

United Nations  Nations Unies

**DIVISION FOR THE ADVANCEMENT OF WOMEN**

**OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS**

**Follow-Up to Concluding Comments/Observations of the  
Committee on the Elimination of Discrimination against Women (CEDAW)  
and  
Committee on the Elimination of Racial Discrimination (CERD)**

**Workshop  
19 to 22 December 2005  
Cairo, Egypt**

**AIDE MEMOIRE**

**Introduction**

On 18 December 1979, the General Assembly of the United Nations adopted the Convention on the Elimination of All Forms of Discrimination against Women (the CEDAW Convention). As of September 2005, there were 180 States parties to the Convention. On 21 December 1965, the General Assembly of the United Nations adopted the Convention on the Elimination of All Forms of Racial Discrimination (ICERD). As of September 2005, there were 170 States parties to the Convention.

Upon ratification or accession to the Conventions, States parties assume specific obligations for their full implementation at the national level. Implementation of both Conventions are monitored by expert bodies, the Committee on the Elimination of Discrimination against Women (CEDAW) in respect of the Convention on the Elimination of All Forms of Discrimination against Women; and the Committee on the Elimination of Racial Discrimination (CERD) in respect of the Convention on the Elimination of Racial Discrimination. The Conventions oblige States parties to submit to the Secretary-General, for consideration by the Committees monitoring implementation of the Conventions, reports on the legislative, judicial, administrative or other measures that they have adopted to implement the Conventions, within a year after entry into force and then at regular intervals afterwards or whenever the Committees so request.

**Background and Rationale**

The process of preparing and presenting a report to a treaty body enables a State party to monitor and evaluate the extent to which the treaty has been implemented, and identify gaps and challenges, as well as new strategies and opportunities for implementation. The constructive dialogue with the State party during consideration of its report by a

Committee also provides an opportunity for assessment of the status of implementation. Following the consideration of the report in the constructive dialogue with the State party, a Committee produces concluding comments or observations on the status of implementation. Concluding comments/observations highlight the main accomplishments and areas of concern in the implementation of the treaty in the State party concerned, and contain recommendations for further action to better implement a treaty. To facilitate an effective, continuous and progressive cycle of implementation, reporting and follow-up, a periodic report of a State party should contain information on the measures taken to follow-up on the preceding concluding comments/observations of a Committee.

However, the experience of treaty bodies shows that periodic reports of States parties do not always provide adequate information on how they have followed up on the concluding comments/observations of Committees. Consequently, treaty bodies are attempting to set up mechanisms for follow-up to concluding comments/observations, and are highlighting the importance for States parties to establish and effectively implement procedures for follow-up. All treaty bodies acknowledge the importance of effective procedures for follow-up to and implementation of concluding comments/observations, and many States parties are making efforts in this regard. The first Inter-Committee meeting held in 2002 recommended that treaty bodies should consider the establishment of follow-up procedures to concluding comments/observations. The Human Rights Committee and the Committee against Torture have already instituted mechanisms to encourage follow-up by States parties to concluding observations. CERD decided in March 2004 at its sixty-fourth session to amend rule 65 of its Rules of procedure so as to appoint a co-coordinator on follow-up to the recommendations addressed to States parties following the examination of initial and periodic reports. The first co-coordinator was appointed by CERD at its sixty-fifth session held in August 2004.

The CEDAW Committee is placing increasing importance on follow-up to its concluding comments. In order to enhance implementation of the Convention, especially in areas of concern, the CEDAW Committee routinely recommends to all States parties wide dissemination of their concluding comments. The CEDAW Committee's reporting guidelines clarify that one of the two starting points for periodic reports should be the concluding comments, particularly the section on concerns and recommendations, on the previous report. The Committee, in its lists of issues and questions, routinely asks about follow-up to particular concerns expressed in previous concluding comments. It now also includes an assessment of follow-up activities undertaken by States parties to concluding comments when it considers periodic reports. The Committee has, however, not yet developed a follow-up mechanism for the implementation of concluding comments, due to its current workload.

The Office of the High Commissioner for Human Rights has implemented some activities to sensitize States parties to the importance of follow-up mechanisms, especially through capacity-building workshops. A meeting on follow-up to the concluding observations of the Human Rights Committee was held in Quito, Ecuador in August 2002, followed by a workshop focusing on follow-up to the concluding observations of the Committee on the

Rights of the Child in Damascus, Syria in December 2003 and in Bangkok, Thailand in November 2004. These three workshops emphasized the importance of follow-up to recommendations made in concluding observations as well as the need for capacity-building initiatives in this regard. Also emphasized was the importance of treaty body recommendations in holding Government to account at the national level. Concluding observations/comments are an important tool for civil society and other actors to facilitate dialogue at the national level and to lobby for changes in legislation, policy and practice.

The Division for the Advancement of Women covers follow-up in its regional training workshops on CEDAW implementation as part of a comprehensive approach. The most recent such workshops have taken place in Arusha, Tanzania, September 2003, Nassau, The Bahamas, May 2004, and Santiago, Chile, June 2005.

Following on the Quito, Damascus and Bangkok workshops, a regional workshop on follow-up to, and implementation of the concluding observations/comments of the CEDAW and CERD Committees will be held in Cairo, from 5 to 8 December 2005. The event will bring together participants from six States in the North African region, together with experts from the two committees. The workshop will be jointly organized by the Division for the Advancement of Women and the Office of the High Commissioner for Human Rights, and forms part of the joint work plan of DAW/ OHCHR for 2005. It will be the first time that follow-up will be discussed in relation to two of the core human rights treaties. The workshop will be hosted by the National Council for Women of Egypt.

### **Objective and Expected Accomplishment**

The objective of the workshop is to enhance implementation of both CEDAW and ICERD through more effective follow-up and implementation of the concluding comments/observations of the respective committees. The expected accomplishment after the workshop will be increased capacity to follow-up, and implement the concluding comments/observations of the Committees in the countries of the North African region.

### **Participants**

Participants will be drawn from six States, viz. Algeria, Egypt, Libyan Arab Jamarihiya, Mauritania, Morocco, and Tunisia – all States parties to both Conventions. In particular, they will include:

- 2 representatives from each Government; (12)
- 2 participants from NGOs from each country; (12)
- 1 participant from the National Human Rights Institutions from Tunisia, Algeria, Morocco and Egypt; (4)
- 2 representatives from the League of the Arab States; (2)
- 4 additional participants from Egypt;
- 1 representative each from UNICEF, UNIFEM, UNFPA, UNDP, UNAIDS (UNCT);
- 2 representatives from DAW;
- 2 representatives from OHCHR

## **Outputs/ Activities**

Approximately 50 participants will attend the workshop. All six invited States are due to submit periodic reports to one or both of the treaty bodies, or have recently presented their reports. The participants will comprise government officials responsible for reporting and implementation of the Conventions, including national machineries for the advancement of women, as well as representatives of NGOs, national human rights institutions, and from UN country teams.

The workshop will take place over three and a half days and will be facilitated by CEDAW and CERD experts. The workshop will comprise both plenary and working group meetings and will focus on ways to better implement the provisions of the two Conventions, especially to encourage creation of a more permanent and sustainable institutional framework to support effective follow-up to, and implementation of concluding comments/observations.

The working groups will focus on common areas of concern to both Conventions and Committees, drawn from recent concluding comments/observations from countries participating in the workshop. Opportunities for synergies in implementation of the concluding comments/observations of the two treaty bodies will be identified.

In-depth discussions in small groups will include the following topics:

- Constitutional and legislative frameworks, and challenges in the implementation of the Conventions;
- Independent monitoring structures including national machineries;
- Discrimination-based violence, including incitement to racial violence and hatred;
- Access to justice and remedies;
- Harmful cultural practices and stereotypes;
- Nationality/ Rights of non-citizens, including refugees and migrants;
- Multiple forms of discrimination: minorities, indigenous peoples and vulnerable groups; and
- Equal enjoyment of rights to education, health and employment.

During the working group meetings, participants will be given an opportunity to make short presentations, which they would have been invited to prepare in advance, on opportunities and strategies for follow-up to, and implementation of the concluding comments/observations of either the CEDAW or the CERD Committees. The written contributions will cover the structures and processes in place for follow-up to the concluding comments/observations of the two treaty bodies. Participants will also be invited to present information on follow-up to the concluding comments/observations regarding key articles of one of the Conventions (for example article 2 of the CEDAW Convention and article 4 of ICERD).

The workshop will be conducted in English, Arabic and French, with simultaneous interpretation.

## **Organizing entities and contact persons:**

<p>United Nations Division for the Advancement of Women/DESA Women's Rights Section 2 UN Plaza, 12<sup>th</sup> floor, room 1240 New York, NY 10017 Ms. Emanuela Calabrini Fax: (212) 963 3463 Email: <a href="mailto:calabrini@un.org">calabrini@un.org</a></p>	<p>Office of the High Commissioner for Human Rights</p>
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