



Convention on the Elimination
of All Forms of Discrimination
against Women

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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Tenth session

SUMMARY RECORD OF THE 173rd MEETING

Held at the Vienna International Centre, Vienna,
on Tuesday, 22 January 1991, at 10 a.m.

Chairperson: Ms. TALLAWY

CONTENTS

Solemn declaration by a new member of the Committee

Organization of work (continued)

Ways and means of expediting the work of the Committee

Consideration of the report of the meeting of chairpersons of human rights treaty
bodies and action taken by the General Assembly concerning treaty bodies

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consolidated in a single corrigendum, to be issued shortly after the end of the
session.

The meeting was called to order at 10.15 a.m.

SOLEMN DECLARATION BY A NEW MEMBER OF THE COMMITTEE

1. The new member, Ms. Ukeje, made a solemn declaration as provided for in rule 10 of the rules of procedure of the Committee (A/38/45, annex III).

ORGANIZATION OF WORK (continued)

Report of the pre-session working group

2. Ms. FORDE, introducing the report of the pre-session working group contained in document CEDAW/C/CRP.17, said that the working group, which comprised five members of the Committee, had met from 14 to 18 January 1991 at Vienna. Its mandate had been to prepare lists of questions and issues for eight countries, namely Austria, Denmark, Norway, Philippines, Poland, Portugal, Rwanda and Yugoslavia. To assist it in carrying out its task, the Working Group had had before it the documents referred to in paragraph 7 of document CEDAW/C/CRP.17.

3. The Committee had requested the working group to formulate its questions in accordance with the general guidelines and the articles of the Convention, and to refrain from duplicating questions and requesting additional statistics which had already been supplied. As suggested by the Committee, the working group had transmitted each list of issues and questions directly to the State party concerned.

4. In seeking to use the time available to maximum effect, the working group had allocated to each of its members the primary responsibility for preparing a preliminary list of issues and questions on one or two countries. Each draft had then been discussed, revised and, if necessary, supplemented.

5. The working group had carefully considered all the questions submitted by the experts, taking into account the criteria followed by the pre-session working group of the ninth session in order to ensure a reasonable degree of consistency in the list of questions sent to Governments.

6. The working group had of course realized that a rigid limitation of the number of questions was unacceptable, since the priority task was identification of the issues to which the reporting country should pay attention, in order to provide the Committee with a clear picture of the current situation regarding women. Not all the questions submitted individually had been included because it had been decided to suggest to experts that they should pose questions that had been omitted, or other relevant questions, to representatives presenting reports on behalf of their Governments. The aim was to encourage the same lively dialogue during the presentation of second and third reports which had characterized the presentation of initial reports.

7. The working group considered it essential that the second and third periodic reports of Poland and Portugal should be discussed in order to take into account the latest developments in those countries. It wished to avoid delays in the consideration of those reports, bearing in mind the limited time available to the Committee and the need to ensure that a backlog of reports did not accumulate.

8. Drawing attention to the suggestions made in subparagraphs 2 (a) to (d) of its report, she said that the working group had made a serious effort to carry out its mandate in regard to that aspect of the Committee's work, but that it had been

(Ms. Forde)

defeated by lack of time. Some members had also felt that it might not be helpful to document progress achieved and remaining obstacles if the current situation could be clarified by government representatives during the presentation of a report.

9. Ms. EVATT congratulated the members of the Working Group on their dedicated efforts, particularly in view of the short time they had had to examine the large amount of material available to them. She also appreciated how difficult it was to identify obstacles and areas in which progress had been achieved before a given State party had had time to submit its material for the session. She considered that it would be useful if the Committee could, after government representatives had given their replies, draw attention to those areas where it felt that obstacles remained or progress had been made. It would also be useful if one of the sessional Working Groups could devote a short meeting to the issues raised in subparagraphs 2 (a) to (d).

10. The CHAIRPERSON said that, if she heard no objection, she would take it that the Committee wished to proceed on the lines suggested by Ms. Evatt.

11. It was so decided.

Composition of working groups

12. The CHAIRPERSON, in response to a question by Ms. BERNARD, requested members of the Committee to indicate their preference with regard to membership of the two Working Groups and, after a brief discussion, suggested that the members of Working Group I should be Ms. Ilic, Ms. Evatt, Ms. Abaka, Ms. Aouij, Ms. Bustelo García del Real, Ms. Nikolaeva, Ms. Bernard and Ms. Ukeje, and that the members of Working Group II should be Ms. Akamatsu, Ms. Alfonsin de Real, Ms. Corti, Ms. Oeser, Ms. Quintos-Deles, Ms. Laiou-Antoniou, Ms. Fenger-Möller and Ms. Sinigiorgis.

13. It was so agreed.

WAYS AND MEANS OF EXPEDITING THE WORK OF THE COMMITTEE

14. Mr. MATHIASON (Deputy Director, Division for the Advancement of Women), introducing the report by the Secretariat on ways and means of expediting the work of the Committee (CEDAW/C/CRP.16), said its purpose was to enhance the effectiveness of the Committee by improving the Secretariat's support. The General Assembly had accordingly, in resolution 45/124, requested the Secretary-General to undertake a comprehensive review of the resources that were necessary and available to support all aspects of the programme for the advancement of women. The Secretariat had been pressed for time in carrying out its task, and there were inevitable shortcomings in the presentation of the report, which had not been formally edited. In particular, he pointed out that the Committee's name had been incorrectly indicated on the cover page. Some typographical errors had been rectified in the process of translation.

15. In its review the Secretariat had been guided by the fact that the Committee differed from other human rights bodies in that one of its main functions was to make general recommendations to States parties rather than specific recommendations

(Mr. Mathiason)

to individual Governments. That permitted a different approach to the task of servicing the Committee's requirements.

16. The Secretariat was proposing that the Committee should consider a number of procedures which lay within the scope of the Committee's mandate and which would at the same time put the Committee's working methods on the same footing as those of other bodies in the human rights field, primarily by allowing the Secretariat to programme its work and to claim resources in advance, and to programme those resources in such a way that the output of the Secretariat could be monitored. With regard to documentation, for example, it had been announced that the numbering would be changed in order to ensure greater consistency with the system used by other bodies.

17. Referring to Section III entitled Working Procedures of the Committee, he said that the first and principal function of the Committee was to examine the reports of States parties, 31 of which were overdue. The Committee might therefore wish to consider adopting some sort of procedure that combined all overdue reports. The Division had already sent a note to developing country States parties offering its advisory services for the preparation of reports that were overdue, and had received some indications of interest. In that connection the Division had noted that States parties whose reports were overdue were in many cases those which lacked appropriate national machinery for their preparation.

18. As far as the analysis of reports was concerned, the Secretariat would, as from 1991, prepare its analyses on receipt of periodic reports and submit them to Committee members as soon as it was decided which reports were to be considered. The steady flow of State party information and analyses that would be generated thereby should help expedite matters considerably.

19. The second function of the Committee was to prepare suggestions and general recommendations - a matter that was discussed in Section III B of the report - and for that purpose the Secretariat usually provided texts containing relevant information. It now proposed a consolidated document summarizing centrally available information that would allow members to mobilize other information including information from their own backgrounds. The Secretariat also felt that attention should be focused on the specific issues to be discussed so as to give the Secretariat lead time in preparing reports and enable it to include its analysis in the Programme budget.

20. Another important point concerned the presentation of information. The Division proposed that in cases where themes were being considered for general recommendations, the Secretariat and experts from the Specialized Agencies should be able to present oral information in plenary to avoid the lengthier procedure entailing translation into all working languages of information provided in documentary form. In that connection he drew attention to two errors in paragraph 35: the fourth word of that paragraph should read "on" instead of "one", and the words "will have the same information" should be added to the end of the first sentence.

21. Turning to Section IV of the report entitled Improvement of analyses prepared for the Committee, he said that the Secretariat suggested that its analysis of reports of States parties should be carried out as soon as they were received, so as to build up a stock of analyses for use when required. For the Committee's

(Mr. Mathiason)

review of specific articles of the Convention, it was suggested that the Secretariat should identify any trends and gaps to assist the Committee in making its recommendations; it was also proposed that the Secretariat should prepare a specific analysis of trends that the Committee might consider tying to some of the issues raised in the priority themes so as to take advantage of analytical work already under way. The priority themes for the period 1992-1996 covered all the substantive articles of the Convention, as shown in table 2 of the document, and as part of its preparatory work, the Secretariat would carry out an analysis of trends as an essential input. Those analyses would be submitted in extenso to the Committee but in a shorter form to the Commission on the Status of Women; the Secretariat would appreciate the Committee's guidance in that connection.

22. In connection with its review of specific questions, the Secretariat was frequently requested to summarize information from a variety of sources, both from the United Nations system and from individual countries. Informal papers had been prepared on two of the issues suggested at the Committee's last session. They had been prepared quickly, had not been formally cleared, edited or translated, and therefore did not officially exist, but were nevertheless examples of what could be done.

23. Paragraph 47 on the implications of priority theme analysis was self-explanatory. To make the Committee aware of those implications, the Secretariat had prepared another informal paper as an example of how the Committee could be serviced in a better way and on the same footing as all other bodies.

24. Ms. QESER said that document CEDAW/C/CRP.16 contained so many interesting proposals that time was needed to study them in detail. She therefore proposed that it should be assigned for examination to Working Group I which would later provide feedback.

25. The CHAIRPERSON suggested that the Committee might usefully highlight certain points for the guidance of the Working Group.

26. Ms. EVATT noted that, as a number of the suggestions contained in the document coincided with those made at the meeting of Chairpersons of Human Rights Treaty Bodies held in Geneva in October 1990 on which she would shortly be reporting, it might be useful for Working Group I to consider them together. As for the proposals made by the Secretariat, she was of the view that the Committee should ensure that, in setting priorities and drawing up agendas, the independence of each individual member was preserved and that it did not follow the themes of any intergovernmental body, such as the Commission on the Status of Women. It should also be on the lookout for areas of uncertainty and duplication in any article-by-article approach and make a careful analysis of the reports of States parties, which did not all deal with articles in the same way. The question of how the Committee might go about its task of determining which article or topic it wished to analyse should not be dealt with in the plenary but raised at a more appropriate time.

27. The CHAIRPERSON suggested that Working Group I might consider how better use could be made of the Committee's work at the national level to promote the advancement of women.

28. Ms. ALFONSIN DE FASAN said that the document under discussion helped to clarify the problem of the presentation of documentation, and suggested that it might be very useful if the conclusions reached by the Committee during its discussions could be transmitted to Governments and non-governmental organizations (NGOs). She also suggested that Secretariat interpretations of statistics should be sent to experts, together with other information, and agreed that the document should be submitted to Working Group I, which should provide feedback.

29. The CHAIRPERSON said that Working Group I should consider the ideas presented in the document, and in particular the suggestion that overdue reports should be combined, and determine whether that procedure would be in accordance with the Convention. The recommendation contained in paragraph 10 was particularly relevant.

30. Mr. TISTOUNET (Centre for Human Rights) noted that backlogs of reports constituted a general problem experienced by all bodies. The Committee on Human Rights at its spring session in New York had contacted ambassadors of countries whose reports were outstanding, and had thereby achieved certain positive results. The question of the analyses provided by the Centre might more usefully be taken up by Working Group I.

31. The CHAIRPERSON said she took it that the Committee wished to request Working Group I to examine document CEDAW/C/CRP.16 and submit its recommendations to the Committee later on.

32. It was so agreed.

33. The meeting was suspended at 11.25 a.m. and resumed at 11.45 a.m.

CONSIDERATION OF THE REPORT OF THE MEETING OF CHAIRPERSONS OF HUMAN RIGHTS TREATY BODIES AND ACTION TAKEN BY THE GENERAL ASSEMBLY CONCERNING TREATY BODIES

34. Ms. EVATT, introducing the report of the third meeting of persons chairing the human rights treaty bodies (A/45/636), said that the meeting, attended by representatives of all the major treaty bodies, including herself on behalf of the Committee, had been conducted in a highly co-operative spirit. The valuable documentation made available to participants, listed in paragraph 8 of the report, was recommended reading for all Committee members.

35. After considering the financial situation of treaty bodies, participants had discussed their servicing and the resources available to them (paras. 17-21). The view had been expressed that, because of its location in Vienna, the Committee had less access to resources than similar bodies located in Geneva, which had the benefit of a larger organization with a wealth of expertise in dealing with human rights issues. However, significant efforts were being made in Vienna to enhance the resources available to the Committee.

36. Paragraph 22 referred to the problem of duplication in the information provided by States parties reporting to a number of human rights treaty bodies. While agreeing that a system of cross-referencing to material already submitted to another treaty body might be acceptable, participants had been of the view that it was for each body to determine the procedure to be followed when distinct overlaps occurred, and to inform reporting States accordingly. On the subject of consistency between conventions and the interpretation of their provisions, greater

(Ms. Evatt)

liaison between the various bodies had been recommended, with the appointment of one or more members of a treaty body to take note of relevant issues dealt with by other bodies.

37. The meeting had been informed of the computerization of the work of human rights treaty monitoring bodies (para. 28). The establishment of the data base, into which it was hoped that the Committee's work would be incorporated, would enhance access to information, whether from States parties or in respect of specific articles of relevant conventions.

38. Among the matters discussed in connection with the development of new international human rights instruments, such as those concerning the rights of the child and of migrant workers, the meeting had expressed views about the ways in which the new conventions should deal with the periodicity of reports and the scheduling of meetings of treaty bodies.

39. In its discussion of technical assistance to reporting States, the meeting had considered the Committee's suggestion that, in addition to regional seminars, an expert might usefully be sent to assist a State party, at its request, in gaining a deeper understanding of its reporting obligations and in preparing reports for a range of treaty bodies.

40. Paragraphs 38-42 of the report dealt with information sources available to the treaty bodies. All participants had expressed their appreciation of the contribution of the specialized agencies and NGOs to the work of the respective treaty bodies, some of which had been able to incorporate that contribution into their work programme to a greater extent than had thus far been possible in the Committee. For instance, representatives of the specialized agencies and NGOs took part in their discussions and in the deliberations of their working groups, and made a particularly useful contribution to the preparation of general comments and recommendations to States parties. On the subject of public information, it was generally agreed that the material considered by each of the bodies, and especially information pertaining to their work, should as far as possible be made available to the public.

41. The General Assembly proposal to convene a world conference on human rights and the preparation of a manual on reporting obligations had been warmly welcomed. Participants had also approved the consolidated guidelines for the initial part of State party reports. She suggested that the Committee might usefully review its own guidelines in the near future and revise them in the light of the consolidated guidelines.

42. She proposed that the report should be referred to Working Group I, which should focus its attention on the recommendations of the meeting of chairpersons. Questions warranting special consideration included a revision of the Committee's guidelines, the nomination of a Committee member to establish liaison with other treaty bodies, encouragement to be given to the participation of representatives of the specialized agencies and NGOs, and the need to receive, on a regular basis, States parties' reports to other treaty bodies and the annual reports of those bodies. The many detailed recommendations included in the report, most of which could be discussed further in the Working Group, should for the most part be acceptable to the Committee.

43. Ms. ILIC said that, in view of the late distribution of the report and the very important subject-matter it contained, time should be allowed for a thorough perusal of the document, together with the relevant General Assembly resolution (resolution 44/135).

44. The CHAIRPERSON said she took it that the Committee agreed to Ms. Evatt's suggestion, supported by Ms. Bernard, that the report should be referred to Working Group I, which would report back to the Committee.

45. It was so agreed.

The meeting rose at 12.15 p.m.