



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women Forty-seventh session

Summary record of the 944th meeting

Held at the Palais des Nations, Geneva, on Monday, 4 October, at 10 a.m.

Chairperson: Ms. Gabr

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The meeting was called to order at 10 a.m.

Opening of the session

1. **The Chairperson** declared open the forty-seventh session of the Committee.

Statement by the Representative of the Secretary-General

2. **Mr. Salama** (Director of the Human Rights Treaties Division, Office of the High Commissioner for Human Rights), informing the Committee of developments since the Committee's previous session, said that the United Nations High Commissioner for Human Rights had presented to the Human Rights Council, at its current fifteenth session, the study prepared by her office on discrimination against women, in law and practice, and how the issue was addressed throughout the United Nations human rights system (A/HRC/15/40). At the ensuing discussion Ms. Popescu had represented the Committee on the panel and had made a presentation on States' commitments under article 2 of the Convention. On 1 October 2010 the Human Rights Council had adopted a resolution establishing a working group on discrimination against women in law and in practice, which was to work in close cooperation with the Committee, the Commission on the Status of Women and the recently established United Nations Entity for Gender Equality and the Empowerment of Women (UN Women).
3. October 2010 marked the tenth anniversary of Security Council resolution 1325 (2000) on women and peace and security. He recalled that the Security Council had adopted three more resolutions in 2008 and 2009 (resolution 1889), building on resolution 1325 to address the situation of sexual violence in conflict and the need to strengthen women's participation in peacebuilding.
4. The Special Representative of the Secretary-General on Sexual Violence in Conflict had recently returned from a visit to the Democratic Republic of the Congo aimed at coordinating a response to the mass rape of more than 300 civilians two months previously.
5. The High Commissioner for Human Rights had also visited the country in order to assess the issue of reparations for rape and sexual abuse victims and had established a high-level panel to consider how survivors of sexual violence and others perceived responses to the crimes committed against them, with a particular focus on the adequacy of remedies and reparations.
6. He noted that the Special Rapporteur on violence against women, its causes and consequences had stated in her latest report to the Human Rights Council (A/HRC/14/22) that reparation measures should address, inter alia, the worst forms of crimes or violations targeting women and girls, instead of concentrating on the fairly limited and traditionally conceived catalogue of violations of civil and political rights.
7. As part of efforts to strengthen the treaty body system, a meeting of treaty body experts had been held recently in Poznań, Poland. All treaty body chairpersons had been invited and Ms. Awori had represented the Committee. The participants had discussed, among other things, the independence of members and ways of enhancing the role of the chairpersons.
8. In addition, the Office of the United Nations High Commissioner for Human Rights (OHCHR) was planning a series of consultations between the eight treaty bodies that had a reporting procedure.
9. Turning to practical issues relating to the servicing of committees, he said that the difficulties in ensuring the availability of translated documents had been discussed at length at the inter-committee meeting of the human rights treaty bodies. The problems experienced by treaty bodies and other United Nations human rights mechanisms in receiving timely

translations of their documents, including States parties' replies to lists of issues, had worsened in recent years, reflecting the tremendous increase in the demands placed on conference servicing units in Geneva, not least because of the explosive growth in documentation for the Human Rights Council.

10. The Secretariat was trying to streamline and harmonize practices among the committees, in order to make the treaty body system more efficient. Most committees worked in English, French and Spanish and he suggested that the Committee might consider reviewing its practice of working in all six official languages, in order to alleviate pressure on the editorial and translation services.

11. As recommended at the inter-committee meeting of the human rights treaty bodies, the Secretariat had sent a note verbale to all permanent missions to the United Nations, informing them of the page limits for State party reports. The Committee might wish to consider including references to page limits in their concluding observations. The inter-committee meeting had also noted with interest the optional reporting procedures adopted by the Committee against Torture and the Human Rights Committee, whereby lists of issues were prepared prior to reporting and consideration of State party implementation was based on the replies to that list rather than on a traditional report. All treaty bodies were encouraged to consider using such procedures.

12. **Ms. Chutikul** asked how the mandate of the new working group on discrimination against women in law and in practice differed from that of the Committee.

13. Supported by **Ms. Ameline**, she asked how it intended to organize its work, and what form the cooperation between the two bodies would take.

14. **Ms. Ara Begum** asked to be informed of the names of the members of the new working group.

15. **Ms. Arocha Domínguez** said that it would be useful if a representative of the Secretariat could attend the Committee's discussion of the issues Mr. Salama had raised.

16. Savings were required, yet new bodies, agencies, and special rapporteurs continued to be established, all of which required new resources, sometimes at the expense of translation services.

17. Translation problems, notably the absence of translations of replies to lists of issues, had a political impact since it made it difficult not only for Committee members to discuss the replies among themselves, but also for the Committee to engage in a dialogue with the State party in question. It was not simply a procedural or organizational matter. OHCHR attached importance to representativeness, diversity, and inclusive democracy, in all of which language played an important part. The use of just one language in the Committee's work would result in exclusion.

18. The Committee's agenda should include an item on the translation issue. It would then be able to voice its opinion at inter-committee meetings and meetings of chairpersons of human rights treaty bodies.

19. **The Chairperson** said that she had raised the problem of translation on several occasions, including with the High Commissioner for Human Rights herself. Committee members had a right to receive documents in the appropriate official language.

20. **Mr. Salama** (Director of the Human Rights Treaties Division, Office of the United Nations High Commissioner for Human Rights) said that respect for linguistic and cultural diversity was an absolute given at the United Nations, and the Committee shall continue to insist that its translation needs were met. The problem was a complex one involving several actors — conference services in Geneva, United Nations Headquarters in New York, and Member States — and with budget implications. In addition, opinion was divided as to

what constituted committees' mandated entitlements, particularly as their working methods varied. Efforts were under way to clarify that matter.

21. However, the real issue was much broader, and had to do with the strengthening of the treaty body system. If treaty bodies succeeded in harmonizing reporting procedures and enforcing page limits for all documents, they would have a stronger case to make, both to the Secretariat and, more importantly, to Member States, against the current background of economic crisis and zero-growth constraints.

22. The new working group would consist of experts representing diverse regions and legal systems. It would decide its own plan of work. Its function would be to consult Member States and other mechanisms and bodies and recommend ways to end discrimination in law. The working group's mandate was more specific than the Committee's, but consultation with the Committee was one component of it, and the working group would certainly be building on the Committee's existing achievements in detecting discriminatory laws. He recommended that the Committee should prepare points it would like the new working group to take into account.

23. **The Chairperson** said that she was concerned that the working group's functions might overlap with those of the Committee, which would result in a duplication of work and undermine the treaty bodies' credibility. Experience had shown that the creation of new mechanisms consumed a sizeable portion of the Secretariat's resources and had a negative impact on the support given to the other treaty bodies.

24. **Mr. Smith** (Secretary of the Committee) said that there were several aspects to the translation problem: the 10-week rule for submitting translation requests at the United Nations Office at Geneva; the fact that certain Committee documents were subject to the General Assembly requirement of simultaneous distribution in all six official languages; and insufficient funding.

Adoption of the agenda and organization of work (CEDAW/C/2010/47/1/Rev.1)

25. **The Chairperson** drew attention to the provisional agenda contained in document CEDAW/C/2010/47/1/Rev.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.

26. *It was so decided.*

27. **The Chairperson** said that the Bahamas would not be sending a delegation to the session owing to unforeseen circumstances.

Report of the Chairperson on activities undertaken between the forty-sixth and forty-seventh sessions of the Committee

28. **The Chairperson** said that the number of States parties to the Convention remained at 186. Singapore and Bulgaria had accepted the amendment to article 20, paragraph 1, of the Convention on 30 August 2010 and 25 September 2010, respectively, bringing the total number of States that had done so to 58. There were currently 99 States parties to the Optional Protocol. More States had objected to reservations that appeared to be contrary to the aims of the Convention, or so broad that it was unclear to what extent a State felt bound by its obligations under the Convention. Malaysia and Maldives had withdrawn their representations. Work must continue to ensure that more States acceded to the Optional Protocol and accepted the amendment to article 20 of the Convention.

29. At the invitation of the French Government, 13 Committee members, including the Chairperson herself, had attended an informal meeting on discriminatory laws and the role of parliament, held in Paris from 20 to 21 May 2010. It had brought together French parliamentarians and representatives of national and international civil society, OHCHR,

the United Nations Development Fund for Women (UNIFEM), the International Committee of the Red Cross (ICRC) and the Inter-Parliamentary Union (IPU).

30. In July 2010 she had attended the twenty-second annual Meeting of Chairpersons of Human Rights Treaty Bodies. The meeting had been held in Brussels, with the aim of bringing treaty bodies closer to the implementation level, raising regional awareness of their work, and strengthening synergies between international and regional human rights mechanisms.

31. She had also endorsed a joint statement made by the chairpersons of the United Nations human rights treaty bodies at the United Nations Millennium Development Goals Review Summit, held in New York from 20 to 22 September 2010. The statement had urged Member States to be guided by human rights in finalizing the summit outcome document and establishing national action plans, and had reminded them that realization of the Millennium Development Goals was but a first step in meeting their broader human rights treaty obligations.

32. Ms. Popescu had spoken at a plenary panel discussion on discrimination against women in law and in practice, held on 20 September 2010, at the fifteenth session of the Human Rights Council. Ms. Awori had attended an international seminar of experts on the reform of the United Nations human rights treaty bodies, held from 27 to 29 September 2010 in Poznań, Poland. Discussion there had focused on improving treaty bodies' impact on human rights protection.

33. She said that she herself and several other members of the Committee had received invitations to represent the Committee at various important events on women's issues and related topics in the coming months.

34. At its current session, the Committee would consider five periodic reports and an exceptional report from India. It would consider communications under the Optional Protocol to the Convention and continue its discussion of draft general recommendations. The Committee would also meet with NGOs, representatives of national human rights institutions and United Nations bodies, all of which made valuable contributions to the Committee's work.

35. **Ms. Šimonović** said that, at the invitation of the Chinese Government, she and four other Committee members had attended a forum on women and urban development, held in Shanghai to mark the fifteenth anniversary of the Beijing Declaration and Platform for Action, and had raised the visibility of the Convention at meetings in other parts of the country. At the invitation of Japanese NGOs, she had also visited gender equality centres in Tokyo and Nagasaki, Japan, and had met with representatives of bar associations, as well as with the Minister for Gender Equality, the Vice-Minister of Justice and the Vice-Minister for Foreign Affairs.

36. **Ms. Pimentel** said that she had recently attended a seminar organized by the International Commission of Jurists for regional representatives of five human rights treaty bodies in São Paulo, Brazil, on the importance of obliging transnational corporations to respect international human rights law.

The meeting rose at 11.20 a.m.