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Equal Rights Trust

Shadow report submitted to the 60th session of the
Committee on the Elimination of All Forms of Discrimination
against Women in relation to the fifth periodic report of

Azerbaijan

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Introduction

1. The Equal Rights Trust submits this shadow report to the United Nations Committee on the Elimination of Discrimination against Women (the Committee) in relation to the fifth periodic report of Azerbaijan submitted under Article 18 of the Convention on the Elimination of All Forms of Discrimination against Women (the Convention).
2. The Equal Rights Trust is an independent international organisation whose purpose is to combat discrimination and promote equality as a fundamental human right and a basic principle of social justice.
3. In the course of work towards fulfilling our mission, we undertake research on the patterns of discrimination and inequality – including discrimination and inequality affecting women – which prevail in different states, and of the adequacy of domestic legislation and policy to address these forms of discrimination and disadvantage. The Trust also undertakes projects, in partnership with civil society organisations, to develop the capacity of these organisations to undertake documentation, advocacy and litigation in order to enhance the realisation of the rights to equality and non-discrimination in their country.
4. The Equal Rights Trust has been actively involved in the promotion of improved protection from discrimination in Azerbaijan since 2011, working in partnership with the Azerbaijani civil society organisation Women's Organization "Tomris", initially to build civil society capacity to combat discriminatory torture and ill-treatment and more recently to combat all forms of discrimination on all grounds. In the course of this work, the Equal Rights Trust has undertaken research into patterns of discrimination and inequality in Azerbaijan and assessed the legal and policy framework in place to combat discrimination and promote equality.

5. This submission focuses on the extent to which Azerbaijan has met its obligations to respect, protect and fulfil the right of women to non-discrimination. In particular, the submission is concerned with Azerbaijan's performance under Articles 2(a) and (b) of the Convention. In assessing Azerbaijan's adherence to its obligations under Articles 2(a) and (b), the submission relies on the interpretation of these provisions which has been provided by the Committee in its General Recommendation No. 28.¹
6. The submission also relies upon the Declaration of Principles on Equality (the Declaration),² a document of international best practice on equality. The Declaration was drafted and adopted in 2008 by 128 prominent human rights and equality advocates and experts, and has been described as "the current international understanding of Principles on Equality".³ It has also been endorsed by the Parliamentary Assembly of the Council of Europe.⁴
7. The submission examines deficiencies and gaps within the existing legislative framework in Azerbaijan, together with problems in the implementation and enforcement of relevant laws, and concludes that Azerbaijan falls short of the standards required under Article 2 of the Convention.

Article 2 – Constitutional and Legislative Provisions

8. Under Article 2(a) of the Convention, States Parties undertake to "condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women" and to "embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle". Further, under Article 2(b), States Parties undertake to "adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women".
9. The Committee, in its *General Recommendation No. 28 on the Core Obligations of State Parties under Article 2 of the Convention on the Elimination of All Forms of Discrimination Against Women* (General Recommendation No. 28), has elaborated on the nature of states' obligations arising under Article 2, stating that:

*Article 2 is crucial to the full implementation of the Convention since it identifies the nature of the general legal obligations of States parties. The obligations enshrined in article 2 are inextricably linked with all other substantive provisions of the Convention, as States parties have the obligation to ensure that all the rights enshrined in the Convention are fully respected at the national level.*⁵

¹ Committee on the Elimination of Discrimination Against Women, *General Recommendation No. 28 on the core obligations of States parties under article 2*, UN Doc. CEDAW/C/GC/28, 2010.

² *Declaration of Principles on Equality*, the Equal Rights Trust, London, 2008.

³ *Naz Foundation v Government of NCT of Delhi and Others* WP(C) No. 7455/2001, Para 93.

⁴ Parliamentary Assembly of the Council of Europe, *Resolution and Recommendation: The Declaration of Principles on Equality and activities of the Council of Europe*, REC 1986 (2011), 25 November 2011, available at: http://assembly.coe.int/ASP/Doc/ATListingDetails_E.asp?ATID=11380.

⁵ See above, note 1, Para 1.

10. The Committee has further confirmed that the obligation on state parties under Article 2 has three elements. States are required to *respect* the right to non-discrimination by refraining from “making laws, policies, regulations, programmes, administrative procedures and institutional structures that directly or indirectly result in the denial of the equal enjoyment by women of their civil, political, economic, social and cultural rights”;⁶ to *protect* the right by “protect[ing] women from discrimination by private actors and tak[ing] steps directly aimed at eliminating customary and all other practices that prejudice and perpetuate the notion of inferiority or superiority of either of the sexes”;⁷ and to *fulfil* the right by adopting a “wide variety of steps to ensure that women and men enjoy equal rights *de jure* and *de facto*, including, where appropriate, the adoption of temporary special measures”.⁸
11. Protection from discrimination on grounds of sex in Azerbaijan is provided by both the Constitution and the Law on State Guarantees for Ensuring Gender (Men and Women) Equality.

Constitutional Provisions and Discriminatory Legislation

12. The most important non-discrimination provision in the Constitution of Azerbaijan is Article 25. Article 25(I) provides that “all people are equal with respect to the law and the courts”.⁹ Article 25(II) provides that “men and women possess equal rights and liberties”. Article 25(III) provides that the state:

[G]uarantees equality of rights and liberties of everyone, irrespective of race, nationality, religion, language, sex, origin, financial position, occupation, political convictions, membership in political parties, trade unions and other public organisations.

13. Article 25(III) also provides that the “rights and liberties of a person, citizen cannot be restricted due to race, nationality, religion, language, sex, origin, conviction, political and social belonging”.
14. In 2009, Article 25 was amended to include two further provisions: Article 25(IV), which states that “[n]o one may be harmed, granted allowances or privileges, or deprived from granting allowances and privileges on the basis of the grounds elaborated in Part III of this Article”; and Article 25(V) which states that “[e]qual rights shall be provided for everyone in relationship to the state institutions making decisions on rights and responsibilities and those having the competencies of state authority.”
15. Whilst legislation is the primary means by which discrimination is prohibited in Azerbaijan, the Constitution nonetheless has particular importance, in that legislation which is incompatible with it can be struck down. Thus, whilst legislation should prohibit discrimination by public and private actors, where it is legislation itself which is discriminatory, it can only be struck down in pursuance of Article 25 of the Constitution.

⁶ *Ibid.*, Para 9.

⁷ *Ibid.*

⁸ *Ibid.*

⁹ Extracts from the Constitution of Azerbaijan have been taken from the English language version of the Constitution published on the official website of the President of Azerbaijan, available at: <http://en.president.az/azerbaijan/constitution/> and on the official portal of Azerbaijan, available at: http://azerbaijan.az/portal/General/Constitution/doc/constitution_e.pdf.

16. The Equal Rights is therefore concerned by the fact that there remain a number of legislative provisions in Azerbaijan which discriminate against women but which remain in force and are enforced, notwithstanding Article 25's purported prohibition of such discrimination. Such legislative provisions are largely found in the Labour Code. Many of these provisions, whilst purporting to benefit women, in fact constitute direct discrimination on the basis of sex, distorting the employment market and limiting women's ability to make free choices about their employment on an equal basis with men.
17. Article 241 of the Labour Code prohibits absolutely the employment of women for certain forms of work, namely:
 - a. "Labour intensive" work, work in hazardous workplaces, and work underground (with certain limited exceptions, such as, for example, underground work which does not involve physical effort or health and medical work); and
 - b. Work which involves lifting objects which exceed certain weights.¹⁰
18. In addition to these restrictions, in 1999, the Cabinet of Ministers issued Decree No. 170 of 1999 which sets out 39 areas of employment in which women are not permitted to work. These include: metal processing; construction and repair work; mining; drilling; oil and gas extraction; work in power plants; manufacture and repair of aircraft; shipbuilding; chemical production; furniture making; cement-making; and the manufacture of glass products.
19. Article 242 of the Labour Code prohibits women who are pregnant or have children under the age of three from working night shifts, working overtime, working at the weekend, and undertaking work-related travel.
20. Whilst seemingly intended to "protect" women from certain forms of work, the Equal Rights Trust considers that these provisions fall foul of the prohibition of discrimination under the Covenant. In respect of article 241 and Decree No. 170 of 1999, the prohibition on women participating in certain forms of work are largely based on gender stereotypes and assumptions about women's physical strength and ability. In respect of article 242, the prohibited forms of work, in the case of women with children under the age of three at least, reinforce stereotypical notions of fathers continuing to work after the birth of a child, with mothers expected to undertake all aspects of child-raising. Article 242 limits the choices of women who are pregnant or who have children under the age of three in respect of certain forms of employment. In addition, it seems likely that article 242 would make it more attractive for employers to hire men, given the greater flexibility permitted to employers with regards to their working hours.
21. That such overtly and directly discriminatory provisions are both in force and enforced indicates that the constitutional prohibition of discrimination in Article 25 is ineffective in addressing and eliminating discrimination against women. Indeed, having conducted research on this issue, the Equal Rights Trust is unaware of any instances in which Article 25 has been used by the courts to prohibit discrimination against women, raising further questions over its practical effectiveness.

¹⁰ The Labour Code of the Azerbaijan Republic, (Digest of Legislation of the Azerbaijan Republic, 1999, 4, No. 618-IQ, 1 February 1999).

Legislation Related to Ensuring Women's Equality

22. The primary means by which women in Azerbaijan are able to enforce their right to non-discrimination is through the Law on State Guarantees for Ensuring Gender (Men and Women) Equality (the "Gender Equality Law").¹¹ Whilst this legislation provides a degree of protection from discrimination, it falls short of the standard of protection required by the Convention in a number of respects. The Equal Rights Trust is also concerned at the apparent low level of awareness and understanding of this law amongst judges, lawyers, civil society organisations and victims of discrimination, reflected in the apparent absence of cases being brought under the law.

Grounds of Discrimination

23. The Gender Equality Law prohibits discrimination on grounds of sex. However, the Committee has stated that merely prohibiting discrimination on grounds of sex and gender is insufficient to ensure effective protection of women from all forms of discrimination given the prevalence of multiple, including intersectional, discrimination. As the Committee stated in its General Recommendation No. 28:

*The discrimination of women based on sex and gender is inextricably linked with other factors that affect women, such as race, ethnicity, religion or belief, health, status, age, class, caste, and sexual orientation and gender identity. Discrimination on the basis of sex or gender may affect women belonging to such groups to a different degree or in different ways than men. States parties must legally recognize and prohibit such intersecting forms of discrimination and their compounded negative impact on the women concerned.*¹²

24. In addition to the Gender Equality Law, Azerbaijan has a number of other pieces of legislation which prohibit discrimination on certain grounds, including sex, in certain fields. Article 16(1) of the Labour Code (Unacceptability of Discrimination in Labour Relations) prohibits discrimination in recruitment – and the alteration or termination of employment – on grounds of citizenship, sex, race, nationality, language, place of residence, economic standing, social origin, age, family circumstances, religion, political views, affiliation with trade unions or other public associations, professional standing, beliefs, or other factors not related to the professional qualifications, job performance, or professional skills of the employees.¹³ Article 16(1) also prohibits the establishment of privileges or benefits which directly or indirectly limit the enjoyment of rights based on these grounds. Article 16(2), however, provides that concessions, privileges and additional protection for certain groups – women, persons with disabilities, minors, and others in need of social protection – are not to be considered discrimination.

¹¹ The Law of the Azerbaijan Republic On State Guarantees for Ensuring Gender (Men and Women) Equality, (Digest of Legislation of the Azerbaijan Republic, 2006, 11, No. 150-IIQ, 10 October 2006). The extracts of this Law in this submission have been taken from an unofficial English translation of the Law, available at: <http://www.legislationline.org/documents/action/popup/id/16418>.

¹² See above, note 1, Para 18.

¹³ See above, note 10.

25. Article 3 of the Law on Education¹⁴ includes “equality” (defined as “creating equal opportunities for all citizens to receive education and providing for the right to education for them”) as a key principle of national policy on education. Article 5(2) requires the state to secure “the creation of equal opportunities for each citizen and not to tolerate any discrimination, regardless of the individual’s gender, race, language, religion, political views, nationality, social status, background, and state of health”. Article 5(3) provides that the state “guarantees equal opportunities for men and women in recruitment for all educational institutions”.
26. Even taken together, the Gender Equality Law and these additional pieces of legislation fall short of what is required under the Convention in two ways. First, they fail to ensure that women enjoy protection from discrimination on a full range of grounds other than sex in all fields of their lives protected under the Convention. Second, they do not ensure that women are protected from multiple, including intersectional discrimination. Indeed, none of these instruments, including the Gender Equality Law, explicitly prohibits multiple discrimination. The Equal Rights Trust believes that these omissions limit the extent to which women can enjoy protection from all forms of discrimination, as required by the Convention and by the Declaration of Principles on Equality which states, at Principle 12, that “[l]aws and policies must provide effective protection against multiple discrimination”.¹⁵
27. In light of the Committee’s concern that women enjoy protection from all forms of discrimination, not solely on the basis of their sex or gender, the absence of any provisions in the Gender Equality Law prohibiting discrimination against women on other grounds, and the absence of provisions prohibiting multiple discrimination, is a cause for concern.

Forms of Discrimination

28. Article 2.0.4 of the Gender Equality Law provides a general definition of “discrimination on the basis of sex” as follows: “sexual harassment [or] any distinction, exclusion or privilege curtailing or denying the exercise of rights on the grounds of gender”. However, the Law does not define or prohibit any particular forms of discrimination, instead simply stating at Article 3.1. that “[a]ll forms of discrimination based on sex” are prohibited.
29. The Committee has elaborated on the forms of discrimination which must be prohibited if laws are to reflect the requirements of the Convention. The Committee has defined direct discrimination and indirect discrimination in its General Recommendation No. 28:

*Direct discrimination against women constitutes different treatment explicitly based on grounds of sex and gender differences. Indirect discrimination against women occurs when a law, policy, programme or practice appears to be neutral in so far as it relates to men and women, but has a discriminatory effect in practice on women because pre-existing inequalities are not addressed by the apparently neutral measure.*¹⁶

¹⁴ The Law of the Azerbaijan Republic on Education, (Digest of Legislation of the Azerbaijan Republic, 1992, No. 324, 7 October 1992).

¹⁵ See above, note 2, Principle 12, p. 10.

¹⁶ See above, note 1, Para 16.

30. These definitions largely mirror those contained within Principle 5 of the Declaration of Principles on Equality.¹⁷ The Declaration also includes harassment as a form of discrimination, defining it as:

*Harassment constitutes discrimination when unwanted conduct related to any prohibited ground takes place with the purpose or effect of violating the dignity of a person or of creating an intimidating, hostile, degrading, humiliating or offensive environment.*¹⁸

31. The Equal Rights Trust is not aware of any jurisprudence in which the courts of Azerbaijan have interpreted the definition of discrimination in the Gender Equality Law to include direct and indirect discrimination. Despite Article 3.1 stating that “[a]ll forms of discrimination based on sex” are prohibited, we believe that the Gender Equality Law should be amended so as to list explicitly and give legal definitions to the forms of discrimination which are prohibited, so that judges, lawyers, civil society organisations and potential victims can clearly understand what types of conduct are prohibited. This is particularly important in a country such as Azerbaijan where legislation prohibiting discrimination is a recent development, where there is no jurisprudence on the interpretation of the term “discrimination” and where judges, lawyers and civil society have had little exposure to best practice on the principles of equality law. In this context, the Trust is concerned that a narrow interpretation of Article 2.0.4 could result in only direct discrimination being prohibited, contrary to the Committee’s recommendations.
32. The Equal Rights Trust notes that Azerbaijan did not respond to the Committee’s question as to what “legal and other measures [have been] taken to ensure that the prohibition of discrimination in the State party encompasses elements of both direct and indirect discrimination, as provided in article 1 of the Convention” in its reply to the Committee’s List of Issues and Questions.¹⁹ The Trust is concerned that the failure by the state to provide a response indicates that no such measures have been taken.

Exceptions

33. Article 3.2 of the Gender Equality Law sets out a number of exceptions to the prohibition of discrimination, some of which are problematic.
34. Article 3.2.1 provides that “rights, privileges and benefits” for women set out in the Labour Code are not to be considered as discrimination. As detailed above at paragraphs 16 to 21, however, these “rights, privileges and benefits” in fact constitute direct sex discrimination, in that they involve treating women less favourably than men in respect of employment in particular fields or types of work. These provisions have the effect of biasing the labour market against women either by prohibiting women from carrying out certain forms of employment, making it less attractive for employers to hire women, or reinforcing stereotypes about women solely responsible for raising children. As such, the

¹⁷ See above, note 2, Principle 5, p. 6.

¹⁸ *Ibid.*

¹⁹ Committee on the Elimination of All Forms of Discrimination against Women, *List of issues and questions in relation to the fifth periodic report of Azerbaijan*, UN Doc. CEDAW/C/AZE/Q/5, 25 July 2014, Para 1; and Committee on the Elimination of All Forms of Discrimination against Women, *List of issues and questions in relation to the fifth periodic report of Azerbaijan: Addendum: Replies of Azerbaijan*, UN Doc. CEDAW/C/AZE/Q/5/Add.1, 13 November 2014.

Trust believes that both Article 3.2 and the provisions of the Labour Code to which it refers should be repealed.

35. Article 3.2.3 provides that different marriageable ages for women and men are not to be considered as discrimination, a provision which is problematic in a number of respects. Article 16(1)(a) of the Convention provides that men and women should have “[t]he same right to enter into marriage”, thus prohibiting the provision of different marital ages for women and men. In addition, Article 16(2) of the Convention provides that “[t]he betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage”, thus prohibiting the application of a marital age of less than 18. Moreover, in addition to this exception being in conflict with Article 16 of the Convention, the Family Code was amended in 2011 to establish an equal marriageable age for women and men of 18, thus rendering article 3.2.3 redundant.

Remedies

36. The only provision in the Gender Equality Law regarding remedies is Article 17, which provides:

17.1. Damage to people exposed to gender discrimination shall be paid in compliance with the legislation of the Republic of Azerbaijan.

17.2. Damage to employees exposed to sexual harassment shall be paid by an employer in compliance with the legislation of the Republic of Azerbaijan.

37. The Gender Equality Law therefore appears only to provide damages to victims of discrimination as a remedy. This falls far short of the requirement under Article 2(b) of the Convention for remedies to include:

[D]ifferent forms of reparation, such as monetary compensation, restitution, rehabilitation and reinstatement; measures of satisfaction, such as public apologies, public memorials and guarantees of non-repetition; changes in relevant laws and practices; and bringing to justice the perpetrators of violations of human rights of women.²⁰

38. Principle 22 of the Declaration of Principles on Equality states that:

Sanctions for breach of the right to equality must be effective, proportionate and dissuasive. Sanctions must provide for appropriate remedies for those whose right to equality has been breached including reparations for material and non-material damages; sanctions may also require the elimination of discriminatory practices and the implementation of structural, institutional, organisational, or policy change that is necessary for the realisation of the right to equality.²¹

39. The Equal Rights Trust believes that the Gender Equality Law and any other legislation in Azerbaijan on the available remedies for victims of discrimination should be amended so

²⁰ See above, note 1, Para 32.

²¹ See above, note 2, Principle 22, p. 13.

as to ensure that the courts are able to provide a wide range of effective remedies, including those referred to by the Committee in General Comment No. 28 and those listed in Principle 22 of the Declaration of Principles on Equality.

Temporary Special Measures

40. Article 3.2.6 of the Gender Equality Law provides that “implementing specific measures with the purpose of ensuring gender equality” is not to be considered as a form of discrimination. Temporary special measures are therefore expressly permitted under the Gender Equality Law. Article 6 specifically requires the state to take “measures for eliminating all forms of gender discrimination, creating equal opportunities for males and females, not allowing superiority of persons belonging to any gender in state governing and decision-making”.
41. However, as Azerbaijan’s report to the Committee acknowledges, “this provision has been under-used to accelerate *de facto* equality”.²² Indeed, following research and consultation on discrimination in the country, the Equal Rights Trust is not aware of any use being made of the provision to take temporary special measures under Article 3.2.6 or of measures taken by the state under Article 6 to eliminate all forms of gender discrimination.
42. Moreover, in its response to the Committee’s questions on temporary special measures, Azerbaijan was only able to refer to meetings which had been held on increasing women’s participation in social, political and cultural activity and the publication of booklets. The Equal Rights Trust does not consider either of these types of activity to constitute temporary special measures. We are therefore concerned that the state party does not understand precisely what is meant by temporary special measures and the fact that such measures are a requirement in ensuring *de facto* equality between men and women.
43. The Committee makes clear in its General Recommendation No. 28 that temporary special measures should be taken, where appropriate, in line with Article 4 of the Convention, in order to ensure that women and men enjoy equal rights.²³ Principle 3 of the Declaration of Principles on Equality is also clear in stating that “[t]o be effective, the right to equality requires positive action”.²⁴
44. Given the significant patterns of discrimination against women which were highlighted by the Committee when it last reviewed Azerbaijan in 2009,²⁵ the Committee’s own conclusion that “temporary special measures have been underutilized by the State party as a matter of general policy”²⁶ and its recommendations that Azerbaijan take such temporary special measures “in various forms in areas in which women are

²² Committee on the Elimination of Discrimination against Women, *Consideration of reports submitted by States parties under article 18 of the Convention: Azerbaijan*, UN Doc. CEDAW/C/AZE/5, 13 December 2013, Para 21.

²³ See above, note 1, Para 9.

²⁴ See above, note 2, Principle 3, p. 5.

²⁵ Committee on the Elimination of Discrimination against Women, *Concluding Observations: Azerbaijan*, UN Doc. CEDAW/C/AZE/CO/4, 7 August 2009.

²⁶ *Ibid.*, Para 17.

underrepresented or disadvantaged”,²⁷ the failure of Azerbaijan to take such measures in the last five years is very disappointing. The Equal Rights Trust believes such measures should be taken as a matter of priority.

Implementation and Enforcement

45. The Gender Equality Law has been in force in Azerbaijan since 2006 and is the primary legislative tool for women who have suffered discrimination to access redress. However, the Equal Rights Trust is deeply concerned that Azerbaijan has not taken adequate steps to implement and enforce the Law, rendering it largely ineffective in practice.
46. The Equal Rights Trust is not aware of any cases which have been brought to courts on the basis of violations of the Gender Equality Law or of any jurisprudence disseminating from courts on the interpretation of the Gender Equality Law.
47. The Equal Rights Trust also notes that, according to the State Party’s Report, “[s]ince July 2011, special training has been dispensed on the importance of invoking CEDAW and of making reference to the Convention in judgments whenever possible”.²⁸ In its response to the Committee’s questions on the steps taken to implement and enforce the Law, Azerbaijan only referred to two court judgments, both of which were criminal cases heard by the Ganja Court of Appeal. In neither case was there any indication of how the Convention had been used by the court in reaching its decision. On the basis of this evidence, the Equal Rights Trust considers that such training as has been provided to judges, lawyers and others on the Convention and discrimination against women more generally has been insufficient.

Suggested Recommendations for Azerbaijan

On the basis of the above, the Equal Rights Trust urges the Committee to make the following recommendations to Azerbaijan in its concluding observations.

- The state party should repeal Articles 241 and 242 of the Labour Code, Decree No. 170 of 1999, and any other legislative provisions which limit women’s choices in employment.
- The state party should conduct a thorough audit of its legislation to ensure its consistency with the requirement that laws should not “directly or indirectly result in the denial of the equal enjoyment by women of their civil, political, economic, social and cultural rights”.²⁹
- The state party should amend the Law on State Guarantees for Ensuring Gender (Men and Women) Equality so as to (i) include provisions recognising and prohibiting multiple discrimination on all protected characteristics; (ii) define and prohibit all forms of discrimination, including direct and indirect discrimination and harassment; (iii) remove exceptions relating to the Labour Code and marriageable age; and (iv) provide for a range of appropriate remedies, in addition to compensation, including those listed by the Committee in General Comment No. 28.

²⁷ *Ibid.*, Para 18.

²⁸ See above, note 21, Para 9.

²⁹ See above, note 1, Para 9.

- The state party should utilise Article 6 of the Law on State Guarantees for Ensuring Gender (Men and Women) Equality to its fullest, taking special measures in all areas of women's lives where inequality of opportunity and treatment remains.
- The state party should make a concerted effort to raise awareness amongst judges, lawyers, civil society organisations and victims (and potential victims) of discrimination of the Law on State Guarantees for Ensuring Gender (Men and Women) Equality, so as to make the Law practical and effective.