



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women Fifty-third session

Summary record (partial)* of the 1069th meeting

Held at the Palais des Nations, Geneva, on Monday, 1 October 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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Any corrections to the records of this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

The discussion covered in the summary record began at 10.05 a.m.

Opening of the session

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

Statement by the United Nations High Commissioner for Human Rights

2. **Ms. Pillay** (United Nations High Commissioner for Human Rights), after congratulating the Committee on 30 years of activity, said that, to celebrate its anniversary, a publication entitled “30 Years Working for Women’s Rights” had been issued by Office of the United Nations High Commissioner for Human Rights (OHCHR) during the fifty-second session that would serve as a resource tool on the role and working methods of the Committee for States and other stakeholders. She thanked the International Organization of la Francophonie which had made the publication available in French and had jointly organized its launch, which would take place in October, as well as the Turkish Government for hosting the Committee’s thirtieth anniversary event in Istanbul in November.

3. The treaty body strengthening process had culminated in the release of her report on enhancing the treaty body system. At their annual meeting, the chairpersons of human rights treaty bodies had advised that each treaty body should, in coordination with other treaty bodies, review the recommendations in the report, compare them with their current working methods to determine the necessary steps for their implementation and submit biannual progress reports.

4. The Committee had played an active role in the treaty body strengthening process and some of its working methods had been recognized as good practices in her report. The detailed examination of the implementation of a number of recommendations in the report would also highlight the Committee’s commitment to the process.

5. The treaty body strengthening process was taking place in an increasingly difficult global economic environment. Voluntary contributions to the United Nations, including OHCHR, had declined. While the mandated activities of the Office should be fully financed by the regular budget approved by the General Assembly, they were chronically under-resourced. To maintain the necessary level of assistance required by the treaty bodies, the Office had been obliged to use voluntary contributions or extrabudgetary resources.

6. Due to the financial crisis, the Office had been compelled to implement a 7.5 per cent cut in all extrabudgetary resources in 2012. For the Human Rights Treaties Division, which relied on those funds to finance approximately one third of its staff supporting the treaty bodies, the cuts directly impacted on its ability to service the treaty bodies. The Office had been exploring all options for using its limited resources to help the treaty bodies maintain the pace of their work without sacrificing quality; it was against that background that the decision had been made to move the Committee’s July session to Geneva and she looked to the Committee for its understanding and active cooperation in that regard.

7. Preliminary indications pointed to a shortfall in extrabudgetary funds in 2013 that would be as great, if not greater than in 2012, and the latest information indicated that the current financial crisis might last for 20 years. While the Office would continue to do its utmost to provide the best possible service to the treaty bodies, the committees would also need to review their working methods and priorities. The resources necessary for the eight general recommendations being prepared and activities such as days of general discussion and regional consultations were simply not available. Some committees were limiting themselves to working on one or two general comments at a time, and the Committee was urged to consider a similar approach. States had also called on the treaty bodies to justify

better their use of resources, and to consider the resource implications of requesting more information or embarking on new activities.

8. Turning to activities within OHCHR, she said that a Gender Equality Strategic Plan for 2012–2013 had recently been adopted; it envisaged actions to assist treaty bodies in mainstreaming a gender perspective into their working methods and outputs. Best practices were being compiled and a session on gender integration methodologies would be included in induction training for treaty body experts starting from 2013.

9. To further gender equality on the ground, OHCHR had recently joined forces with UN-Women and the United Nations Development Programme (UNDP) to implement a programme on women's access to justice that would foster gender-sensitive service delivery, unbiased judicial decision-making and constitutional and legal reform to boost women's capacity to claim their rights. Moreover, she had recently attended a high-level meeting in New York on women's access to justice.

10. In her address to the twenty-first session of the Human Rights Council, she had underscored concerns regarding violations of human rights and women's rights in a number of countries, including in connection with the ongoing conflict in the Syrian Arab Republic. She had also presented a report on technical guidance for the application of a human rights-based approach to reducing preventable maternal mortality and morbidity. The report drew heavily on the work of the treaty bodies, particularly the Committee, and made reference to the decision of the Committee under the Optional Protocol in the case of *Alyne da Silva Pimentel v. Brazil* (communication No. 17/2008). The Committee might wish to recommend the guidance as a useful additional tool for States parties in its concluding observations.

11. She was pleased to note the references made by various special procedures mandate holders to the need to respect and protect women's rights, such as those made by the Special Rapporteur on violence against women, its causes and consequences, Ms. Rashida Manjoo, and the comments of the Special Rapporteur on the human rights of internally displaced persons, Mr. Chaloka Beyani. He had expressed concern regarding persons internally displaced by the armed conflict in the Syrian Arab Republic and the special needs of particularly vulnerable internally displaced persons, such as single female-headed households.

12. She was also pleased to note that Tunisia had agreed to a visit by the Working Group on the issue of discrimination against women in law and in practice in November, and that the recently appointed Special Representative of the Secretary-General on Sexual Violence in Conflict, Ms. Zainab Hawa Bangura, would participate in the Committee's thirtieth anniversary event in October.

13. In conclusion, she said that she had been invited to visit the Netherlands, and intended to use the opportunity to call for an increase in the financial contribution from the State party. Despite the difficult financial situation, she would make every effort to support the valuable work of the Committee.

The discussion covered in the summary record was suspended at 10.20 a.m. and resumed at 11.30 a.m.

Adoption of the agenda and organization of work

14. **The Chairperson** drew attention to the provisional agenda contained in document CEDAW/C/53/1 and said that, if she heard no objection, she would take it that the Committee wished to adopt it subject to any necessary adjustments.

15. *It was so decided.*

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

16. **The Chairperson**, updating the Committee on activities and issues of interest relating to the Convention and Optional Protocol since the previous session, said that the number of States parties remained at 187. On 18 July 2012, Thailand had withdrawn its reservation to article 16 of the Convention on matters relating to marriage and family relations. Sixty-six States had now accepted the amendment to article 20, paragraph 1, of the Convention; while the number of States parties to the Optional Protocol remained at 104.

17. Following the fifty-second session, she had attended a national forum on violence against women in Brazil, where she had referred to the Convention as a means of empowering women to address the problem of domestic violence, as well as the Committee's general recommendation No. 19 on violence against women. In August, she had spoken at a major event in Sao Paulo, where she had focused on the Convention and the Committee's general recommendations as vital tools in strengthening women's civil and political participation towards building a better society.

18. She was currently writing an introduction highlighting the Convention and other human rights treaties for a book that would be launched at an international symposium against trafficking in persons in Sao Paulo in October. She was also rewriting in Portuguese an article from a book entitled "The Circle of Empowerment: Twenty-five Years of the United Nations Committee on the Elimination of Discrimination against Women". The previous week she had talked to Rebecca Tavares, a Regional Programme Director for UN-Women, about making the publication entitled "30 Years Working for Women's Rights" available in both Spanish and Portuguese.

19. During its fifty-third session, the Committee would consider the reports of five States parties. Regrettably, the Government of Serbia had informed the secretariat that it would not be able to present its report during the current session as scheduled, due to recent changes in Government. The Committee would also consider cases under the Optional Protocol to the Convention.

20. At the Committee's fifty-second session in New York, the Committee had adopted one recommendation on admissibility and the merits in the case of *Isatou Jallow v. Bulgaria* (communication No. 32/2011). The communication had been submitted by a Gambian woman and her daughter living in Bulgaria who were victims of domestic violence. She had claimed that the State party did not provide her and her husband with the same protection against domestic violence, since her husband's application under the relevant national legislation had been duly considered while hers had been ignored. The Committee had found that the State party had failed to investigate and take due consideration of the author's allegations of domestic violence and that proceedings before the court had been unreasonably prolonged.

21. The Committee would also review the draft general recommendation on the economic consequences of marriage and its dissolution, with a view to its adoption during the current session, and would receive progress reports on several other draft general recommendations, including those on harmful practices, the human rights of women in conflict and post-conflict situations, and access to justice. It was expected that the concept note for the general recommendation on access to justice would be endorsed by the Committee during the current session, so that arrangements could proceed for the day of general discussion, tentatively scheduled for February 2013. It was also expected that the concept note relating to the general recommendation on rural women would be endorsed by the Committee.

22. Moreover, the Committee would hold a further meeting with the Human Rights Committee to discuss both treaty body strengthening and the Committee's respective jurisprudence relating to individual complaints.

23. The Committee had just had informal consultations with the High Commissioner regarding the Committee's July session normally held in New York. At the previous session, the Committee had been informed that the July session would be moved to Geneva for budgetary reasons. The Committee had not been consulted on the issue and still felt strongly that the session in New York should be maintained, particularly since UN-Women and many other relevant NGOs were based there. The Committee had broad support from civil society in that regard.

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

Report of the pre-session working group

24. **Ms. Neubauer**, speaking as the chairperson of the pre-session working group, said that the group had met from 5 to 9 March 2012 in Geneva. It had prepared lists of issues and questions for Chile, Comoros, Equatorial Guinea, Serbia, Togo and Turkmenistan. The group had also considered the list of issues for the Central African Republic (CEDAW/C/CAF/Q/5) adopted at an earlier date, and had decided to adopt a revised version of that text.

25. All the relevant documents had been consulted for the preparation of the lists of issues and questions, except those relating to the Central African Republic – its list of issues had been adopted in the absence of a report. Particular attention had been paid to the follow-up given by States parties to the Committee's concluding observations on previous reports and the group had benefited from information from United Nations entities and specialized agencies, as well as from NGOs and one national human rights institution. The lists of issues had been transmitted to the States parties concerned.

26. After the list of issues for the Central African Republic had been drawn up, the State party had submitted its report, prior to the current session and it would therefore be considered at a later date.

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

27. **Ms. Bailey**, speaking as Rapporteur on follow-up, said that during the Committee's fifty-second session, she had met with representatives of Nigeria and Tuvalu to remind those States parties to submit their follow-up reports. Their response had been positive and they had been appreciative of the information shared. At the end of the previous session, follow-up letters outlining the outcome of the assessments carried out had been sent to Madagascar, Mongolia, Rwanda and Uruguay, and first reminders of overdue reports had been sent to Botswana, Egypt, Haiti, Libya, Malawi, Panama, United Arab Emirates and Uzbekistan.

28. Follow-up reports had been received from Fiji and the Netherlands and would be assessed during the current session. The Committee had also received follow-up reports from Nigeria, Russia, Switzerland, Timor-Leste, Tanzania, Turkey and Ukraine. Since the reports had not yet been translated, they would be assessed during the fifty-fourth session.

29. During the current session, a first reminder should be sent to Papua New Guinea and a second reminder to Laos. In addition, meetings should be scheduled with the representatives of Bhutan, Guinea-Bissau, Cameroon, Liberia and Yemen.

The discussion covered in the summary record ended at 11.50 a.m.