

Statement for Distribution

**Commission on the Status of Women
Fifty-sixth session
27 February to 9 March 2012**

**Statement by Ms. Silvia Pimentel, Chair
Committee on the Elimination of Discrimination, against Women**

**Chairperson,
Excellencies,
Distinguished Delegates, Colleagues and Friends,**

On behalf of the Committee, I thank the Commission on the Status of Women for the continued support to our work over the past years.

I note that the Committee's first session was held in New York in October 1982 and so we will be celebrating our **anniversary this year** – 30 years of working diligently towards the elimination of all forms of discrimination against women, gender equality and empowerment of women. The Committee is planning a celebratory event at its 52nd session in New York and I invite all of you to organize special events, at national and regional levels, to mark this milestone. We are pleased that the Republic of Turkey will host a CEDAW meeting on this occasion.

I have the honour to present to the **fifty-sixth session** of the Commission on the Status of Women the main outcomes of the **forty-ninth and fiftieth sessions** of the Committee on the Elimination of Discrimination against Women.

Pursuant to its mandate under article 20 of the Convention, the Committee considered the **reports of 16 States parties**, including five initial reports, and adopted 16 concluding observations. During its current session, the Committee has considered the reports of seven States parties and will adopt the related concluding observations by 2 March. Many areas of concern raised by the Committee in these observations relate to, *inter alia*, trafficking and exploitation of prostitution; gender stereotyping; participation in political and public life; access to education and health, including sexual and reproductive health; wage disparities and employment issues; access to justice; violence against women, including sexual violence; harmful practices; and specific issues concerning disadvantaged groups of women who suffer multiple forms of discrimination.

The Committee also evaluated **follow-up reports** during the sessions of the Committee. Under the follow-up procedure, the Committee identifies in its concluding observations two priority recommendations and requests the State parties to submit follow-up reports on the implementation of these recommendations within two years. The Committee, following an assessment of this relatively new procedure, has found that the procedure is achieving its stated aim of acting as a tool of implementation of the Convention, which also enables the Committee to monitor progress between reporting cycles.

As usual, representatives of United Nations entities, specialized agencies, non-governmental organizations and national human rights institutions attended the sessions and participated in informal meetings

with the Committee. Information was also received from such entities prior to each session for the consideration by the Committee.

I would like to thank the States parties for their engagement and will to cooperate with our Committee. I take this opportunity to highlight the need for strong commitment of State parties to reaching our common goal to achieve substantive gender equality.

Chairperson,

To provide clarification and promote understanding of the Convention's substantive content and the specific nature of discrimination against women, the Committee, in addition to the constructive dialogues with the States parties and the resulting concluding observations, also elaborates general recommendations. To date, **28 general recommendations have been adopted by the Committee.**

The Committee continues to elaborate the **general recommendation on the economic consequences of marriage, family relations and their dissolution.** It also started drafting the **joint general recommendation on harmful practices** in conjunction with the Committee on the Rights of the Child. The Committee is also in the process of organizing regional consultations in conjunction with UN Women on the general recommendation on the **human rights of women in armed and post conflict.** In this context, it held a general discussion on this topic with key United Nations and civil society

partners in New York during its 49th session. Another important general recommendation which is being elaborated relates to **access to justice**. The Working Group on access to justice has prepared a concept note and a day of general discussion on this topic will be held shortly to gather substantive input from all relevant stakeholders for this draft general recommendation. The Committee moreover decided to elaborate two additional general recommendations **on gender equality in the context of asylum, statelessness and natural disasters; and rural women**. Statements relating to these two general recommendations were adopted by the Committee at its 50th session on gender equality for refugees and stateless persons, and on rural women.

The Committee's **general recommendations** are a rich resource of legal and policy guidance and have addressed a number of core issues, including the conceptualization of violence against women as a form of discrimination against women, the development under the Convention of the States parties' obligation of due diligence, the elaboration of the notion of non-discrimination and substantive equality that underpins the Convention, and the concept of intersecting forms of discrimination.

Chairperson,

During the 49th and 50th sessions, the Committee took action on **seven communications under article 2 of the Optional Protocol**, adopting views on four of them. The Committee also received **five requests for inquiries under article 8 of the Optional Protocol** indicating grave or systematic violations by a State party of rights set

forth in the Convention. These are currently under review by the Committee.

The **Committee's jurisprudence under the Optional Protocol** is an emerging area of importance. The views of the Committee have been influential in the creation of an international women's human rights jurisprudence, with the Committee's jurisprudence being used increasingly in regional human rights courts, such as the European Court of Human Rights and the Inter-American Court of Human Rights. One recent case has been referred to as the leading decision of the Committee on addressing wrongful gender stereotyping in rape cases. This case as well as others involving violence against women have set a high bar in terms of the level of legislative protection and the practical implementation of the legal standards required, in addition to progress at the domestic level in terms of law, policy and administrative change. Another groundbreaking decision relates to maternal healthcare and the right to safe and healthy pregnancy and childbirth for all women without discrimination. The Committee's decision in this case focused on the State party's due diligence obligations to take measures to ensure that the activities of private actors in regard to health policies and practices are appropriate, as well as intersecting forms of discrimination based upon sex, race and socio-economic background.

Chairperson,

The Committee's interaction with the **human rights machinery** is extremely important for its overall activity and the Committee benefits

greatly from the cooperation of the relevant stakeholders in order to effectively discharge its mandate. For this reason, it is also key that the Committee holds one session in New York to maintain synergies with all relevant partners in upholding women's rights. The Committee has been working closely with various United Nations entities and specialized agencies concerning its work, including the provision of relevant country-specific information for purposes of the constructive dialogues with the States parties, and input with respect to general recommendations being elaborated by the Committee, for example.

The Committee held meetings with the High Commissioner for Human Rights, **Ms. Navi Pillay**, the Assistant Secretary-General of the New York Office of the High Commissioner for Human Rights, **Mr. Ivan Simonovic**, and the Director of the Human Rights Treaties Division of the Office of the High Commissioner for Human Rights, **Mr. Ibrahim Salama**, to discuss issues relevant to its work, especially within the framework of the treaty body strengthening process.

The Committee also held a meeting with **Ms. Lakshmi Puri**, Assistant Secretary-General for Intergovernmental Support and Strategic Partnerships of UN Women to discuss areas of common concern and future cooperation. I would like to note that the Committee is currently collaborating with **UN Women** on two of its draft general recommendations. The Committee is very keen on developing and maintaining close relations, as well as enhancing cooperation and synergy with UN Women. A joint medium and long-term plan of

activities is being prepared for cooperation between the Committee and UN Women.

Several special mandate holders also participated in the day of general discussion on women in conflict and post-conflict situations, which was attended by nearly 300 people, in addition to UN programmes and entities as well as civil society organizations.

The Committee held a meeting with **Ms. Rashida Manjoo**, and met with members of the Working Group on Discrimination against Women in Law and Practice to discuss mandates, best practices and areas of possible support and cooperation. Regular exchanges with special mandate holders are of the utmost importance to the Committee in order to strengthen the existing linkages between the Committee and these entities.

The Committee also met with the **Committee on the Rights of the Child** with respect to the joint general recommendation on harmful practices and with the **Human Rights Committee** to discuss working methods and streamlining a gender perspective into the work of the treaty bodies.

The Committee was extremely pleased to have had the opportunity to meet with the **Secretary-General, Mr. Ban Ki-moon** while in New York during its 49th session. The Secretary-General showed strong interest and expressed support for the Committee's work, including the draft general recommendation on the human rights of

women in situations of conflict and post-conflict, as well as its efforts to combat violence against women, including sexual violence.

Moreover, some members of the Committee participated in events organized by Non-Governmental Organizations on the elimination of discrimination against women.

Chairperson,

The Committee is also active in the **treaty body strengthening process**. In addition to discussions on this topic when in session, the Committee members also participate in meetings intersessionally, including the 23rd Meeting of Chairpersons, the 12th Inter-Committee Meeting and **Dublin II**. The series of meetings and statements on the treaty body strengthening process, which began in Dublin in November 2009, culminated in the “Dublin II” wrap-up meeting of 10 to 11 November 2011. Representatives of the convening organizations of all the consultations held to date attended this meeting, as did the Chairperson of seven treaty bodies, accompanied by several more treaty body members participating in their personal capacity. I attended at Chair of the CEDAW Committee. In Dublin, I saw the painstaking process of drawing together the results of this long reflection process, providing a strategic synthesis of the proposals that had emerged, as well as presenting clear recommendations to all relevant stakeholders.

The Committee also established a **Working Group on Working Methods** for the purposes of implementing best practices and efficiency

measures within the context of the treaty body strengthening process. In this regard, the Committee has taken decisions with respect to the establishment of task forces for the consideration of reports submitted by States parties and enhancing the role of the country rapporteur. The rationale behind these decisions is to increase the efficiency of the Committee with respect to the constructive dialogue, including focusing on priority issues and better time management. Notwithstanding such efficiency measures, the Committee is confronted with insufficient resources for its ever-increasing workload of reports by States parties submitted for consideration, follow-up to concluding observations, individual communications, requests for inquiries, general recommendations and other activities.

Chairperson,

Through the constructive dialogue with the States parties and its follow-up initiative, the Committee can attest to the progress achieved in realizing the human rights of women, such as the withdrawal of reservations to the Convention and the increased attention paid by States parties to creating legal frameworks that promote and protect women's rights, as well as adopting policy initiatives and programmes to bring about needed change on the ground to promote substantive gender equality.

Although much progress has been made with respect to women's rights, much work remains to be done. Full equality for women in law and practice has not been achieved in any country in the world. Women

continue to suffer profound and pervasive human rights violations, such as gender-based violence in the public and private spheres. In some parts of the world, recent developments raise concerns that achievements over the years made in the area of women's rights may now be threatened. In response to transitions taking place in the North Africa, the Committee addressed letters to the **Governments of Egypt and Tunisia**, and is preparing a letter for the Government of **Libya**, to highlight the importance of the participation of women in the process of democratization at all levels of decision-making, which is not only essential for their empowerment and rights, but for the advancement of society as a whole. I would also take this opportunity to express our concern about the situation of human rights, including the rights of women, in Syria.

Chairperson,

Allow me to reiterate the Committee's readiness to continue its cooperation with the Commission on the Status of Women in pursuing the goals that we share.

I also would like to recall that we will be celebrating our **anniversary this year**. I reiterate my invitation to all of you to organize special events and activities to mark this milestone and to take this opportunity to enhance the visibility of the Convention, the Committee and, as a result, the human rights of women.

I wish you well in your important deliberations.

Thank you.

