



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

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**Committee on the Elimination of Discrimination  
against Women**

**Twenty-ninth session**

**Summary record of the 609th meeting**

Held at Headquarters, New York, on Monday, 30 June 2003, at 10 a.m.

*Chairperson:* (Ms. Açar)

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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 twenty-ninth session of the Committee on the Elimination of Discrimination against Women.

2. **Ms. King** (Assistant Secretary-General and Special Adviser on Gender Issues and Advancement of Women) said that, since the January 2003 session, Afghanistan, the Syrian Arab Republic, Timor-Leste and Sao Tome and Principe had ratified or acceded to the Convention, bringing the total number of States parties to 174. Timor-Leste, Sweden and Albania were the most recent of the 52 States parties that had ratified the Optional Protocol, and 39 had accepted the amendment to article 20.1 of the Convention. The progress towards the goal of universal ratification was cause for satisfaction, especially as the ten-year review of the implementation of the Beijing Platform for Action approached. At the same time, the growing number of ratifications highlighted the urgent need for an efficient and effective reporting system and for strengthening of the follow-up to the Committee's concluding comments at the national level.

3. In accordance with tradition, the Chairperson of the Committee had addressed the Commission on the Status of Women, as well as the Commission on Human Rights. The work of the Commission on the Status of Women had been particularly pertinent from the Committee's perspective, as it had focused on women's human rights and the elimination of violence against women and girls. Although the Commission had not been able to achieve consensus on a set of agreed conclusions, many delegations had underlined the importance of that issue and their commitment to address it. The Commission had adopted a resolution on the situation of women and girls in Afghanistan just ten days after that country's ratification of the Convention without reservation. It had also taken a decision relating to the confidential communications procedure which would be considered further at future sessions. The Commission on Human Rights had also adopted a resolution on the elimination of violence against women, which reminded Governments of their obligation fully to implement the Convention and had renewed the mandate of the Special Rapporteur on violence against women.

4. The ratification of the Convention and its Optional Protocol and their full implementation had been key topics in many of her own activities in recent months. Some of the groups that she had met with included the Inter-Parliamentary Union, the Forum on Gender, Peace and Foreign Policy of the European Union, and NATO meetings on women in the military. The Inter-Agency Network on Women and Gender Equality, consisting of approximately 60 members mostly from the United Nations system, was taking a growing interest in the Convention. Several specialized agencies submitted information to the Committee relating to reports of States parties, and others provided technical assistance.

5. The Division for the Advancement of Women continued to provide technical cooperation and advisory services for States parties on reporting and follow-up, as well as on ratification. Staff members of the Division and Committee members had participated in a number of regional forums and workshops on that topic. In recent weeks, the Division had received requests from several States parties for technical assistance in the preparation of reports, but thus far it did not have the resources to support individual requests of that type; its limited extrabudgetary resources were usually channelled to regional or subregional workshops. On an exceptional basis, however, it might be possible to assist one or two States by using the Division's limited resources for advisory services, which could be an important opportunity to enhance timely and effective reporting. She intended to raise the issue with donors in an effort to support the implementation of the Convention at the national level.

6. The issue of strengthening the reporting process and harmonizing working methods was high on the agenda for all human rights treaty bodies and had been given additional impetus through the Secretary-General's reform proposals. Members of the Committee had participated in two inter-committee meetings on enhancing and strengthening the reporting process and follow-up to the outcome of the consideration of reports from States parties, and would brief the Committee in detail on those meetings.

7. The discussion on strengthening the human rights treaty system was timely. The Convention on the Elimination of All Forms of Discrimination against Women was the human rights treaty with the second highest number of ratifications, but a substantial

number of States parties either had never submitted a report to the Committee or their periodic reports were long overdue. She, therefore, encouraged the Committee to continue its efforts to enhance its working methods and encourage States to meet their reporting obligations. The suggestions and recommendations from the recent meetings might be helpful in that regard.

#### **Adoption of the agenda and organization of work**

8. *The provisional agenda as contained in document CEDAW/C/2003/II/1 was adopted.*

#### **Report of the Chairperson on activities undertaken between the twenty-eighth and twenty-ninth sessions of the Committee**

9. **The Chairperson** said that one of the Committee members, Ms. Kuenyehia, had had the honour to be elected as judge and subsequently as Vice-President of the International Criminal Court. In accordance with the provisions of the Convention, Ghana had nominated another outstanding expert from among its nationals, Ms. Dorcas Ama Frema Coker-Appiah, to serve for the remainder of Ms. Kuenyehia's term, and the nomination had been approved by the Committee.

10. As Chairperson of the Committee, she had addressed the opening meeting of the forty-seventh session of the Commission on the Status of Women and had been invited to serve as one of the panellists on the theme of women's human rights and elimination of all forms of violence against women and girls. For the panel she had been asked to discuss key trends and issues in the implementation of the Convention. Among the "bottlenecks" in the implementation of women's rights, she had cited the substantial number of reservations to the Convention, including some considered to be incompatible with its object and purpose, and gaps in national legislative frameworks, including insufficient reflection of the Convention in constitutions, the persistence of discriminatory legislation in penal and civil law and family law, and the discriminatory impact of the co-existence of multiple legal systems.

11. With regard to specific issues, she had pointed to the continuing problem of violence against women, violations of women's human rights in conflict situations and new trends in multiple discrimination against women, where gender-based discrimination

intersected with racism, xenophobia, ethnic nationalism or religious fundamentalism, and had been pleased with the substantive debate that had followed.

12. She had also spoken at the fifty-ninth session of the Commission on Human Rights, the first occasion on which the chairpersons of all the treaty bodies had been formally invited to address the Commission. She had briefed the Commission about the status of the Convention and its Optional Protocol and the Committee's working methods, particularly its efforts to conduct a constructive dialogue with States parties and to encourage ratification and reporting. Budgetary provisions were still pending that would make such attendance by all treaty body chairpersons a standing practice. She had also participated in a panel discussion on violence against women. In general, she had been pleased to find a high level of interest in the Committee's work on the part of both States parties and non-governmental organizations attending the session, as well as representatives of some States that had not yet ratified the Convention.

13. The Committee had been ably represented at the brainstorming meeting on treaty body reform held in Malbun, Liechtenstein, from 5 to 7 May 2003 by Ms. Porescu Sandru and Ms. Schöpp-Schilling. The Committee's views on the Secretary-General's ideas for reform of the reporting system had been submitted to the United Nations High Commissioner for Human Rights in March 2003 and had served as background documentation for the brainstorming session and subsequently for the second inter-committee meeting of members of human rights treaty bodies held in Geneva from 18 to 20 June 2003 and the fifteenth meeting of chairpersons of human rights treaty bodies from 23 to 27 June 2003.

14. The inter-committee meeting, at which the Committee was represented by Ms. Shin, Mr. Flinterman and herself, had shared the view of the Malbun meeting that a single report by each State summarizing its adherence to the full range of international human rights treaties to which it was a party would not adequately meet the overriding objective of reform, which was to strengthen implementation of human rights obligations at the national level. The inter-committee meeting had put forward a series of recommendations, which the Committee should consider, for strengthening the human rights treaty system, stressing the need for consistency in the examination of reports by all treaty

bodies; the question of country information used in the consideration of reports; the role of national human rights institutions in reporting; capacity-building; the preparation and adoption of joint or parallel general comments or recommendations by treaty bodies; dissemination of concluding comments; follow-up to concluding comments; and non-reporting.

15. The inter-committee meeting had recommended that all treaty bodies should adopt the practice of preparing an expanded, regularly updated, core document incorporating human rights issues relating to all treaties, to be complemented by a focused periodic report. Particular emphasis was placed on how to handle non-reporting and on the need for follow-up to concluding comments. The fifteenth meeting of chairpersons of human rights treaty bodies had confirmed the conclusions of the inter-committee meeting and commended them to the attention of the committees.

16. In addition, she had been invited by the American Bar Association's Central and Eastern European Law Initiative to give a keynote address at a conference in Tbilisi, Georgia, at which national experiences with follow-up to the Committee's concluding comments had been discussed and compared. And, of course, many present and former Committee members had contributed to implementation of the Convention by a variety of activities throughout the year. Lastly, since a process very important to women's human rights and the work of the treaty bodies was now under way, she looked forward to substantive discussion on those points during the session.

**Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women** (CEDAW/PSWG/2003/II/CRP.1 and Add.1-6)

17. **Mr. Melander**, introducing the report (CEDAW/PSWG/2003/II/CRP.1) of the pre-session working group as its Chairperson, said that the working group had met from 4 to 7 February 2003 and had prepared lists of issues and questions (CEDAW/PSWG/2003/II/CRP.1/Add.1-6) with respect to the reports of Ecuador, France, Japan, Morocco, New Zealand and Slovenia, aided by, among other things, country-specific information from the International Labour Organization and the United Nations Children's Fund, and had transmitted the questions to the States parties. Although the situations

in the six States were very different, the working group had observed some common trends, including the persistence of stereotypes in relation to the roles of women and men; discrimination in employment; underrepresentation of women in decision-making positions; violence against women, including domestic violence; exploitation of prostitution; and trafficking in persons for purposes of prostitution. It had noted that legal equality was not sufficient to achieve real equality and that administrative and policy measures, including temporary special measures, were indispensable.

18. **The Chairperson** said she took it that the Committee wished to approve the report.

19. *It was so decided.*

**Implementation of article 21 of the Convention on the Elimination of All Forms of Discrimination against Women** (CEDAW/C/2003/II/3 and Add. 1, 3 and 4 and CEDAW/C/2003/II/WP.1)

20. **Ms. Brautigam** (Women's Rights Section) said that, pursuant to article 21 of the Convention, the Committee had before it reports from some of the specialized agencies, namely, the Food and Agriculture Organization of the United Nations, the United Nations Educational, Scientific and Cultural Organization and the International Labour Organization (CEDAW/C/2003/II/3 and Add. 1, 3 and 4), on the implementation of the Convention in areas falling within the scope of their activities. Other specialized agencies and United Nations bodies would provide further information in an informal meeting on the States whose reports were to be considered by the Committee at its current session. Since the Committee had decided to elaborate a general recommendation on article 4 of the Convention, Ms. Schöpp-Schilling had prepared a draft general recommendation on article 4.1 on temporary special measures which would soon be issued as CEDAW/C/2003/II/WP.1.

**Ways and means of expediting the work of the Committee** (CEDAW/C/2003/II/2 and 4 and CEDAW/C/2003/II/WP.2-4)

21. **Ms. Brautigam** (Women's Rights Section) said that, in addition to the report of the Secretariat on ways and means of expediting the work of the Committee (CEDAW/C/2003/II/4), the Committee would shortly be provided with the advance draft reports on the

brainstorming meeting on treaty body reform, the inter-committee meeting and the fifteenth meeting of chairpersons of human rights treaty bodies mentioned earlier, as soon as they were available. The report on ways and means contained, in annex II, a list of States parties whose reports had been submitted but not yet considered by the Committee as at 1 May 2003. Since that report had been issued, initial or periodic reports had also been received from Samoa, Gabon, Latvia, Liechtenstein, Guyana and Ireland.

22. As requested, the Committee would also have before it a background paper concerning article 6 of the Convention (CEDAW/2003/II/WP.2), which examined the *travaux préparatoires* for the Convention and the Committee's jurisprudence on prostitution and trafficking in women and girls, and a working paper on how the other treaty bodies had dealt with sexual orientation as it related to discrimination and the enjoyment of human rights (CEDAW/2003/II/WP.3).

23. Lastly, the Committee had before it the report of the Secretary-General on the status of submission of reports by States parties under article 18 of the Convention (CEDAW/C/2003/II/2) and a working paper providing profiles of non-reporting States (CEDAW/2003/II/WP.4) and analysing both long-term and medium-term non-reporting to facilitate the Committee's analysis of the root causes, in preparation for its upcoming meeting during the current session with States parties with reports more than five years overdue.

*The meeting rose at 11.20 a.m.*