



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

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

Summary record of the 851st meeting

Held at the Palais des Nations, Geneva, on Monday, 20 October 2008, at 10 a.m.

Chairperson: Ms. Šimonović

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The meeting was called to order at 10.05 a.m.

Opening of the session

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

2. **Mr. Salama** (Office of the United Nations High Commissioner for Human Rights) conveyed the congratulations of the High Commissioner for Human Rights for the steps taken by the Committee to make its concluding observations more user-friendly, concrete and implementable. He also noted that Switzerland and Tunisia had ratified the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women since the forty-first session, and that a number of other States were very close to ratification.

3. Follow-up procedures were key to implementation of recommendations; thus the follow-up visit to Luxembourg which the Committee had recently conducted was to be commended. That very welcome initiative by the State party had allowed the Committee representatives to draw attention to the elements of the concluding observations relevant to particular governmental sectors. The Committee delegation had met with Parliament, the judiciary, including the Chief Justice, and the bar. It was hoped that other States would follow that example. The Office of the High Commissioner also ensured that the Convention and Optional Protocol had a high profile in any technical assistance activities, for example the recent seminar on follow-up and treaty bodies in the Latin American region.

4. Other events of interest relating to the work of the Office included the twentieth meeting of Chairpersons of human rights treaty bodies, which had highlighted the imperative of harmonization and streamlining of working methods, and the ninth session of the Human Rights Council, where the annual discussion on the integration of a gender perspective in its work had taken place. Efforts to fine-tune the relationship between the treaty bodies and the Universal Periodic Review mechanism were ongoing.

5. He drew attention to the preparations for the 10-year review conference for the Durban Declaration and Programme of Action to take place in April 2009 and the important contribution that Declaration had made to the understanding that women and girls were affected not only by discrimination on the basis of sex,

but other forms of discrimination including racial discrimination.

6. In conclusion, he drew attention to the recent seminar on articles 19 and 20 of the International Covenant on Civil and Political Rights, which had addressed the controversy regarding defamation of religion and attempted to clarify the gray area surrounding incitement to religious hatred. Its objective had been to allow room for critical thinking in that area. It was suggested that the negative impact of different religions on women's rights could come from regressive interpretations of their precepts; the Committee's work had much to do with clarification of the social and traditional views affecting women's lives.

7. **Ms. Schöpp-Schilling** said that the table of indicators regarding discrimination which the Office was in the process of drawing up referred to incitement to sexism as well as racial and religious hatred, and it would be appreciated if the Office of the High Commissioner would also include that term in its work on articles 19 and 20 of the Covenant.

8. **Ms. Simms**, referring to the seminar, drew attention to the threat to minority religious factions whose beliefs and practices often were part of their identity as a people, and which were not respected by the majority in their societies.

9. **Mr. Salama** (Office of the High Commissioner for Human Rights) said that the seminar had been an attempt to recast the debate on religion within its proper human rights parameters. Sexism was definitely linked to the social and cultural aspects of religion, and there was a clear need to distinguish religions from religious interpretations.

Adoption of the agenda and organization of work

(CEDAW/C/2008/III/1)

10. **The Chairperson** drew attention to document CEDAW/C/2008/III/1 and said she took it that the Committee wished to adopt the proposed provisional agenda and organization of work, subject to any necessary adjustments.

11. *It was so decided.*

Report of the Chairperson on activities undertaken between the forty-first and forty-second sessions of the Committee

12. **The Chairperson**, reporting on developments since the forty-first session of the Committee, noted that Switzerland and Tunisia had ratified the Optional Protocol to the Convention, bringing the total number of parties to that instrument to 92. In addition, 53 States parties had accepted the amendment to article 20, paragraph 1, of the Convention regarding the Committee's meeting time.

13. Her activities had included participation in an international conference to commemorate the fifteenth anniversary of the Vienna World Conference on Human Rights, where she had underscored the impetus that Conference had provided for women's human rights and the work of the Committee, in particular the development of the Optional Protocol, and had emphasized that the treaty body system had significance in the quest for the realization of human rights, but had yet to reach its potential because of a lack of visibility and resource constraints.

14. The follow-up visit at the invitation of the Government of Luxembourg to discuss the Committee's concluding observations had provided an excellent opportunity to raise the visibility of the Convention, its Optional Protocol and specific recommendations. She encouraged other States parties to follow that good practice and urged the Office of the High Commissioner for Human Rights to consider allocating resources for follow-up activities.

15. A week earlier she had participated in the discussions in the Third Committee of the General Assembly on agenda item 56: Advancement of Women. During those discussions, she had expressed gratitude for the extension of the Committee's meeting time during 2008 and 2009 and for the long-term solution of providing three annual sessions from 2010. She had drawn attention to the Committee's specific reporting guidelines complementing the guidelines for the common core document and the steps the Committee had taken to harmonize its working methods with other treaty bodies. She had also provided information on the Committee's efforts to encourage States parties to report by extending special invitations to States with long-overdue initial and periodic reports to submit them by a specific future date. Failing that, the Committee would take up implementation of the

Convention in advance of the submission of the State party's report.

16. The sixtieth anniversary of the Universal Declaration of Human Rights, the fifteenth anniversary of the adoption of the Vienna Declaration and Programme of Action and the fifteenth anniversary of the adoption of the Declaration on the Elimination of Violence against Women would be observed in 2008. The Universal Declaration had established the framework for the elaboration of binding human rights norms while declaring the human rights of women to be an inalienable and integral part of universal human rights, while the Vienna Declaration and Programme of Action had provided new impetus for the integration of women's human rights into the mainstream of human rights. The Declaration on the Elimination of Violence against Women had drawn inspiration from the Committee's General Recommendation No. 19, which had identified such violence as discrimination and a human rights violation, rather than a family or private matter.

17. Those anniversaries were a reminder that much more must be done to make the promise of universal and indivisible human rights a reality for all women and men. No country could claim that it had eliminated discrimination against women. Thus, the fight for women's rights was a fight for full implementation of the Convention and the Universal Declaration of Human Rights.

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

18. **Ms. Patten**, speaking as Chairperson of the pre-session working group for the forty-second session, said that the working group had prepared lists of issues and questions relating to the 12 periodic reports of States parties and the combined initial and second periodic report of Bahrain to be considered, on the basis of information received from Governments, the specialized agencies of the United Nations system and non-governmental organizations.

Implementation of article 21 of the Convention and ways and means of expediting the work of the Committee

19. **Ms. Connors** (Office of the High Commissioner for Human Rights) said that working groups had continued to work on the draft general recommendation

on migrant women and a draft general recommendation on article 2 of the Convention, and would brief the Committee on their progress. A report from the specialized agencies on implementation of the Convention that fell within the scope of their activities was also before the Committee (CEDAW/C/2008/I/3).

20. The report on ways and means of enhancing the work of the Committee (CEDAW/C/2008/III/4) discussed developments in respect of human rights treaty bodies, the Human Rights Council and its Advisory Committee, including the integration of a gender perspective into the work of the Council. It also contained information on the seventh inter-committee meeting and the twentieth meeting of chairpersons of human rights treaty bodies, notably their decision to convene a second inter-committee meeting in 2008. The report concluded with information on reports submitted by States parties to be considered at future sessions and possible approaches to consideration of implementation of the Convention in the absence of State party reports. Finally, an update on States which had not ratified or acceded to the Convention and States parties whose reports had not yet been submitted had been provided to the Committee.

The meeting rose at 10.45 a.m.