



# Convention on the Elimination of All Forms of Discrimination against Women

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## Committee on the Elimination of Discrimination against Women Fifty-first session

### Summary record (partial)\* of the 1019th meeting

Held at the Palais des Nations, Geneva, on Monday, 13 February 2012, at 10 a.m.

*Chairperson:* Ms. Pimentel

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\* No summary record was prepared for the rest of the meeting.

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*The meeting was called to order at 10.10 a.m.*

**Opening of the session**

1. **The Chairperson** declared open the fifty-first session of the Committee.

**Statement by the Chief of the Women's Rights and Gender Section, Office of the United Nations High Commissioner for Human Rights**

2. **Ms. Dyfan** (Chief of the Women's Rights and Gender Section, Office of the United Nations High Commissioner for Human Rights (OHCHR)), reporting on key developments since the Committee's last session, said that the treaty body strengthening process had reached a decisive stage. The two-year process of reflection and consultation begun in Dublin in 2009 had reached its culmination in November 2011, when experts and stakeholders, including the chairpersons of seven treaty bodies, had reassembled in Dublin for the wrap-up meeting. The outcome document of that second Dublin meeting contained concrete recommendations for treaty bodies, States and OHCHR and had already been endorsed by the Committee on the Rights of the Child. In the next stage of the reform process, the United Nations High Commissioner for Human Rights would be calling on all stakeholders to think about what was expected of them and about which of the recommendations they could and wished to implement. Another milestone for the treaty body system had been achieved in May 2011 when the tenth human rights monitoring body, the Committee on Enforced Disappearance, had come into being.

3. In September 2011, the High Commissioner had signed the OHCHR Gender Equality Policy, which established priorities and procedures for integrating gender perspectives in its work and internal management processes. The strategic plan for translating that policy into action would include recommendations for making gender expertise available during the drafting of general comments and recommendations and for encouraging multi-stakeholder, country-level cooperation in the implementation of the Convention on the Elimination of All Forms of Discrimination against Women and in the associated reporting process.

4. At the meeting of the Chief Executives Board for Coordination in New York, the High Commissioner had led a landmark discussion during which she had appealed to the United Nations system and the international community to respond to the calls of the Arab Spring and civil society movements worldwide by adopting a new development paradigm, working more closely with civil society and engaging in a more principled fashion with Governments.

5. Pursuant to Human Rights Council resolution 17/19, the High Commissioner had submitted her report on discriminatory laws and practices and acts of violence against individuals based on their sexual orientation and gender identity (A/HRC/19/41) in November 2011. Revealing a pattern of violence and discrimination based on sexual orientation and gender identity that had often been overlooked, the report called on Member States and the Human Rights Council to take action against such abuses.

6. The Special Rapporteur on adequate housing had completed the report on women and the right to adequate housing that was due to be considered at the nineteenth session of the Human Rights Council. The report examined legal and policy advances, proposed strategies for overcoming persistent gaps in implementation and included specific recommendations for a more gender-sensitive understanding of the right to adequate housing.

7. The Human Rights Council continued to monitor a number of States closely and had established several international commissions of inquiry to respond to urgent crises. The Syrian Arab Republic had been the focus of particular attention, and a decision had been

taken to establish the mandate of a special rapporteur on the human rights situation in that country.

8. As Chief of the Women's Rights and Gender Section, she herself had participated in a side event at the fourth session of the United Nations Forum on Minority Issues, held in Geneva in November 2011. The Forum had focused on guaranteeing the rights of minority women, and she could personally attest to the rich discussion that it had engendered. Upon its conclusion, the independent expert on minority issues had submitted a report to the Human Rights Council in which she had highlighted the importance of non-discrimination, effective participation in decision-making and temporary special measures to address the exclusion of minority women.

9. On 27 January 2012, the Security Council had issued a second cross-cutting report on women, peace and security in which it assessed the impact of resolution 1325 (2000) and subsequent related resolutions on its work. The report included a review of recent developments in the Democratic Republic of the Congo and the Council's response to them as an example of its engagement with women, peace and security issues.

10. **Ms. Murillo de la Vega** said that women constituted the demographic majority in all but 10 countries, according to population censuses, and that treating women as a minority could have ramifications for their endeavours to secure greater participation in economic, social, cultural and political life. To avoid negative repercussions in policy application and rights enforcement, the minority concept should be reserved for very specific contexts only, such as women in parliament.

11. **Ms. Zou Xiaojiao** said that no English translation of some States parties' responses to their respective lists of issues had been made available to Committee members prior to the session. That situation had serious implications for the Committee's consideration of their reports. Although she was aware that the secretariat had worked hard to resolve the problem, in her view OHCHR needed to be more exigent in that area.

12. **Ms. Ameline**, noting that it was by no means certain that all Member States were in favour of reinforcement of the treaty body system, said that it was vital to ensure that the treaty body reforms ensuing from the reflection and consultation process genuinely strengthened the United Nations system and treaty bodies' coordination and did not weaken existing mechanisms.

13. **Ms. Dyfan** (Chief of the Women's Rights and Gender Section (OHCHR)) said that she accepted the need for caution when referring to women as a minority. However, certain groups of women that suffered multiple discrimination, such as women affected by HIV/AIDS and indigenous women, could fall off the agenda if they were not singled out as vulnerable minority groups requiring targeted attention, and the Forum had sought to address the needs of those groups.

14. **Ms. Wan-Hea Lee** (Chief of the Groups in Focus Section, Human Rights Treaties Division (OHCHR)) said that the translation issue was a long-standing problem that was being addressed at an increasingly high level. Late submissions by States parties, particularly of responses to lists of issues, were the main cause. When submissions were late, her division endeavoured to obtain an urgent translation, but capacity constraints, exacerbated by recent budget cuts that were affecting services across-the-board, meant that such requests could not always be immediately accommodated.

15. With regard to the treaty body reform process, she wished to emphasize that the aim was to strengthen, not weaken, the system. Perhaps the time earmarked during the current session for discussion of the recommendations made at the Dublin meeting might be used to identify those recommendations that entailed changes in the Committee's working methods. A similar exercise during the most recent session of the Committee on the Rights

of the Child had been well received. The recommendations made in Dublin and possible changes in the reporting process had recently been discussed with diplomatic missions in Geneva and would be the focus of a similar meeting in New York. Any trends that emerged from those discussions would be shared with the Committee.

16. **Mr. Smith** (Secretary of the Committee) said that the secretariat did everything in its power to make translations available in time. After transmitting the lists of issues, it organized technical briefings at which States parties were reminded of their obligation to respond, and the Committee also sent reminders if needed. Submissions generally needed to be received at least 10 weeks before meetings if translations were to be available in good time but, unfortunately, States parties often did not meet that deadline.

**Adoption of the agenda and organization of work (CEDAW/C/51/1)**

17. **The Chairperson** drew attention to the provisional agenda contained in document CEDAW/C/51/1 and said that, if she heard no objection, she would take it that the Committee wished to adopt it subject to any necessary adjustments.

18. *It was so decided.*

**Report of the Chairperson on activities undertaken between the fiftieth and fifty-first sessions of the Committee**

19. **The Chairperson** said that the number of States parties to the Convention stood at 187, of which 65 had accepted the proposed amendment to article 20, paragraph 1, of the Convention. Ecuador had deposited its instrument of acceptance thereof on 22 December 2011. There were currently 104 States parties to the Optional Protocol, Cape Verde and Côte d'Ivoire having deposited instruments of accession on 10 October 2011 and 20 January 2012, respectively.

20. The outcome document of the meeting on strengthening the United Nations human rights treaty body system that she had attended in Dublin on 10 and 11 November 2011 had been distributed to Committee members. She had also spoken at a colloquium organized by the non-governmental organization Conectas Direitos Humanos in São Paulo in November 2011 about follow-up to concluding observations and Views of the Committee, taken part in other conferences on women's rights in Brazil and met with high-level Brazilian Government officials to discuss Convention-related issues. She would be addressing the Commission on the Status of Women in February 2012, where she would report on the outcomes of the forty-ninth and fiftieth sessions of the Committee.

21. Other Committee members had also been involved in Convention-related activities and in panel discussions and seminars on women's issues, including the International Forum on Women and Sustainable Development held by the All-China Women's Federation in Beijing from 9 to 11 November 2011. In addition, the Government of Finland had hosted a meeting of the working group to draft a general recommendation on women in armed conflict and post-conflict situations in January 2012 at which the implementation of Security Council resolution 1325 (2000) and scope of the general recommendation had been discussed.

22. The Committee would consider seven reports at the current session as well as cases under the Optional Protocol. At the fiftieth session, the Committee had adopted Views and recommendations concerning one communication, where it considered that the State party in question had violated the victim's rights under articles 5 and 12 of the Convention and lacked the appropriate legal framework to allow for abortions in cases of rape or sexual abuse. The Committee had also adopted decisions on two other communications, where it had found that the claims of a violation of rights under the Convention were inadmissible

because not all available domestic remedies had been exhausted or the alleged violations substantiated.

23. The Committee would review the draft general recommendation on the economic consequences of marriage and its dissolution and several others, including a general recommendation on harmful practices that was being drafted in conjunction with the Committee on the Rights of the Child. It would consider information received under its procedure for follow-up to concluding observations and discuss working methods in the framework of treaty body strengthening with OHCHR, among others. It would also be meeting with representatives of non-governmental organizations, national human rights institutions and other United Nations entities.

### **Consideration of reports submitted by States parties under article 18 of the Convention**

#### *Report of the pre-session working group*

24. **Ms. Popescu**, speaking as chairperson of the pre-session working group, introduced its report (CEDAW/C/PSWG/51) and said that the group had met from 1 to 5 August 2011 and had prepared lists of issues and questions for Brazil, the Congo, Grenada, Jordan, Norway and Zimbabwe. As the Committee had only just received the report of the Comoros, it would be postponing consideration of the situation in that country until the fifty-third session. In preparing the lists of issues and questions, the group had drawn on information submitted by United Nations entities, NGOs and a national human rights institution and had paid particular attention to the States parties' follow-up to the Committee's concluding observations on previous reports. The lists of issues had been transmitted to the States parties concerned.

### **Follow-up to the consideration of reports submitted by States parties under article 18 of the Convention**

25. **Ms. Hayashi**, speaking as rapporteur on follow-up, recalled that, at the fiftieth session, follow-up letters had been sent to Denmark, Germany, Japan, Kyrgyzstan and Myanmar and reminders had been sent to Bhutan, Guinea-Bissau, the Lao People's Democratic Republic, Liberia, Switzerland and Timor-Leste. The Committee had since received letters from the Lao People's Democratic Republic and Switzerland indicating that the submission of their follow-up reports had been delayed.

26. The Committee had received follow-up reports from Armenia, Belgium, Ecuador and Spain which would be assessed during the current session. She invited the country rapporteurs for Armenia and Ecuador to assist in the evaluation of the follow-up reports of those countries and called for a volunteer to help to review the report of Belgium.

*The discussion covered in the summary record ended at 11.05 a.m.*