



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

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**Committee on the Elimination of Discrimination
against Women**
Thirty-third session

Summary record of the 684th meeting

Held at Headquarters, New York, on Tuesday, 5 July 2005, at 10 a.m.

Chairperson: Ms. Manalo

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

Opening of the session

1. **The Chairperson** declared open the thirty-third session of the Committee on the Elimination of Discrimination against Women.

2. **Ms. Mayanja** (Assistant Secretary-General and Special Adviser to the Secretary-General on Gender Issues and the Advancement of Women) said that the Committee's thirty-third session overlapped with the substantive session of the Economic and Social Council, which was due to make a critical contribution to the World Summit taking place in New York from 14 to 16 September 2005. With more than 1 billion living in extreme poverty and 20,000 dying every day, the Summit would call upon the world's leaders not only to rededicate themselves to their Millennium Declaration commitments, but also to renew their commitment to practical realization of the principle of equality of women and men.

3. The Committee had played an essential role in making clear to the States parties to the Convention that they must tackle the structural causes of discrimination against women. It had emphasized that equality under the Convention meant substantive equality. A purely formal or programmatic approach was not enough. Equality of results was the logical corollary of de facto or substantive equality.

4. In the far-reaching reform proposals contained in his report entitled "In larger freedom: towards development, security and human rights for all" (A/59/2005), the Secretary-General had highlighted a number of concerns regarding gender equality, including access to education for women and girls, reproductive health and rights, equal access to labour markets, representation in Government and elimination of violence against women. The Secretary-General had requested the High Commissioner for Human Rights to submit a plan of action to strengthen the activities of her Office. The plan of action, entitled "Protection and Empowerment" and launched in May 2005, sought to enable the Organization's treaty bodies to function as a unified system. To fulfil that aim, it recommended harmonizing reporting guidelines and establishing a unified standing treaty body. The Committee would be included in the discussion of that proposal, following the issuing of a concept paper by early 2006, and thought would be given to transferring responsibility

for its support to the Office of the High Commissioner for Human Rights.

5. In becoming involved in the reform process, the Committee would contribute its experience in promoting and protecting women's rights, and would further the interests of the women of the world and of the Organization. Many interests, demands, hopes and expectations would be competing for attention and action in the run-up to the 2005 World Summit. A paramount consideration, and one which had always been at the centre of the Committee's work, was the benefit of the decisions reached to women on the ground, in their daily lives, families, workplaces, communities and public life.

6. **Ms. Hannan** (Director, Division for the Advancement of Women) noted that, since the Committee's previous session, San Marino had acceded to the Convention (with reservations), bringing the total number of ratifications to 180. Cameroon had acceded to the Optional Protocol to the Convention, bringing the total number of States parties to 71. There had been no additional acceptances of the amendment to article 20.1 of the Convention. Among the seven core human rights treaties, the Convention thus remained the instrument with the second highest number of ratifications or accessions, though it fell short of universal ratification.

7. At its forty-ninth session, in January 2005, the Commission on the Status of Women had undertaken a comprehensive 10-year review and appraisal of the implementation of the Beijing Declaration and Platform for Action. In preparation for that session, 134 States had responded to a questionnaire from the Division for the Advancement of Women, and the responses had been transmitted to the Commission for discussion. Many States had indicated that the Convention, and its continuous implementation at national level, were the critical component of their follow-up to the Platform for Action. Many had also devoted considerable attention to women's human rights and the problems of violence against, and trafficking in, women.

8. During the session of the Commission, the Division for the Advancement of Women had organized eight interactive panel discussions on the synergies between national-level implementation of the Beijing Declaration and Platform for Action and the Convention on the Elimination of All Forms of

Discrimination against Women; the discussions highlighted the importance of using the Platform and the Convention, and global policies and legal obligations, to further the practical realization of the principle of equality of women and men. The members of the Committee had made important contributions before and during the session.

9. During 2005, the Commission had adopted 10 resolutions, some of them on themes that had not previously been the subject of resolutions, such as eliminating the demand for trafficked women and girls, the economic advancement of women, indigenous women beyond the 10-year review of the Beijing Declaration and the situation of women and girls in Afghanistan. The subject of another resolution required input from the Committee: that on the advisability of appointing a Special Rapporteur on laws that discriminated against women, which the Commission would consider in 2006.

10. The Commission would also continue its work on the in-depth study of violence against women mandated by the General Assembly in its resolution 58/185. Although originally due to be submitted at the Assembly's sixtieth session, it had been delayed by events such as the World Summit. The Division for the Advancement of Women would instead issue an interim report at the sixtieth session, and the study would follow at the sixty-first session.

11. The study provided a unique opportunity to highlight the challenges in combating all forms and manifestations of violence against women, of which many were addressed by the Committee when it considered the reports of States parties. The Division would welcome Committee members' views on which areas the study should address, why there was insufficient implementation at national level of the international legal and policy framework and how obstacles to implementation could be overcome. Ms. Coker-Appiah and Ms. Shin had already agreed to serve on the Advisory Committee for the study.

12. Supporting the implementation of the Convention through advisory services and technical assistance had become more and more important in ensuring that international human rights standards translated into actual benefits for women at national level. Among the priorities of the Division's programme of technical cooperation was sustained and comprehensive support to help post-conflict countries to implement the

Convention and align their legislative and policy framework with it, taking advantage of the opportunity offered by the process of post-conflict reconstruction.

13. In the second stage of its support to Sierra Leone, following a series of high-level consultations in October 2004, the Division had offered two training workshops for Government officials on implementation of the Convention. The workshops, held from 4 to 8 April, had focused, respectively, on the role of national machinery in promoting and implementing the Convention in conjunction with the other ministries and non-governmental organizations, and in the development of national gender policy, and on the role of key line ministries in the implementation of Convention and its applicability in such substantive sectors as health, education, justice and economic development. The workshops had been attended by a total of 35 Government officials, many of whom had never encountered the Convention in the course of their work. Workshop discussions had been facilitated by Committee member Ms. Coker-Appiah and by Ms. Delpont of the Centre for Human Rights of the University of Pretoria. In the coming months, the Division would be providing support to Sierra Leone in the preparation of its initial report, due since 1989.

14. Under its programme to support countries emerging from conflict, the Division had planned to send a high-level consultation mission to Afghanistan in May with a view to raising awareness of the Convention among ministers and senior officials in key ministries and developing recommendations for its enhanced implementation. Owing to the deteriorating security situation the week before the mission, it had been postponed till later in the year. The Government of Timor-Leste had also requested the Division's assistance in facilitating a series of workshops on the responsibilities of the various line ministries in the preparation of the country's initial report to the Committee.

15. Under its technical cooperation programme, the Division had continued to organize regional judicial colloquiums and workshops for Government officials. In the past three years, approximately 55 judges from 29 countries had participated in judicial colloquiums, and over 70 Government officials from 37 countries had attended training workshops. Those events had provided an opportunity for an exchange of views among judges and Government officials from the various countries in each region. In collaboration with

the Economic Commission for Latin America and the Caribbean, the Division had convened a three-day judicial colloquium on the application of human rights law at the domestic level. Keynote speakers and main facilitators for the colloquium, held in Santiago, Chile, in mid-May, had been Judge Cecilia Medina Quiroga, former member and Chairperson of the Human Rights Committee and a judge of the Inter-American Court of Human Rights, and Rodrigo Jimenez, a professor of international law at the University of Central America in Costa Rica. Seventeen participants from nine countries had discussed opportunities provided by international human rights law, particularly the Convention, for achieving equality in the areas of marriage and family relations, and addressing violence against women. Like previous judicial colloquiums, the event had been funded by the Government of Germany.

16. Following the colloquiums, Government officials attended the Division's training workshop on the implementation of and reporting under the Convention. At the workshop, organized in cooperation with the Economic Commission for Latin America and the Caribbean, 22 Government officials from nine countries had learned how the process of preparing and presenting reports enabled a State party to monitor and evaluate progress in its implementation, and to identify gaps and challenges, as well as new strategies and opportunities for implementation and follow-up.

17. The Division continued to develop training materials for use in its technical cooperation programme and in raising awareness of the Convention and its Optional Protocol. In particular, it had made headway on a manual on the implementation of the Convention, which was being prepared in cooperation with the Netherlands Institute of Human Rights of the University of Utrecht under the direction of Mr. Flinterman, a Committee member, and with funding from the Swedish International Development Cooperation Agency. In mid-May, at a workshop held in Utrecht, the appropriateness of the draft chapters for the manual's intended constituencies had been assessed. The manual was designed to enhance national capacity to implement the provisions of the Convention and the Committee's concluding comments and reservations through strengthened national institutional frameworks and improved consultative processes. It was scheduled for completion before the end of the year.

18. In conclusion, she outlined the Committee's programme of work and wished its members every success in carrying it out.

Adoption of the agenda and organization of work

(CEDAW/C/2005/II/1)

19. **The Chairperson** said she took it that the Committee wished to adopt the provisional agenda and organization of work, as contained in document CEDAW/C/2005/II/1, as the agenda for the thirty-third session, subject to adjustments to the organization of work as might become necessary.

20. *It was so decided.*

Report of the Chairperson on activities undertaken between the thirty-second and thirty-third sessions of the Committee

21. **The Chairperson**, reporting on her activities between the thirty-second and thirty-third sessions of the Committee, said that, in accordance with established practice, she had attended the forty-ninth session of the Commission on the Status of Women where she had addressed an open meeting of the Commission and drawn attention to the Committee's statement providing input for the Commission's 10-year review and appraisal of the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly. She had emphasized, in particular, the synergies between the implementation of the Platform for Action and the Convention, the increase in the number of the States parties to the Convention and the adoption, entry into force, and functioning of the Optional Protocol as milestones in the protection of women's rights since the Fourth World Conference on Women. She had also drawn the Commission's attention to the Committee's ongoing efforts to enhance its methods of work, particularly with regard to its constructive dialogue with States parties, and reported on the outcome of its thirty-second session. She had impressed upon the Commission the increase in the Committee's workload and the constraints placed on it by its limited meeting time. In that connection, she had conveyed the Committee's disappointment at the General Assembly's failure to act on its request for additional meeting time. As a panellist in a discussion on synergies between national implementation of the Beijing Declaration and Platform for Action and the Convention, she had discussed the Committee's

assessment of the status of implementation, the usefulness of the Platform for Action in the Committee's work and the mutually reinforcing nature of the two instruments. Other panellists had included the High Commissioner for Human Rights, the Minister for Social Services and Community Development of the Bahamas and Committee member Ms. Šimonović, in her capacity as head of the Human Rights Section of the Ministry of Foreign Affairs of Croatia.

22. While in New York, she had raised the issue of the Committee's meeting time with a number of delegations, particularly representatives of several Nordic countries, traditionally the main sponsors of the General Assembly resolution on the implementation of the Convention. In those discussions, she had indicated that the Committee would be seeking the support of Member States at the sixtieth session of the General Assembly.

23. Although she had been unable to address the Commission on Human Rights, her statement had been made available to the Commission under the agenda item on the implementation of human rights instruments. Most recently, she had attended the fourth Inter-Committee Meeting, held in June, accompanied by Ms. Belmihoub-Zerdani and Ms. Schöpp-Schilling.

24. On 23 June, she had briefed the Seventeenth Meeting of Chairpersons of Human Rights Treaty Bodies on the Committee's working methods, and on action taken in that regard at the Committee's thirty-second session.

25. One of the main topics of discussion at the Inter-Committee Meeting had been harmonized guidelines on reporting under the international human rights treaties and guidelines for an expanded core document and treaty-specific targeted reports. While the documentation for the meeting had included the Committee's preliminary comments in that regard, regrettably, Mr. Filiali, the rapporteur on the issue, had been unable to consult the Committee due to circumstances beyond his control. Reservations to treaties, terminology, follow-up to concluding observations and national human rights institutions had also been discussed at the Inter-Committee Meeting, and the Committee had been requested to follow-up on them. The High Commissioner for Human Rights had briefed the Inter-Committee Meeting on her plan of action and her proposals for short- and long-term

approaches to the functioning of the human rights treaties. The High Commissioner would address the Committee at its thirty-fourth session in January 2006.

26. Views had also been exchanged on, in particular, the follow-up to the Committee's concluding comments and observations at the national level, and on the reform proposals. The meeting of chairpersons immediately afterward had concentrated on the proposed common core document and relevant substantive provisions of the treaties and the High Commissioner's proposals for a standing unified treaty body. At that meeting, she had stressed the importance of consulting the Commission on the Status of Women, which had prepared the Convention, before taking any decision to move the Committee from New York to Geneva. The Chairpersons had also met with the Expanded Bureau of the sixty-first session of the Commission on Human Rights to exchange views on strengthening the dialogue between the treaty bodies and the Commission, and on the reform proposals for the various treaty bodies. She had raised the issue of the treaty bodies' representation at the sessions of the Commission on Human Rights, and of the limited time allocated to the Chairpersons. Lastly, the Chairpersons had met with the special procedures mandate holders to discuss interaction with them.

27. She had also attended — though not in her capacity as Chairperson of the Committee — the meeting of the working group of Asian and Latin American experts that was drafting the general recommendation on migrant women. A final draft would be issued in October in Manila.

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

Report of the pre-session working group (CEDAW/PSWG/2005/II/CRP.1)

28. **Ms. Khan**, speaking as Chairperson of the pre-session working group, introduced the report and said that, in formulating the list of issues for the eight States parties that would be presenting their reports at the current session, the working group had paid particular attention to follow-up of the Committee's concluding comments, and had taken the States parties' previous reports into consideration.

Implementation of article 21 of the Convention (CEDAW/C/2005/II/3)

Ways and means of expediting the work of the Committee (CEDAW/C/2005/II/4)

29. **Ms. Brautigam** (Chief, Women's Rights Section, Division for the Advancement of Women) introduced the reports provided by the specialized agencies of the United Nations on the implementation of the Convention on the Elimination of Discrimination against Women in areas falling within the scope of their activities (CEDAW/C/2005/II/3). Three agencies, namely the Food and Agriculture Organization of the United Nations, the United Nations Educational, Scientific and Cultural Organization, and the International Labour Organization, had submitted reports, which were contained in CEDAW/C/2005/II/3, Add.1, Add.3 and Add.4, respectively. After the meeting, the Committee would hold a closed meeting with representatives of the specialized agencies and other United Nations bodies that wished to provide the Committee with information on the States parties whose reports were being considered at the current session, and on their own efforts to promote the provisions of the Convention through their policies and programmes at the national and regional levels.

30. She introduced the note by the Secretariat on ways and means of expediting the work of the Convention on the Elimination of Discrimination against Women (CEDAW/C/2005/II/4), which summarized recent developments in the human rights regime, including the human rights treaty bodies, and action taken by intergovernmental bodies. The report also contained an overview of the activities of the Secretariat in support of ratification and implementation of the Convention and provided information the Committee had requested from the Secretariat at its previous session in regard to a number of issues, including options concerning the extension of the Committee's meeting time (paras. 37 to 43) and the use of the country report task force (paras. 44 to 48). Since, at its previous session, the Committee had decided to consider the modalities of its interaction with national human rights institutions, the report contained an overview of action between other human rights treaty bodies and national human rights institutions (paras. 29 to 36).

31. Annex II of the document gave information on the status of reports received but not yet considered.

Seven more States had since submitted their reports bringing the total number of State party reports awaiting consideration (excluding the eight States to be considered at the current session) to 55. In other words, since the opening meeting of the previous session, when 47 reports had been awaiting consideration, the backlog had increased by 8. She was pleased to inform the Committee that Cape Verde had submitted its combined initial through sixth periodic report the previous week. In July 2004, the Committee had invited Cape Verde and Saint Lucia to submit their long-overdue reports by June 2005 for consideration in July 2006. Failure to submit the reports would have prompted the Committee to consider implementation of the Convention in the absence of a report. A list of those States whose initial reports were overdue by 10 years or more was contained in paragraph 24.

32. She drew the Committee's attention to requests for views and/or comments. The Committee was invited to prepare its views on the appointment of a special rapporteur on laws that discriminated against women, for inclusion in the report of the Secretary-General to the Commission on Human Rights at its sixty-second session in March 2006 (para. 9). Those views would have to be prepared during the current session. The views and comments of the Committee, or its individual members, on key issues and recommendations in the report of the Secretary-General on Violence against Women (paras. 49 and 50) would also be welcome.

The meeting rose at 11.05 a.m.