

Check against delivery

Sixtieth session of the Commission on the Status of Women



Statement by

Ms. Yoko Hayashi

Chair

Committee on the Elimination of Discrimination against Women

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*Mr. Chair,*  
*Excellencies,*  
*Ladies and gentlemen,*

It is a great honour for me to present the report of the Committee on the Elimination of Discrimination against Women in my capacity as Chair of the Committee.

Significant progress has been made in protecting women's rights and advancing equal opportunities for women and men, thanks also to the efforts undertaken by States in all regions of the world. This progress is a direct result of the obligations that you have accepted by becoming party to the Convention on the Elimination of All Forms of Discrimination against Women. With 189 States parties, the Convention enjoys almost universal ratification, and is the only human rights instrument that provides comprehensive protection of human rights of women.

This year's priority theme of the Commission on the Status of Women, "Women's empowerment and its link to sustainable development", and its review theme, "The elimination and prevention of all forms of violence against women and girls", have been at the heart of the work of our Committee over the past year which I shall present to you today.

### **Violence against women**

Since the adoption of its landmark General Recommendation No. 19 on violence against women in 1992, the Committee has consistently raised various forms of violence against women and girls in its dialogues with States parties on the reports

that they periodically submit to the Committee. In these dialogues and in the concluding observations that the Committee adopts after each dialogue, States parties have been asked to take resolute action to eliminate, prevent and remedy physical, sexual, psychological and other forms of violence against women including harmful practices.

The Committee also considers it important to assess the progress achieved by a State party between reporting cycles. It therefore has put in place a follow-up procedure to track progress on two priority issues identified in its concluding observations within a two-year period. Among the most frequently asked follow-up items are eliminating violence against women and harmful practices. During the last year, the Committee held dialogues with 27 States parties, and assessed the follow-up reports of 26 States parties. I would like to take this opportunity to commend States parties on the high level of expertise of their delegations which has greatly contributed to the quality of dialogues.

The Committee supports and has implemented many of the measures envisaged in General Assembly resolution 68/268 on treaty body strengthening. We count on the continued support from Member States to be able to cope with the increased workload resulting from the treaty body strengthening process.

Under its Optional Protocol, ratified by 106 States, CEDAW despite a constrained financial environment took action on 10 individual complaints last year. At its recent 63<sup>rd</sup> session which ended on 4 March, the Committee registered the 100<sup>th</sup> complaint received under the Optional Protocol's individual communications procedure. The Committee also continued its work on a number of confidential inquiry submissions alleging grave or systematic violations by a State party of rights

set forth in the Convention, sustained by a newly established Working Group on Inquiries. It is noteworthy that the majority of cases under both the individual communications and the inquiry procedures concern different forms of violence against women and that both procedures can serve as effective early warning mechanisms.

In order to update its General Recommendation No. 19 and reflect new developments in the national, regional and international spheres, and its growing jurisprudence, the Committee established an informal working group to elaborate a new general recommendation on gender-based violence against women. A first draft was discussed by an Expert Group Meeting organized by the London School of Economics, Centre on Women Peace and Security, on 5 February 2016, and will soon be posted on the CEDAW website for comments by stakeholders. In this regard, I take the opportunity to acknowledge the excellent cooperation between the CEDAW Committee and the recently appointed Special Rapporteur on violence against women, its causes and consequences in this process.

### **Women, Peace and Security and global refugee crises**

Gender-based violence, coupled with armed conflict and extremism, often forms a push factor in women's decisions to leave their home countries and seek protection abroad. For the third consecutive year, we witness massive influxes of refugees who are fleeing armed conflict and violence. At its 62<sup>nd</sup> session in November 2015, the Committee adopted a "Statement on the refugee crises and the protection of women and girls" to express its concern about the unfolding crises involving asylum seekers and refugees fleeing armed conflicts, and how these conflicts disproportionately impact women and girls. Recalling its General Recommendation No. 32 (2014) on

gender-related dimensions of refugee status, asylum, nationality and statelessness of women, the Committee noted that women and girls are especially vulnerable to abuse during mass displacement situations and called on States parties to respect the principle of *non-refoulement*. It urged the international community to ensure that persons in need of protection, particularly women and girls who might be subjected to grave risks such as sexual and gender-based violence, are protected from extreme risks to their lives including exploitation by smugglers and from falling prey to extremist groups. The Committee also called on political leaders to refrain from making disparaging and inflammatory comments which exacerbate negative stereotypes and prejudices towards asylum seekers and refugees, including women and girls.

The Committee's General Recommendation No. 28 (2010) on the core obligations of States parties under article 2 of the Convention upholds the principle that the obligations of the State parties do not cease in periods of armed conflict. To underline this basic premise and mark the fifteenth anniversary of UN Security Council resolution 1325 (2000) on Women, Peace and Security as well as underline its complementarity with the Convention and General Recommendation No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations, the Committee convened a panel discussion on "Connecting CEDAW and the Women, Peace and Security Agenda", organized by OHCHR in collaboration with the Swiss Federal Department of Foreign Affairs and the Treaty Body Platform of the Geneva Academy of International Humanitarian Law and Human Rights on 19 November 2015. 29 States and numerous UN entities, specialized agencies and international organizations as well as NGOs attended the high-level event.

## **Women's access to justice**

Access to justice empowers women as individuals and as rights holders and is a vital pillar when it comes to eliminating, preventing and protecting women from gender-based violence. Without access to justice, women victims of violence cannot obtain redress for the violations of their rights suffered. In its General Recommendation No. 33 on women's access to justice, adopted in July 2015, the Committee identifies six interrelated components of justice systems that are essential to ensure women's access to justice, namely: justiciability of their rights; availability; accessibility; good quality; provision of remedies; and accountability. The General Recommendation provides guidance to States on how to eliminate discriminatory procedures, practices and stereotyping within justice systems. It also makes recommendations on how to ensure women's access to justice in specific areas of law and within specific mechanisms such as plural justice systems, specialized judicial and quasi-judicial systems, and alternative dispute resolution mechanisms. The General Recommendation states that plural justice systems can limit women's access to justice by perpetuating and reinforcing discriminatory social norms. It argues that practices embedded in plural justice systems should be harmonized with the Convention in order to minimize conflict of laws and ensure women's access to justice.

## **Women's rights and sustainable development**

*Mr. Chair,*

Women's rights must be placed at the centre of the process to achieve fair and sustainable development. Women must be recognized as drivers of development, and

not merely as beneficiaries of the new Sustainable Development Goals. We welcome that gender equality and women's empowerment have been included as a stand-alone goal and mainstreamed in many other goals and targets of the 2030 Agenda for Sustainable Development. However, it is of crucial importance that the 2030 Agenda and its implementation are soundly grounded in a human rights-based approach to development. This includes the rights and standards contained in the CEDAW Convention.

Throughout the past year, we have explored possible ways and means to integrate the Convention in the follow-up and review of the Sustainable Development Goals. In July 2015, the Committee mandated its CEDAW-UN Women/SDGs Working Group to work on this endeavour, in collaboration with our Secretariat at OHCHR and our partners at UN Women. While the work is still in progress, it is clear that as a very minimum, the Committee's concluding observations, along with those of the other UN human rights treaty bodies, which are directly relevant to the SDGs and targets, should be an integral part of the High Level Political Forum country review. By the same token, the CEDAW Committee should take the outcome of the High Level Political Forum country reviews into account when preparing its dialogues with the States parties to the CEDAW Convention.

CEDAW has included a new standard paragraph on the "2030 Agenda for Sustainable Development" in its recommendations ("concluding observations") on States parties' reports. *[During its recent 63<sup>rd</sup> session and as a pilot, it made direct references to relevant SDGs and targets in one of its concluding observations to provide further guidance, in addition to that contained in the Committee's General Recommendations, to States parties on how to implement their legally binding obligations under the Convention. This pilot may be applied more systematically in*

*the future,]* and the Committee is considering reviewing its reporting guidelines with a view to systematically raising the SDGs in its lists of issues, dialogues with States parties and concluding observations.

Closely linking the 2030 Agenda to the Convention has in our view great potential to provide increased accountability and strengthened coherence and alignment among the various processes to assist States in delivering on their human rights obligations as well as on their political commitments related to women's rights and gender equality. We must therefore seize the opportunity offered by the 2030 Agenda to make women's substantive equality with men a reality!

### **Rural women**

Inclusive and sustainable development must uphold the rights of rural women. In its General Recommendation No. 34 on the rights of rural women, adopted on 3 March 2016, the Committee recognizes the vital contribution of rural women to rural development and provides guidance to States parties on their overarching obligations to respect, protect and fulfil the rights of rural women, as well as on obligations in relation to specific dimensions of the rights of rural women, such as access to political and public life, employment, health services, economic and social life, land and natural resources, and adequate living conditions.

In addition, on 29 February 2016, the Committee held a half-day of general discussion on gender-related dimensions of disaster risk reduction and climate change, with support from the United Nations Office on Disaster Risk Reduction and the Friedrich-Ebert-Foundation, Geneva Office, as part of the first phase in the preparation of a general recommendation on the topic. The General Recommendation



will aim to integrate a gender perspective into global efforts to significantly reduce the risks and impacts of climate change, in the context of sustainable development and in line with the 2015 Paris Agreement under the United Nations Framework Convention on Climate Change.

The thematic areas covered illustrate that CEDAW's General Recommendations are not only important implementation tools providing guidance to States on their legal obligations, but that they can also be powerful tools for development. Sustainable development cannot be achieved when women are deprived of access to land, exposed to gender-based violence and denied access to justice, and when they are excluded from decision-making and their representation in Parliaments is stagnating.

*Mr. Chair,*

Before concluding, let me express the Committee's gratitude to all partners, including other treaty bodies and human rights mechanisms, the United Nations and its specialized agencies, Member States, NGOs, national human rights institutions and many other actors. The support and information received from these partners are crucial for the Committee to gain a clear view of the status of women's rights around the globe. In addition to our colleagues at OHCHR, I would especially like to thank United Nations country teams, particularly those which were represented at the Committee's sessions, as well as the Interagency Group on CEDAW reporting comprising UNDP, UNFPA, UNICEF, FAO and UN Women. We are also grateful to UNHCR, ILO, UNESCO, the IPU and civil society organisations, particularly IWRAW-Asia Pacific, for their support.

I thank you for this opportunity to have addressed you.

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