

**Ms. Salma Khan, Chairperson of the Committee on the Elimination of
Discrimination against Women 1997-1998**

**Statement at the occasion of the 25th anniversary of the adoption of the Convention
on the Elimination of All Forms of Discrimination against Women
by the General Assembly of the United Nations**

13 October 2004, United Nations New York

The Secretary General of the United Nations

The President of the General Assembly

The current Chairperson and former Chairpersons of the CEDAW Committee

Distinguished Representatives of the States Parties

Ladies and Gentleman,

It is indeed a great honor for me to be able to participate in this commemorative event to celebrate the 25th anniversary of the adoption of our Convention. This is a great moment for the women of the world and for me in particular as I have always prided myself of being one of those who have had the unique opportunity to steer the CEDAW Committee comprising of very distinguished experts and women's human rights defenders from around the world. To be elected as the Chair of the Committee was a big achievement for me but was also a very big challenge.

I was elected a member of the CEDAW Committee in 1993 for the first time and then re-elected again in 1997 for my second term and was elected the Chair of the Committee the same year for 1997 and 1998.

At the beginning of my chairpersonship during the sixteenth session of the Committee, one of the most significant developments took place in terms of addressing the limitation of the meeting time contained in the Convention itself. For effective functioning of the Committee, its meeting time was increased to two sessions a year of three weeks duration on a temporary basis pending amendment to article 20.1 of the Convention. This measure not only had a great impact to reduce the building up of undesirable backlog in consideration of reports of States parties, but also provided a broadening and transformative experience to all Committee members. Increased amount of time and lessening the inter-sessional gaps allowed them a closer scrutiny and monitoring of the situation of women. Two annual sessions also increased the Committee's visibility and allowed opportunities for clear elaboration of the States' obligations under the Convention.

In order to address the backlog of reports awaiting consideration and to encourage States parties to report in a timely fashion, as a temporary measure, the Committee invited States parties to combine two reports required under article 18 of the Convention.

The sixteenth session of the Committee in January 1997 came at an important time of the life of the United Nations, just after the appointment of a new Secretary General and at the fiftieth anniversary of the Commission on the Status of Women. It also came after an important cycle of United Nations Conferences that had solidified links among all parts of the United Nations system, Member States, civil society and non-governmental organizations, setting the stage for further consolidating actions and implementation by those actors to establish gender equality.

One of the most important developments having a far fetched impact on our work was the decision to have informal meetings of the Committee with non-governmental organizations to enable them to offer country-specific information on the States parties to be reviewed by the Committee. The Committee also recommended to the States parties to consult national NGOs in the preparation of their reports required by article 18 of the Convention. The Committee also recommended UN agencies and international NGOs to facilitate attendance at Committee sessions by representatives of national NGOs. It also recommended to specialized agencies and other UN entities and NGOs to disseminate information on the Convention and on the work of the Committee. Following this recommendation International Women's Rights Action Watch – IWRAW Asia Pacific started its important project on CEDAW, from Global to Local in 1997 which has played a critical role to establish linkages between the Committee's work and the advocacy role of NGOs at the local level.

Adoption of Committee's General Recommendation No. 23 on articles 7 and 8 of the Convention relating to full participation of women in public life also took place during the session. Immediately after the Committee's sixteenth session, at the 41st session of the Commission on the Status of Women in March 1997, the work began on the elaboration of a draft optional protocol to the Convention which marked the process of putting the Convention on an equal footing with other core human rights treaties in terms of women's right to seek state accountability directly at the international level. At the seventeenth session, steps were taken to revise the draft rules of procedures. The Committee It also developed a three-stage process for the preparation of general recommendations which for the first time created opportunities for exchange of views on the proposed subject of a general recommendation with NGOs and which still continues as a broad based participatory process of formulation of general recommendations.

During my tenure as Chair from the sixteenth through the nineteenth session, the Committee reviewed 33 reports and one report submitted on an exceptional basis. Out of the 33 reports, 13 were initial and 20 were periodic reports.

From its nineteenth session, the Committee effected a transition to a pattern of work in which the pre-session working group would meet at the session prior to which the reports will be considered. The Committee also decided to revise its procedure and format for

elaboration of concluding comments with a view to streamlining the comments while retaining flexibility. In considering periodic reports, the Committee undertook a more analytical comparative approach between the previous and current report, thereby helping the States parties to establish measurable indicators of advancement of women. The Committee improved its method of reviewing States parties reports and revised the formulation of concluding comments to provide reporting States a clear indication of their strength in implementing the Convention and areas where further efforts were required.

The Committee considered the report of Zaire on an exceptional basis as many women and children had fallen victim to violence, including murder and rape due to a rebellion in the country. An oral report was presented by the representative of Zaire. The Committee urged the State party to take effective and immediate measures to protect the physical and moral integrity of displaced women and children.

The general trend of implementation of the Convention revealed that many countries used the treaty to remove barriers to substantive equality by taking measures to introduce legislative reforms to repeal discriminatory laws. In a number of States parties reviewed, de jure equality had been achieved. Some countries had taken initiatives to amend their Constitution to incorporate the provisions of the Convention (South Africa, Australia). Two countries had introduced amendments in the Personal Status Code in order to eliminate obstacles impeding women's equal rights. Most countries had adopted national action plans to implement the Beijing Platform for Action and established and strengthened national machineries. Introduction of equal opportunity acts was another achievement and temporary special measures were adopted by a number of States parties to accelerate the process of de facto equality.

As a follow up to the Fourth World Conference on Women, from 1996 onwards, the Committee focused on the use of the Convention to foster implementation of and accountability for the commitments made under the Beijing Platform for Action. As the BPFA has no monitoring on accountability measure of its own, as a rule the Committee was using Cairo and Beijing documents, where applicable, in preparing guidelines, general comments, recommendations and responses to reports.

Another important feat to the Committee was its participation in the commemoration of the fiftieth anniversary of the Universal Declaration of Human Rights in France, in 1998, organized under the patronage of the President of France, the Secretary General of the United Nations and the Director General of UNESCO. The event not only gave wider visibility to the Committee, but also provided a unique opportunity for the Committee to reaffirm the need for international cooperation in promoting respect for human rights of women. I had the honor to chair the session on the application of UDHR as the Chairperson of CEDAW Committee.

To mark the fiftieth anniversary of the Universal Declaration of Human Rights, at the ninetieth session, the Committee prepared a statement concerning the adverse impact of reservations on the achievement by women of full and substantive equality with men.

As part of its contribution, the Committee also prepared a joint statement with the Committee on Economic, Social and Cultural Rights on the indivisibility of civil and political rights, and economic, social and cultural rights and the centrality of gender awareness to the enjoyment of these rights. The principle of the equal rights of women and men is reflected in the Charter of UN and UDHR, which is elaborated in CEDAW.

During the period the Committee's relationship with the Office of the High Commissioner for Human Rights and the human rights mechanism, including the treaty bodies and thematic rapporteurs was also deepened.

The Committee also faced number of challenges. One of the major challenges faced by the Committee during my tenure was that the Convention was still subjected to a large number reservations and even though the laws and policies to implement the Convention had been introduced, de facto implementation was still impeded by entrenched attitudes that were in contradiction to the principles of the Convention. By the end of my term of chair at the end of nineteenth session in 1998, 162 State Parties had ratified the Convention out of which 54 States had entered reservations to one or more articles in the Convention, including permissible reservations to article 29. The Committee consistently urged the States parties to withdraw their reservations, particularly from article 2 which is central to the object and purpose of the Convention and article 16 which elaborates women's equal rights in family relations and marriage. The Committee on a routine basis expressed its concern to reservations to the core provisions of the Convention.

The Committee was also concerned about the enforceability of the Convention in domestic legal systems and took initiative to prepare a study on the subject so that the Convention could be made more effective at the domestic level.

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