

- ♦ complete, as a matter of priority, the adoption of legislation and ensure its effective implementation in order that women's *de jure* and *de facto* equality will be guaranteed; prepare a uniform family code, in conformity with the Convention, addressing unequal inheritance rights, land rights and polygamy, with the aim of abolishing them;
- ♦ continue to give priority attention to efforts to prevent and combat violence against women; take steps to confront stereotypical attitudes that are among the root causes of violence against women and to emphasize the unacceptability of such violence; reinforce the existing strong collaboration with civil society and NGOs on violence against women with budgetary allocations commensurate with the priority attached to combatting such violence; emphasize the seriousness of rape, including marital rape, and fully enforce the law; undertake research into the causes of the high numbers of rape so that effective preventive measures can be developed;
- ♦ address both the legal situation and the reality with regard to trafficking in women and provide information on this in the next report;
- ♦ continue to use temporary special measures, including quota systems in upcoming elections; assess ways of extending quota systems to other governmental or governmentally appointed bodies to increase women's participation in them; pay particular attention to public bodies dealing with business and economic matters to facilitate women's gaining decision-making positions in those fields; ensure that supportive mechanisms are in place for beneficiaries of temporary special measures;
- ♦ use temporary special measures to remedy the low number of women in the judiciary;
- ♦ create income generating activities for women as a matter of priority; expand existing efforts, including the use of quotas in job creation schemes in areas where the number of unemployed women workers is particularly high;
- ♦ continue efforts to ensure equal access to health services throughout the country and ensure women, particularly poor women, access to family planning programmes and related information; undertake further research into the prevalence of female genital mutilation and other harmful practices, such as witch burning, and ensure the prohibition and eradication of such practices; and
- ♦ implement special programmes for vulnerable groups of women in rural areas, including education and employment; and work actively on matters of land reform policy and problems of rural women to ensure their active participation in those areas.

THEMATIC REPORTS

Mechanisms of the Commission on Human Rights

Disappearances, Working Group on enforced or involuntary: (E/CN.4/1998/43, paras. 339–340)

During the period under review, no new cases of disappearance were transmitted to the government. The majority of the 11 cases of disappearance reported to the Working Group (WG) occurred between 1976 and 1982 in Namibia. Since, at that time, Namibia was under South African jurisdiction and responsibility for the disappearances was imputed to agents of South Africa, the cases were retained on the South Africa country file.

The government informed the WG that, in one case, the person concerned was the subject of a hearing of the Amnesty Committee of the Truth and Reconciliation Commission in September 1997, and four former members of the South African Police Service were applying for amnesty regarding his death. With regard to six other cases, the government replied that the South African Police Service has no records or information pertaining to them and no information on them has been registered on the population register of South African citizens.

As a result of the above, the WG decided to discontinue consideration of these six cases on the basis that: the WG no longer has a useful role to play in trying to clarify the whereabouts of the persons concerned; the source of information is no longer in contact with the families and no follow-up can be given to the cases; numerous attempts have been made over the years to try to establish the fate and whereabouts of the persons reported as missing — both through communications with the source, as well as with the governments of South Africa and Namibia; and, these attempts had been to no avail.

Independence of judges and lawyers, Special Rapporteur on the: (E/CN.4/1998/39, paras. 153–156)

The report refers to the Truth and Reconciliation Commission and information indicating that judges were invited to appear before the Commission during inquiries into a wide range of issues pertaining to the legal system during the apartheid era and how the legal system, including individual judges, had contributed to the violations and abuses of human rights. Several judges — including the Chief Justice, the former Chief Justice and the President of the Constitutional Court — refrained from appearing before the Commission, but many judges submitted written representations either separately or jointly.

As a result of the judges' failure to appear in person before the Commission, a representative of the Commission consulted the Special Rapporteur (SR) on the propriety of issuing subpoenas to the judges to compel them to appear. The report notes that the SR advised: it would not be proper to compel the judges to appear before the Commission as this would amount to reopening cases