



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

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**Committee on the Elimination of Discrimination
against Women**
Forty-first session

Summary record of the 849th meeting

Held at Headquarters, New York, on Wednesday, 16 July 2008, at 4 p.m.

Chairperson: Ms. Šimonović

Contents

Exchange of views with States parties to the Convention

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The meeting was called to order at 4.15 p.m.

Exchange of views with States parties to the Convention (CEDAW/SP/2008/INF/1, CEDAW/C/2008/II/2 (revised), CEDAW/C/2008/II/4, E/CN.6/2008/CRP.1, annex II)

1. **The Chairperson** said that at the forty-first session the Committee had considered the reports of eight States parties, namely Finland, Iceland, Lithuania, Nigeria, Slovakia, the United Kingdom of Great Britain and Northern Ireland, the United Republic of Tanzania, and Yemen. It had engaged in a constructive dialogue with high-level delegations and would issue concluding observations aimed at enhancing implementation of the Convention in each of those countries. The Committee had also worked on preparing a general recommendation on article 2 and a general recommendation on migrant women. Good progress had been achieved in both cases.

2. Owing to the additional meetings that had been scheduled during the previous two years, the Committee had cleared its backlog of reports and there were less than 10 reports that still needed to be considered by the Committee. Furthermore, the Committee had adopted the same working methods as the majority of the other human rights treaty bodies. It had issued Convention-specific reporting guidelines (CEDAW/SP/2008/INF/1), which should be applied in conjunction with the harmonized reporting guidelines on a common core document (HRI/GEN/2/Rev.5, chap. I).

3. **Ms. Dairiam**, introducing the revised Convention-specific reporting guidelines of the Committee (CEDAW/SP/2008/INF/1), said that the harmonized guidelines on reporting under the Convention on the Elimination of All Forms of Discrimination against Women required States parties to submit a Convention-specific document in addition to the common core document. The two documents complemented each other. The common core document, on the one hand, contained data on the exercise of basic human rights that were common to all the treaties, including the rights to non-discrimination and equality. It therefore provided information relevant to the Convention, including data on women's education, employment, involvement in public life and health indicators. The Convention-specific document, on the other hand, contained analytical information on the impact of measures taken to eliminate

discrimination and the progress made in implementing those measures. It also described any difficulties encountered in relation to specific articles of the Convention.

4. The Convention-specific guidelines informed States parties about the different information that should be included in initial and periodic reports. Initial reports should provide information and statistical data on the status of women in relation to each article of the Convention. They should also outline measures in force to eliminate discrimination against women. Periodic reports, on the other hand, should analyse the impact of measures taken as well as show results achieved. A good starting-point for drafting periodic reports was to explain how the Committee's concluding observations on a previous report had been taken into consideration, including a description of measures taken and the effectiveness of those measures, together with an appraisal of work that still needed to be done.

5. **The Chairperson** said that treaty bodies had issued harmonized reporting guidelines with a view to reducing the length of reports. In the case of the Convention on the Elimination of Discrimination against Women, initial reports must not exceed 60 pages and periodic reports must not exceed 40 pages.

6. **Ms. Shin**, introducing the statement by the Committee on the Elimination of Discrimination against Women on its relationship with national human rights institutions (E/CN.6/2008/CRP.1, annex II), said that the Committee and independent national human rights institutions shared the goals of protecting, promoting and fulfilling the human rights of women and girls. The Committee emphasized that national human rights institutions should be established in compliance with the principles relating to the status of national institutions for the protection and promotion of human rights, known as the Paris Principles. It believed that national human rights institutions played an important role in the promotion of implementation of the Convention at the national level, the protection of women's rights and the enhancement of public awareness of such rights.

7. The Committee expected human rights institutions to ensure that their work was based on the principle of formal and substantive equality between women and men and non-discrimination, as defined in the Convention, and that women had easy access to all

services for the protection of their rights provided by national human rights institutions. The composition of members and staff of those institutions should be gender-balanced at all levels. In addition, the Committee encouraged national human rights institutions to publicize and disseminate the Convention and its Optional Protocol, together with the Committee's concluding observations, general recommendations and decisions and views on individual communications and enquiries conducted under the Optional Protocol, and to monitor the State party's implementation of the Convention and the Optional Protocol.

8. The Committee recognized the contribution of national human rights institutions and welcomed comments and suggestions on States parties' reports. National human rights institutions could also help alleged victims of human rights violations under the Convention to submit individual communications to the Committee. In addition to providing country-specific information on States parties' reports, national human rights institutions could attend and provide information orally at the meetings allocated to them in the pre-session working groups and sessions of the Committee.

9. **Ms. Gabr**, introducing the report of the Secretary-General on the status of submission of reports by States parties under article 18 of the Convention (CEDAW/C/2008/II/2 (revised)), said that the main mechanism for the follow-up and monitoring of implementation of the Convention was the reporting process. Reports provided the Committee with a clear picture of women's rights in countries under consideration. The Committee had facilitated the reporting process by providing reporting guidelines to States parties and allowing the parties to combine periodic reports. It was therefore regrettable that some initial and periodic reports had not been submitted on time. In some cases, they had been delayed for 10 to 15 years. Under the Committee's rules, the Committee could take the measure of preparing a report itself if a State party did not submit a report. However, that measure was unsatisfactory, and the Committee expected States parties to submit reports in a timely manner with a view to nurturing a constructive dialogue with the Committee.

10. **The Chairperson** pointed out that the report due dates that appeared in the right-hand column in annex I of the report of the Secretary-General on the status of

submission of reports by States parties under article 18 of the Convention (CEDAW/C/2008/II/2 (revised)) had in many cases been modified to allow a State party to combine two or more periodic reports; the new arrangements were reflected in the footnotes. In future the format of the report would be changed to avoid confusion.

11. **Ms. Gendi** (Egypt) said that it was important to maintain ongoing discussion and dialogue between the Committee and the States parties. The reason that some of the least developed countries had not submitted reports, particularly initial reports, might well be a lack of capacity and resources. She wondered whether a way could be found through the Office of the United Nations High Commissioner for Human Rights (OHCHR), either on the initiative of the Committee or at the request of the State party, to provide assistance. Perhaps some States parties had already submitted requests. Overcoming discrimination against women was a global imperative; surely no country intentionally set up barriers.

12. **Ms. Sapag** (Chile) asked whether combined periodic reports should be longer than the 40 pages stipulated for subsequent Convention-specific documents. So far, large numbers of non-governmental organizations had followed the Committee's forty-first session closely; that had been less true of States parties. She wondered how the Committee, based on the experience of the current session, assessed the value of holding a session in New York. Her delegation continued to support the extension of time accorded to the Committee.

13. **Ms. Carvalho** (Portugal) said that her delegation also favoured the idea of technical assistance for States parties whose initial reports were long overdue owing to a lack of resources or technical capacity. The possibility might also be explored of setting up a special fund, to which countries could contribute, to enable those States parties to present their initial reports.

14. **Mr. Ramadan** (Lebanon) asked whether a State party whose report had been submitted but not yet considered would be expected to prepare a follow-up report that would be consistent with the revised reporting guidelines. His delegation would also be interested to know how the Committee intended to proceed, preferably in very exceptional cases, with consideration of the implementation of the Convention

in a given country in the absence of a report, and whether the Committee contemplated a fact-finding mission in such cases.

15. **Ms. Banzon-Abalos** (Philippines) asked whether the new reporting system involving a core document and convention-specific documents had begun to be implemented, and, if so, what the Committee's initial impression was.

16. **Ms. Woldberg** (Netherlands) said the Committee was to be commended for having prepared their reporting guidelines promptly. Since there had been intense debate during the sixty-second session of the General Assembly on the location and timing of the Committee's sessions, her delegation was happy to learn that the Committee was close to eliminating its backlog of reports to be considered. She wondered whether holding the current session at Headquarters had enabled the Committee to meet with the United Nations funds and programmes based in New York.

17. **Ms. Zhang Dan** (China) asked whether the new guidelines were mandatory and when they were to be implemented, whether a State already in the process of preparing a report could proceed according to the old guidelines, how the Committee intended to coordinate the old and new styles of report and whether it would apply the same methods and standards in evaluating the reports.

18. **Mr. Pak Tok Hun** (Democratic People's Republic of Korea) said that the new reporting guidelines were simple and succinct, but perhaps not sufficiently detailed to answer all the questions a State party might have in preparing its report, particularly if the preparers lacked prior experience. He wondered whether there would be a further elaboration of the guidelines. His delegation would also appreciate clarification on what qualified as a national human rights institution in the sense of annex II of E/CN.6/2008/CRP.1 and how many countries had qualified institutions. His country did not have a general human rights institution but it did have a national coordinating committee for the implementation of the Convention.

19. **Ms. Gabr** said that, having participated in the preparation of a State party report on one occasion, she was aware that it was not an easy task. If a State party was encountering problems, it should certainly contact the Committee secretariat. Once there was contact and interaction, the Committee and other parts of the

Organization were ready to help. The problem arose when it was not only a lack of know-how but a lack of political will that prevented a State party from fulfilling its obligations. The Committee was very patient and did its utmost to have a dialogue with States parties; in those rare cases when non-response reached such a degree and continued for such a length of time that the Committee felt it must proceed to consideration of the country situation in the absence of a report, it would have to consider ways and means of finding a solution through the United Nations system and within its rules of procedure.

20. **Ms. Dairiam** confirmed that the reporting guidelines were in effect. The guidelines on the common core document had been issued two years ago, and some States parties had already reported to other treaty bodies under the new format. However, the CEDAW Committee itself had not yet received reports prepared according to the new guidelines. If a State party had already prepared its report, there was no need for amendment or supplement; it could wait until its next reporting cycle to apply the new guidelines. The Committee understood that there would be a transition period.

21. **Ms. Shin** said that the subcommittee on accreditation of the International Coordinating Committee of National Human Institutions for the Promotion and Protection of Human Rights (ICC) evaluated each human rights institution and ranked them as having A, B or C status. She further explained that it was possible for institutions to have their status changed, and that the current status of any national human rights institution could be checked on the National Human Rights Institutions Forum website. Only "A status" institutions were eligible to participate in the discussions of the Human Rights Council. It had been agreed that "A status" institutions should be also be allowed to make presentations in meetings of the Committee on the Elimination of Discrimination against Women.

22. **The Chairperson**, in response to the question regarding the volume of combined reports, said that the 40-page limit for periodic reports, as stated in the new guidelines, also applied to combined reports. The Committee wished to encourage States parties to produce concise, precise reports, and that although the pre-sessional working group of the Committee might request additional information, it did not wish to place

an unduly heavy burden on States parties in terms of the size of their reports.

23. Concerning the subject of long overdue reports and the possibility for States parties to receive technical assistance from United Nations agencies in the preparation of periodic reports, she said that the Committee was pleased to have cleared its backlog. It was indeed the Committee's policy to encourage States parties to ask United Nations agencies for such help. The process of collaboration had begun with the thirty-seventh session and had been repeated at the thirty-eighth, when States parties with long overdue reports had been provided with special help in the elaboration of their reports. The Committee had taken an interest in showing how such assistance could enable States parties to produce regular and timely reports, emphasizing that it was not possible to consider the implementation of the Convention without reports. The Committee was committed to helping States parties to secure whatever technical cooperation they needed but could not promise that it would be able to help in every instance.

24. A joint approach between States parties and United Nations agencies was therefore essential. She encouraged States parties to request technical assistance, when needed, from the Office of the High Commissioner for Human Rights, the Division for the Advancement of Women, the United Nations Development Fund for Women (UNIFEM) or the Committee itself.

25. She pointed out that during the transitional period, until 2009, procedures were relatively flexible: States parties that were currently in the process of preparing reports should continue to do so under the previous guidelines; those that were starting the process should, however, adhere to the new guidelines.

26. As for the scheduling of meetings in New York and Geneva, she said that the Committee was fortunate to be able to take advantage of both locations to invite the participation of entities working in the field of women's rights and development and to hold discussions on specific issues with them. She recognized that no final decision had as yet been made on whether sessions would continue to be held in New York in the long run, but the Committee hoped that would be the case, as it was important for the members to maintain close contact with New York-based bodies.

27. She expressed the hope that the Committee's guidelines were clear, and in the event that they were not, she assured States parties that the Committee would be most willing to provide clarification.

28. **Mr. Ochoa**, referring to Annex I of the document on the status of submission of reports (CEDAW/C/2008/II/2 (revised)), said that the Committee had invited States parties with overdue periodic reports to submit a combined report within a certain time frame. From the footnotes to the annex, he could see that there were some States parties whose subsequent reports were already overdue, and others for which the deadlines had not yet passed. The distinction between the two categories of overdue status should be clarified.

29. **The Chairperson** said that the Committee had indeed taken that thought into consideration and had decided that the next document concerning the status of submissions would be clearer.

30. **Ms. Belmihoub-Zerdani** said that meetings with States parties had proved extremely fruitful in helping the Committee to improve its working methods. In terms of productivity and relations with States parties, the Committee had benefited tremendously from the support of States parties at the General Assembly, which had approved the necessary funds for the Committee to hold three sessions a year and to work in parallel chambers. Such continued support would help the Committee to keep up with its workload.

31. **The Chairperson** thanked the State party representatives who had attended the meeting for their support and cooperation. The Committee was pleased to present its new guidelines and information on its work with respect to national human rights institutions. She informed States parties that the Committee would continue to harmonize its working methods with other treaty bodies on technical issues.

The meeting rose at 5.30 p.m.