- <sup>288</sup> See **Colombia**, ¶ 10(f), U.N. Doc. CAT/C/CR/31/1 (2004).
- <sup>289</sup> See **Tunisia**, ¶ 99, U.N. Doc. A/54/44 (1998).
- <sup>290</sup> See, e.g., **Spain**, ¶ 9, U.N. Doc. CAT/C/CR/29/3 (2002); **United States of America**, ¶ 179(c), U.N. Doc. A/55/44 (2000).
- <sup>291</sup> See **Brazil**, ¶ 119(b), U.N. Doc. A/56/44 (2001).
- <sup>292</sup> See **United States of America**, ¶¶ 179(c), 180(b), U.N. Doc. A/55/44 (2000).
- <sup>293</sup> See, e.g., **Czech Republic**, ¶¶ 5(k), 6(n), U.N. Doc. CAT/C/CR/32/2 (2004); **Peru**, ¶ 23, U.N. Doc. CAT/C/PER/CO/4 (2006).
- <sup>294</sup> See **Peru**, ¶ 23, U.N. Doc. CAT/C/PER/CO/4 (2006).
- <sup>295</sup> See **Peru**, ¶ 23, U.N. Doc. CAT/C/PER/CO/4 (2006).
- <sup>296</sup> See **Peru**, ¶ 23, U.N. Doc. CAT/C/PER/CO/4 (2006).
- <sup>297</sup> See **Chile**, ¶ 6(j), U.N. Doc. CAT/C/CR/32/5 (2004).
- <sup>298</sup> See **Chile**, ¶ 7(m), U.N. Doc. CAT/C/CR/32/5 (2004).
- <sup>299</sup> Pauline Muzonzo Paku Kisoki v. Sweden, Communication No. 41/1996, U.N. Doc. CAT/C/16/D/41/1996 (Comm. against Torture 1996).

## BRIEFING PAPER: FREEDOM FROM VIOLENCE

- <sup>300</sup> Pauline Muzonzo Paku Kisoki v. Sweden, Communication No. 41/1996, ¶¶ 2.1–2.6, 9.6, U.N. Doc. CAT/C/16/D/41/1996 (Comm. against Torture 1996).
- <sup>301</sup> Pauline Muzonzo Paku Kisoki v. Sweden, Communication No. 41/1996, ¶ 9.7, U.N. Doc. CAT/C/16/D/41/1996 (Comm. against Torture 1996).
- <sup>302</sup> G.R.B. (name withheld) v. Sweden, Communication No. 83/1997, U.N. Doc. CAT/C/20/D/83/1997 (Comm. against Torture 1998).
- <sup>303</sup> G.R.B. (name withheld) v. Sweden, Communication No. 83/1997, ¶¶ 2.3–3.2, U.N. Doc. CAT/C/20/D/83/1997 (Comm. against Torture 1998).
- <sup>304</sup> G.R.B. (name withheld) v. Sweden, Communication No. 83/1997, ¶ 6.5, U.N. Doc. CAT/C/20/D/83/1997 (Comm. against Torture 1998).
- <sup>305</sup> G.R.B. (name withheld) v. Sweden, Communication No. 83/1997, ¶ 6.6, U.N. Doc. CAT/C/20/D/83/1997 (Comm. against Torture 1998).
- <sup>306</sup> S.C. (name withheld) v. Denmark, Communication No. 143/1999, U.N. Doc. CAT/C/24/D/143/1999 (Comm. against Torture 2000).
- <sup>307</sup> S.C. (name withheld) v. Denmark, Communication No. 143/1999, ¶¶ 2.5, 6.7, U.N. Doc. CAT/C/24/D/143/1999 (Comm. against Torture 2000).
- <sup>308</sup> S.C. (name withheld) v. Denmark, Communication No. 143/1999, ¶ 7, U.N. Doc. CAT/C/24/D/143/1999 (Comm. against Torture 2000).
- <sup>309</sup> UNIFEM, *Background Paper: Integrating Gender into the Third World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance*, (Background Paper, 2000) available at [http://www.unifem.undp.org/hr\\_racism.html](http://www.unifem.undp.org/hr_racism.html) (last visited on June 21, 2001).