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Sixty-second session of the Commission on the Status of Women



Statement by

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Chair

Committee on the Elimination of Discrimination against Women

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*Madam 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.

Let me start by sharing the sad news on the passing, on 9 December 2017, of CEDAW Vice-Chair Theodora Oby Nwankwo. She had been a trusted colleague and friend on the Committee since 2013. Ms. Nwankwo was a distinguished jurist, who had served on the Nigerian judiciary for 23 years, and a women's rights activist, running a non-governmental organization that provides pro bono legal services to indigent women. Her humanity, friendship and expertise will be sorely missed on our Committee.

This year's priority theme of the Commission on the Status of Women, "Challenges and opportunities in achieving gender equality and the empowerment of rural women and girls", has been at the centre of the work of our Committee over the past year which I shall present to you today. Similarly, the review theme, "Participation in and access of women to the media, and information and communications technologies and their impact on and use as an instrument for the advancement and empowerment of women", is increasingly the subject of the Committee's work.

Promoting the implementation of the Sustainable Development Goals

With 189 States parties, the Convention on the Elimination of All Forms of Discrimination against Women enjoys almost universal ratification, and is the only human rights instrument that provides comprehensive protection of human rights of women. It is of pivotal importance that the Sustainable Development Goals integrate women's rights as enshrined in the CEDAW Convention.

Over the past year, the CEDAW Committee has continued to actively promote the 2030 Agenda for Sustainable Development and has taken concrete steps to use its mandate in furtherance of the Sustainable Development Goals. The Committee's interventions have focused on three priority areas.

Firstly, the Committee encourages States parties to report on efforts to achieve the targets of the Sustainable Development Goals relating to gender equality. It does so by requesting States parties to provide such information in their written replies to the lists of issues and questions that the Committee's pre-sessional working group adopts in preparation of the review of State party reports. In addition, the Committee raises relevant SDGs during its constructive dialogues held with the State party delegations during its three annual sessions in Geneva. The concluding observations that our Committee adopts at the end of its review of periodic reports submitted by States parties to the Convention systematically call for the realization of substantive gender equality throughout the process of implementation of the 2030 Agenda. Most of the 28 concluding observations that CEDAW adopted since March 2017 link specific SDGs and targets to relevant articles of the Convention. Moreover, the Committee is currently revising its reporting guidelines, with support from its substantive secretariat at the Office of the High Commissioner for Human Rights and

UN-Women, to encourage systematic reporting by States parties on the achievement of relevant SDG targets.

Secondly, the Committee has contributed to shaping the methodologies for selected SDG indicators to assess the achievement of gender equality. In that regard, it has collaborated closely with UN Women, the World Bank, the OECD, FAO, UNFPA and UNESCO to explore how the Committee's State reporting procedure can serve as a source of data for indicators 5.1.1 concerning non-discriminatory legal frameworks; 5.a.2 relating to women's equal rights to land ownership and/or control; 5.6.1 and 5.6.2 relating to women's and girls' access to sexual and reproductive health and reproductive rights; and 4.7.1 on mainstreaming gender equality and human rights in education, respectively.

Thirdly, the Committee made a substantive submission to the 2017 High Level Political Forum on Sustainable Development, identifying concrete steps that States must take in order to realize women's rights and achieve the Agenda's objectives of "Eradicating poverty and promoting prosperity in a changing world".

Empowerment of rural women and girls

Inclusive and sustainable development must uphold the rights of rural women. The CEDAW Convention is the only international human rights treaty that specifically protects the rights of rural women in its article 14. During its constructive dialogues with States parties on the reports that they periodically submit to the Committee, the Committee has drawn States parties' attention to its General Recommendation No. 34 (2016) on the rights of rural women and asked them to (a) promote the participation of rural women in political life, decision-making on rural development and policymaking

aimed at promoting income generating opportunities, economic empowerment, food security, disaster response and risk reduction and climate change; (b) ensure their access to justice and protection from gender-based violence; (c) enhance rural women's and girls' access to education, employment, childcare facilities, health care, family planning services and social protection; as well as to (d) public transport, financial credit, land ownership and use, natural resources, modern agricultural technology, information and communications technology and mobile networks; (e) encourage rural women and girls to choose non-traditional fields of study and career paths; and (f) ensure that agro-industrial and extractive industry projects do not undermine rural women's livelihoods.

Last week on 7 March, CEDAW adopted General Recommendation No. 37 (2018) on gender-related dimensions of disaster risk reduction in the context of climate change. The General Recommendation provides guidance to States parties on the implementation of their obligations under the Convention in relation to disaster risk reduction and climate change. It highlights the urgency of mitigating climate change and the steps that need to be taken to achieve gender equality as a factor that will reinforce the resilience of women and communities globally in the context of climate change and disasters. It recognizes that situations of crisis exacerbate pre-existing gender inequalities and also compound intersecting forms of discrimination against, inter alia, rural women, women living in poverty, indigenous women and older women, who are often disproportionately affected by such crises. The General Recommendation reiterates that rural women have the right to participate in development planning and agricultural reform activities, which are essential for the development and implementation of effective disaster risk reduction and climate change programmes.

Women's and girls' access to education, information and information technologies

The Committee stresses the importance of education as a as an instrument for women's and girls' empowerment. In its General Recommendation No. 36 on girls' and women's right to education, adopted in November 2017, the Committee emphasizes the importance of women's access to information and communications technologies for their advancement and empowerment. The General Recommendation suggests that when financing is limited, an alternative to providing access to education is the use of information and communications technologies in distance and open learning settings. Such approaches provide benefits to girls and women with limited access to conventional forms of education and training, including those who are excluded owing to distance from school in rural areas, domestic work or parental responsibilities. Given girls' and women's underrepresentation in technical and vocational training as well as studies in information and communications technology, the General Recommendation invites States to develop national information and communications technology plans with specific targets for achieving gender equality in access to such technology in schools and tertiary-level institutions. The General Recommendation also recognizes the importance of empowering all women through education and training in information and communications technology to ensure that they develop the knowledge and skills needed to make full contributions in all spheres of public life. In that regard, it recommends that States improve and broaden women's access to information and communications technologies, including e-government tools, in order to enable political participation and promote engagement in broader democratic processes, while also improving the responsiveness of such technologies to the needs of women, including marginalized women.

At the same time, the General Recommendation cautions that information and communications technologies and various social media platforms are often used for cyberbullying, whereby perpetrators intimidate, threaten or harass in particular adolescent girls who are twice as likely as boys to be both victims and perpetrators.

Gender-based violence against women

The elimination of gender-based violence against women is a principal area of CEDAW's broad agenda. In addition to its dialogues with States parties, this issue is also raised under the various other procedures of the Committee. In July 2017, the Committee adopted General Recommendation No. 35 on gender-based violence against women, updating its General Recommendation No. 19. In the General Recommendation, the Committee complements and updates the guidance provided by General Recommendation No. 19 (1992) on violence against women. The new General Recommendation highlights that women's exposure to violence is linked to various forms of inequalities and that it is frequently a consequence of intersecting forms of discrimination. General Recommendation No. 35 calls on States parties to the Convention to address all forms of gender-based violence against women in both the public and private spheres, including violence committed in public institutions and in the cyber-space as well as in the context of violent extremism. It further elaborates in detail on the due diligence obligation of States parties to prevent and protect women from gender-based violence.

The General Recommendation is a particularly useful resource tool for policymaking, as it draws on the recent practice and jurisprudence of CEDAW as well as of other international and regional human rights mechanisms and also reflects the latest research on how to comprehensively address all forms of gender-based violence.

During the public consultation on the draft General Recommendation, more than 100 stakeholders submitted comments, many of which are reflected in the final text. As a novelty in international law, the General Recommendation observes that the prohibition of gender-based violence against women has evolved into a principle of customary international law. This has great potential for strengthening the position of victims.

At this point, I would like to highlight the Committee's continued collaboration throughout the process of updating the General Recommendation with the Special Rapporteur on violence against women, its causes and consequences, Dubravka Šimonović, who is with us today, and thank her for her contribution.

One of the Committee's main events last year was the launch of General Recommendation No. 35 during an expert panel discussion organized by OHCHR in November, with high-level participation. Many States parties to the Convention attended the event, as well as representatives of United Nations specialized agencies and non-governmental organizations. Around the panel discussion, OHCHR launched posts advertising the GR in Social Media such as "Without my consent it is always rape", which have been shared widely, as well as a video compiling messages by the High Commissioner for Human Rights and other stakeholders on the benefits of the new GR for women worldwide.

Request for an exceptional report of Myanmar on the situation of Rohingya women and girls

The ongoing violence against the Rohingya Muslim community in Myanmar has been of grave concern not only to our Committee. In October 2017, the CEDAW

Committee and the Committee on the Rights of the Child adopted a joint statement urging the civil and military authorities of Myanmar to comply with its obligations under both Conventions and to take all measures to immediately stop violence in northern Rakhine State and to vigorously prosecute cases of gender-based violence targeting Rohingya women and children.

In November 2017, this Committee requested the Government of Myanmar to submit an exceptional report by the end of May 2018 to provide information on cases of sexual violence, including rape, against Rohingya women and girls by State security forces. The Committee also requested Myanmar to provide details on the number of women and girls killed or who have died due to other non-natural causes since the latest outbreak of violence in August 2017. It further requested information on investigations, arrests, prosecutions, convictions and sentences or disciplinary measures imposed on perpetrators, including members of the armed forces, found guilty of such crimes and on the number of Rohingya families displaced by the violence. In addition, information was sought on measures taken by the Government to ensure their voluntary and safe return, economic reintegration, and compensation for loss of land or property.

CEDAW's work under the Optional Protocol to the Convention

Under its Optional Protocol, ratified by 109 States, CEDAW despite a constrained financial environment took action on 12 individual complaints last year. All of these complaints concerned cases of refoulement or gender-based violence, including one case where the author, a victim of domestic violence, had been convicted of homicide of her husband despite the State party's failure to act on her repeated requests for protection.

On 23 February, the Committee published the report of the inquiry concerning the United Kingdom into access to abortion in Northern Ireland it had conducted under article 8 of the Optional Protocol. The Committee found that the limited accessibility and criminalization of abortion amounts to discrimination against women because it is a denial of a service that only women need. The restriction on women's reproductive choice results in women being forced to carry almost every pregnancy to full term, involving mental and physical suffering that constitutes violence against women as well as systematic and grave violations of several articles of the CEDAW Convention.

Support to the work of the human rights treaty bodies

The additional meeting time allocated under General Assembly resolution 68/268 to treaty bodies to deal with their backlog of State reports has not been renewed for CEDAW in the new biennium. The Committee will therefore have limited capacity to continue reducing its backlog of currently 30 reports and for its time-consuming work on individual complaints and inquiries under the Optional Protocol to the Convention.

Last year, the General Assembly approved five new temporary posts to support the work of the human rights treaty bodies. This is less than half of the support needed to absorb the increasing workload of the treaty body system and places a heavy burden on the already stretched capacity of our support staff. Our Committee is seriously concerned that the shortening of resources will have an adverse impact on the functioning of the treaty body system. Without sufficient resources, CEDAW will be unable to cope with its increased workload and deliver on the objectives in General Assembly resolution 68/268 on treaty body strengthening.

In order to prevent a collapse of the treaty body system, we seek your support to be able to effectively undertake the important work on all our mandated activities in light of the existing budgetary constraints.

Madam Chair,

Before concluding, let me express the Committee's gratitude to all other 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 participated in 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, IOM, UNESCO, ILO, the IPU and civil society organizations, particularly IWRAW-Asia Pacific, as well as the Global Movement for Equality and Justice in the Muslim Family (MUSAWAH) for their support.

I thank you for this opportunity to have addressed you.
