



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS  
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Excellency,

In my capacity as Rapporteur on Follow-up on Concluding Observations of the Committee on the Elimination of Discrimination against Women (CEDAW), I have the honor to refer to the examination of the combined initial to third periodic reports of Monaco, at the Committee's sixty-eighth session, held in November 2017. At the end of that session, the Committee's concluding observations (CEDAW/C/MCO/CO/1-3) were transmitted to your Permanent Mission. You may recall that in paragraph 63 on follow-up on the concluding observations, the Committee requested Monaco to provide, within two years, written information on the steps taken to implement the recommendations contained in 26 (i), 36 (a), 38 and 50 of the concluding observations.

The Committee welcomes the follow-up report received on time in November 2019 (CEDAW/C/MCO/FCO/1-3) under the CEDAW follow-up procedure. At its seventy-fifth session, held in February 2020 in Geneva, the Committee examined this follow-up report and adopted the following assessment.

Regarding the recommendation made in **paragraph 26 (i)** of the concluding observations, urging the State party to “**establish a system to regularly collect, analyse and publish statistical data on the number of complaints about gender-based violence against women, the number and type of protection orders issued, the number of prosecutions and convictions and the sentences imposed on perpetrators**”:

The Committee welcomes the information provided by the State party that the Monegasque Institute of Statistics and Economic Studies, in cooperation with the Department of Justice, the Department of Social Welfare and Social Services, the Police Department and other institutions have been engaging in the data collection project. It also welcomes that the Public Prosecution Department has created tables, which summarize cases of violence against women with more than 30 indicators since 2018, including the number of written complaints, protection orders, prosecutions, convictions and sentences imposed on perpetrators. However, the Committee takes note of the fact provided by the State party on the complexity in collecting data on violence against women, as victims report their cases to various entities. The Committee considers that the State party took substantial steps to implement the recommendation. It considers that the recommendation **has been substantially implemented**.

The Committee considers that the information provided by the State party is thorough and extensive, and responds directly to the recommendation. It thus considers that the quality of the information provided is **satisfactory**.

Her Excellency  
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The Committee recommends that, in relation to **paragraph 26 (i)** of the concluding observations, the State party provide, **in its next periodic report**, information on:

**Experiences of the data collection project and tables created by the Public Prosecution Department in collecting, analysing and publishing statistical data on the number of complaints about gender-based violence against women.**

In relation to the recommendation made in **paragraph 36 (a)** of the concluding observations, urging the State party to “**amend article 6 of Law No. 729 of 1963 to exclude the arbitrary dismissal of foreign women workers following maternity leave**”:

While noting that article 6 of the Law No. 729 of 1963 does not entitle the right of employers to dismiss their employees at their discretion, the Committee regrets the State party has not taken any steps to amend the article to exclude the possibility of arbitrary dismissal of foreign women workers following maternity leave. The Committee considers that the State party did not take steps to implement the recommendation. It considers that the recommendation **has not been implemented**.

The Committee considers that the information provided by the State party is thorough and extensive, and responds directly to the recommendation. It thus considers that the quality of the information provided is **satisfactory**.

The Committee recommends that, in relation to **paragraph 36 (a)** of the concluding observations, the State party provide, **in its next periodic report**, information on actions taken to:

**Amend article 6 of Law No. 729 of 1963 to exclude the possibility of arbitrary dismissal of foreign women workers following maternity leave.**

With regard to the recommendation made in **paragraph 38** of the concluding observations, urging the State party to “**ensure that draft law No. 908 is fully in line with the Convention and that it swiftly adopt the draft law and include in its next periodic report data on the number of reported cases of sexual harassment, investigations and prosecutions, and on the sentences imposed on perpetrators**”:

The Committee welcomes the adoption of the Act No. 1.457 of 12 December 2017 on harassment and violence in the workplace (the bill No. 908). It also notes with appreciation that the Act obliges employers to take all necessary measures to stop harassment, sexual blackmail and violence at workplace and established a complaint procedure with mandatory appointment of focal points in the workplace. The Committee considers that the State party took significant steps to implement the recommendation. It considers that the recommendation **has been implemented**.

The Committee considers that the information provided by the State party is thorough and extensive, and responds directly to the recommendation. It thus considers that the quality of the information provided is **satisfactory**.

The Committee is looking forward to data provided by the State party, in relation to **paragraph 38** of the concluding observations **in its next periodic report**, on:

**The number of reported cases of sexual harassment, investigations and prosecutions, and on the sentences imposed on perpetrators.**



Regarding the recommendation made in **paragraph 50** of the concluding observations, urging the State party to “**take swift measures to abolish the discriminatory prohibition on women remarrying within 310 days following a divorce**”:

The Committee welcomes that the State party may repeal a provision of the Civil Code, which prohibits women from remarrying within 310 days following a divorce, as modern means of determining paternity could avoid issues of such determination. It however regrets that the State party does not provide information on measures taken to implement this recommendation in addition to its intention. The Committee considers that the State party has a will to implement the recommendation, but it considers that the recommendation **has not been implemented**.

The Committee considers that the information provided by the State party is thorough and extensive, and responds directly to the recommendation. It thus considers that the quality of the information provided is **satisfactory**.

The Committee recommends that, in relation to **paragraph 50** of the concluding observations, the State party provide, **in its next periodic report**, information on further actions taken to:

**Amend articles 126 to 129 of the Civil Code to abolish the discriminatory prohibition on women remarrying within 310 days following a divorce.**

Accept, Excellency, the assurances of my highest consideration.

Yours sincerely,

Lia Nadaraia  
Rapporteur on follow-up  
Committee on the Elimination of Discrimination against Women