



Convention on the Elimination of All Forms of Discrimination against Women

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**Committee on the Elimination of Discrimination
against Women**
Thirty-first session
6-23 July 2004

Draft report

Rapporteur: Ms. Fatima **Kwaku**

II. Organizational and other matters

A. States parties to the Convention on the Elimination of All Forms of Discrimination against Women and to the Optional Protocol

1. As at 23 July 2004, the closing date of the thirty-first session of the Committee on the Elimination of Discrimination against Women, there were ____ States parties to the Convention on the Elimination of All Forms of Discrimination against Women, which was adopted by the General Assembly in its resolution 34/180 of 18 December 1979 and opened for signature, ratification and accession in New York in March 1980. In accordance with article 27, the Convention entered into force on 3 September 1981. ____ States parties had accepted the amendment to article 20, paragraph 1, of the Convention, concerning the Committee's meeting time.

2. As at the same date, there were ____ States parties to the Optional Protocol to the Convention, which was adopted by the General Assembly in its resolution 54/4 of 6 October 1999 and opened for signature, ratification and accession in New York on 10 December 1999. In accordance with article 16, the Optional Protocol entered into force on 22 December 2000.

3. A list of States parties to the Convention is contained in annex ____ to the present report. A list of States parties that have accepted the amendment to article 20, paragraph 1, concerning the Committee's meeting time, is contained in annex _____. A list of States parties that have signed, ratified or acceded to the Optional Protocol is contained in annex _____.

B. Opening of the session

4. The Committee held its thirty-first session at United Nations Headquarters from 6 to 23 July 2004. The Committee held ____ plenary meetings (648th to ____) and held ____ meetings to discuss agenda items 4, 5, 6 and 7. A list of the documents before the Committee is contained in annex ____ to the present report.

5. The Chairperson of the Committee, Feride Acar, opened the session. Carolyn Hannan, Director of the Division for the Advancement of Women, Department of Economic and Social Affairs, and Officer-in-Charge of the Office of the Special Adviser to the Secretary-General on Gender Issues and Advancement of Women, made an opening statement.

6. In addressing the Committee at its 648th meeting, on 6 July 2004, the Director of the Division for the Advancement of Women welcomed members to the thirty-first session of the Committee. She informed the Committee that since its last session, in January 2004, two States had become parties to the Convention — Kiribati, on 17 March and Swaziland, on 26 March 2004, both without reservations — bringing the total number of States parties to the Convention to 177. There were 62 States parties to the Optional Protocol to the Convention and there had been an additional three ratifications since the last session, by Belarus, on 3 February, Belgium, on 17 June, and the Libyan Arab Jamahiriya, on 18 June 2004. Ireland had accepted the amendment to article 20, paragraph 1, of the Convention, on the Committee's meeting time, bringing the total number of acceptances to 44. Two States parties had withdrawn reservations to the Convention. On 29 April 2004, Switzerland had withdrawn its reservation in respect of article 7 (b), and on 11 June 2004 Ireland had withdrawn its reservation to articles 13 (b) and (c).

7. The Director briefed the Committee on those results of the forty-eighth session of the Commission on the Status of Women that had a particular bearing on the work of the Committee or on the Convention. The Division had co-sponsored two panel discussions during the session of the Commission, focusing, respectively, on the role of Parliaments in the implementation of the Convention and on the Optional Protocol. She also reported on technical assistance activities implemented by the Division in support of the implementation of the Convention and timely reporting by States parties, including a training workshop for government officials from countries of the Caribbean region, which had been hosted by the Government of the Bahamas in May, and in which 13 countries of the region had participated. Judicial officers from 11 countries had participated in a judicial colloquium on the application of international human rights law at the domestic level, also hosted by the Government of the Bahamas, immediately prior to the training workshop. The Division had also collaborated with the Economic and Social Commission for Asia and the Pacific in a training workshop on reporting for countries of the Commonwealth of Independent States, held in Almaty, Kazakhstan, in May. Other measures to publicize the Convention and its Optional Protocol undertaken by the Division included briefings for indigenous organizations on the Optional Protocol as a mechanism to protect the human rights of indigenous women, held during the third session of the Permanent Forum on Indigenous Issues.

8. The Director concluded by reviewing the Committee's work for its thirty-first session. In addition to considering the reports of eight States parties, the Committee was expected to adopt agreements reached at its informal meeting held from 5 to

7 May 2004 in Utrecht, the Netherlands. It would continue its work under the Optional Protocol to the Convention and commence discussions on its next general recommendation, on article 2 of the Convention. The Committee would meet with non-governmental organizations and with representatives of entities of the United Nations system to hear information about the implementation of the Convention in the reporting States. The Director assured the Committee of the full support of the Division for the Advancement of Women in its work.

C. Attendance

9. All 23 members of the Committee attended the thirty-first session. Victoria Popescu attended from 16 to 23 July, Fumiko Saiga and Huguette Gnacadja from 7 to 23 July, and Göran Melander from 6 to 13 and from 21 to 23 July.

10. A list of the members of the Committee, indicating the duration of their terms of office, appears in annex ____ to the present report.

D. Election of the Rapporteur

11. At the 648th meeting, following the resignation from the Committee of Christine Kapalata, who had served as Rapporteur, the Committee elected by acclamation Fatima Kwaku to complete Ms. Kapalata's term as an officer of the Committee, in accordance with article 19, paragraph 2, of the Convention and rule 20 of the Committee's rules of procedure.

E. Adoption of the agenda and organization of work

12. The Committee considered the provisional agenda (CEDAW/C/2004/II/1) at its 648th meeting. The agenda was adopted as follows:

1. Opening of the session.
2. Adoption of the agenda and organization of work.
3. Report of the Chairperson on activities undertaken between the thirtieth and thirty-first sessions of the Committee.
4. Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women.
5. Implementation of article 21 of the Convention on the Elimination of All Forms of Discrimination against Women.
6. Ways and means of expediting the work of the Committee.
7. Activities of the Committee under the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.
8. Provisional agenda for the thirty-second session.
9. Adoption of the report of the Committee on its thirty-first session.

F. Report of the pre-session working group

13. At its ninth session, the Committee decided to convene a pre-session working group for five days prior to each session to prepare lists of issues and questions relating to the periodic reports that would be considered by the Committee at the subsequent session. The pre-session working group for the thirty-first session of the Committee met from 3 to 5 February 2004.

14. The following members, representing regional groups, participated in the working group: Yolanda Ferrer Gómez (Latin America and the Caribbean), Rosario Manalo (Asia), Göran Melander (Western European and other States) and Pramila Patten (Africa). The pre-session working group elected Rosario Manalo its Chairperson.

15. The working group prepared lists of issues and questions relating to the reports of the following States parties: Bangladesh, the Dominican Republic, Equatorial Guinea and Spain.

16. At the 648th meeting, Ms. Manalo introduced the report of the pre-session working group (CEDAW/PSWG/2004/II/CRP.1 and Add.1-4).

G. Organization of work

17. At the 648th meeting, the Chief of the Women's Rights Section of the Division for the Advancement of Women introduced item 5, "Implementation of article 21 of the Convention on the Elimination of All Forms of Discrimination against Women", and item 6, "Ways and means of expediting the work of the Committee". Under item 5, three specialized agencies, namely, the Food and Agriculture Organization of the United Nations, the International Labour Organization and the United Nations Educational, Scientific and Cultural Organization, had submitted reports in accordance with article 22 of the Convention (CEDAW/C/2004/I/1 and Add.1-3). Under item 6, a report on ways and means of expediting the work of the Committee (CEDAW/C/2004/II/4) summarized relevant developments since the Committee's previous session. Annex I to that report contained the agreements reached by the Committee at its informal meeting in Utrecht. Also before the Committee was a report on the status of submission of reports by States parties under article 18 of the Convention, including a list of reports that had been submitted but not yet considered by the Committee (CEDAW/C/2004/II/2). Those matters would be taken up by the Committee as a Working Group of the Whole.

18. On 6 July 2004, the Committee held a closed meeting with representatives of specialized agencies and bodies of the United Nations, which provided country-specific information, as well as information on the efforts made by the body or entity concerned to promote the provisions of the Convention at the national and regional levels through its own policies and programmes.

19. On 6 and 12 July, the Committee held informal public meetings with representatives of non-governmental organizations, who provided information about the implementation of the Convention in States reporting at the thirty-first session.

III. Report of the Chairperson on the activities undertaken between the thirtieth and thirty-first sessions

20. The Chairperson of the Committee, Feride Acar, thanked Ms. Hannan for her opening statement. She congratulated Ms. Kwaku on her appointment as Rapporteur of the Committee, and noted that Christine Kapalata had taken on an assignment as Political Affairs Officer for the United Nations Mission in Liberia, where she would make a significant contribution to the achievement of the Mission's mandate, as well as support the implementation of the Convention within the framework of her new duties.

21. The Chairperson briefed the Committee on her opening statement at the forty-eighth session of the Commission on the Status of Women, where she highlighted the Committee's consideration of the reports of eight States parties, the adoption of general recommendation 25 on article 4, paragraph 1, of the Convention, the plans for an informal meeting of the Committee on working methods, the Committee's proposals for the commemoration of the twenty-fifth anniversary of the adoption of the Convention by the General Assembly and the Committee's statement on the situation of women in Iraq. She also participated in a panel discussion on 2 March, together with parliamentarians from the Republic of Korea, Jordan and Uganda. The panel was hosted by the Division for the Advancement of Women and the Inter-Parliamentary Union and was chaired by one of the Commission's Vice-Chairpersons, Carmen-Rosa Arias of Peru. It focused on the role of parliamentarians in the implementation of the Convention. She also met with high-level participants, including the ministers for gender equality of the Republic of Korea, Pakistan and Norway. As had been decided by the Committee, the Chairperson met with representatives of the Permanent Mission of India to the United Nations.

22. Turning to her participation in the sixtieth session of the Commission on Human Rights, the Chairperson noted that while it had been an important chance to brief the Commission on the work of the Committee, her interaction with the Commission had not been fully satisfactory due to the timing and the severe restrictions on speaking time. The question of the effective participation of the Chairpersons of human rights treaty bodies in the Commission on Human Rights constituted a major agenda item of the sixteenth meeting of chairpersons of treaty bodies, held in Geneva from 23 to 25 June, where this matter was discussed at the meeting of the chairpersons with the expanded Bureau of the Commission. The chairpersons of the treaty bodies voiced their concern about the format of the present interaction with the Commission, which they considered to be less than satisfactory, while also recognizing the extreme time constraints imposed on the Commission. She pointed out that there was a commitment to find better modalities within existing constraints to enhance the exchange between the treaty bodies and the Commission on Human Rights.

23. Turning to the informal meeting of the Committee at the Netherlands Institute of Human Rights, in Utrecht, from 5 to 7 May 2004, the Chairperson expressed the Committee's gratitude and her personal appreciation to Cees Flinterman for the invitation, and through him, to the Government of the Netherlands, which had supported the meeting financially. The three-day meeting had allowed the Committee to focus on many difficult but critical aspects of its working methods in a sustained and focused manner. The excursion to The Hague, on 8 May, where members were able to visit the International Court of Justice at the invitation of

Judge Rosalyn Higgins, as well as the visit to the home of Akua Kuenyehia, a former member of the Committee on the Elimination of Discrimination against Women and First Vice-President of the International Criminal Court, was appreciated by all participants. The results of the Utrecht meeting would put the Committee on a solid path of continuing improvements in its working methods and ensure that the Committee was moving ahead in its well-established commitment to innovation, adaptation and change in support of the effective implementation of the Convention at the national level. The Chairperson highlighted in particular the Committee's proposals for an extension of its annual meeting time so as to enable it to discharge all its responsibilities in a timely manner. The much-deliberated agreement had been reached on the basis of the existing and potential reality of backlogs in the consideration of reports of States parties. The Committee felt very strongly that in order to ensure effective implementation of the Convention, the time lag between States parties' submission of reports and their consideration by the Committee should be minimized so as to make sure that the time lag did not become a disincentive for timely reporting by States. On the basis of this consideration and the fact that it would only be reasonable to bring the meeting time of the Committee up to par with that of other human rights treaty bodies — many of which have considerably fewer States parties — the Committee would adopt a decision seeking the General Assembly's approval of resources so that the Committee would be able to meet for an additional week at its thirty-third, thirty-fourth and thirty-fifth sessions, and in the long term, starting from 2007, the granting to the Committee three annual sessions of three weeks each, each preceded by a pre-session working group of one week.

24. Immediately following the Utrecht meeting, the Chairperson participated as the keynote presenter in a three-day training workshop for Government officials on the implementation of and reporting under the Convention for countries of the Commonwealth of Independent States region, in Almaty. Fifteen Government officials from six countries attended the meeting, which was organized by the Economic and Social Commission for Asia and the Pacific, in collaboration with the Division.

25. The Chairperson reported on her attendance at the third inter-committee meeting and the sixteenth meeting of chairpersons of human rights treaty bodies, from 21 to 25 June in Geneva. In highlighting some of the outcomes of the meetings, the Chairperson drew attention to the discussion of the Secretariat's report, with proposals for guidelines on an expanded core document and harmonized guidelines for reporting to all treaty bodies. She noted that the inter-committee meeting had approved in principle the basic structure and content of the proposed common core document, although it was clear that further work was required. As a consequence, the inter-committee meeting had recommended that the chairpersons forward the draft guidelines on an expanded core document and treaty-specific targeted reports to their respective committees for discussion as a priority item. The inter-committee meeting had also recommended the establishment of a mechanism for further consultations between the committees on the draft and other matters relating to the harmonization of their reporting guidelines during the coming year. Kamel Filali, a member of the Committee on the Rights of the Child, had been entrusted with the role of rapporteur on this issue.

26. The Chairperson called on the Committee to consider the relevant documents carefully and to hold an exchange of views so as to give preliminary indications to

the Committee's three-member working group on the areas of the draft guidelines that the Committee would want to comment on. The Committee should adopt recommendations to the inter-committee meeting in January 2005, as the inter-committee meeting would consider at its session in 2005 a revised set of guidelines that would incorporate the comments of all treaty bodies.

27. In addition to the expanded core document and harmonized reporting guidelines, the inter-committee meeting and meeting of chairpersons followed up on the recommendations from the previous year. The Chairperson reported on progress that had been made with regard to several of those recommendations, including by the Committee on the Elimination of Discrimination against Women.
