

**Commission on the Status of Women
Fifty-second sessions
25 February-7 March 2008**

**Statement by Ms. Dubravka Šimonović
Chairperson
Committee on the Elimination of Discrimination against Women**

Mr. Chairperson,
Distinguished Delegates,

I have the honour to present to the fifty-second session of the Commission on the Status of Women the main outcomes of the past three sessions of the Committee on the Elimination of Discrimination against Women, which all took place after my last report to this Commission.

The Committee's report on the 38th and 39th sessions is available in document A/62/38, while the main outcome of the 40th session, which completed its work on 1 February, is summarized in document E/CN.4/2008/CRP.1. Both documents are before the Commission for information.

The last time I reported to this Commission there were 185 States parties to the Convention and 85 to the Optional Protocol. The number of States parties to the Convention has unfortunately remained the same, however, we must note with satisfaction that there are now 90 States parties to the Optional Protocol. There are only 50 acceptances of the amendment to article 20, para 1 of the Convention concerning the Committee's meeting time. The acceptance of the two-third majority of States parties to the Convention is required before the amendment enters into force.

I would like to encourage those States which have not ratified the Convention, its Optional Protocol, or have not accepted the amendment to article 20, para 1, to do so without delay.

Mr. Chairperson,

I will briefly touch upon the following issues: the Committee's working methods, and in particular the extension of meeting time; the transfer of the servicing of the Committee to OHCHR; and trends observed during the Committee's last three sessions.

The Committee is grateful to the General Assembly for granting, in resolution 62/218, an extension of its meeting time to three annual sessions of three weeks, each preceded by a one-week working group, from 2010 onwards. The Assembly also approved with some modification the Committee's request for extended meeting time and chambers for 2008/09. In particular, it authorized the Committee to hold a total of five sessions, on an

exceptional and temporary basis, three of these in parallel chambers. Lastly, the Assembly authorized the Working Group on Communications under the Optional Protocol to meet three times a year, for a total of ten working days. The Assembly further agreed that the Committee should hold two of its five sessions of 2008 and 2009 in New York. I believe that this decision is a clear reflection of the commitment of States parties to ensuring compliance with treaty obligations, including regular scrutiny of such compliance by the Committee. I would like to extend my sincere appreciation to all Member States that supported this decision.

During the past two years the Committee has made significant steps in clearing the backlog in States parties' reports awaiting review. The Committee intends to continue its efforts to ensure that incoming reports are considered in a timely manner and to encourage States parties with long overdue reports to submit them without further delay.

The Committee expects the timely submission of reports by all States parties. In an effort to facilitate the preparation of reports, at its fortieth session, the Committee adopted the new CEDAW reporting guidelines that complement the guidelines for the common core document. The Guidelines are available on the OHCHR website. States parties reporting from now on will be required to submit a common core document in tandem with a CEDAW-specific report and these two documents will constitute the report.

Mr. Chairperson,

After 25 years of work, as of January 2008, the servicing of the Committee was transferred from the Division for the Advancement of Women (DAW) to the Office of the High Commissioner for Human Rights. Let me pay tribute to DAW for the excellent support provided during these years. The Committee is confident that the DAW will continue to advocate for universal ratification of the Convention and the Optional Protocol and implementation of the Committee's concluding observations. The Committee and the DAW will maintain close ties. To this end, the Committee has decided to invite the Director of the DAW to address its next session in New York, together with the Special Adviser of the Secretary-General on Gender Issues, the Executive Director of UNIFEM and the Chair of the CSW.

At the same time, the Committee considers the consolidation of the servicing of the treaty bodies within the Office of the High Commissioner for Human Rights as constituting an important step towards the continuing harmonization of the human rights treaty bodies' system, as well as towards greater cooperation with the human rights infrastructure.

I would like to inform you that during its fortieth session, the first to be held in Geneva, the Committee met with the High Commissioner for Human Rights and the President of the Human Rights Council. During the dialogue with the High Commissioner, the Committee discussed several issues relevant for its work and for the integration of women's rights at the heart of human rights agenda and human rights machinery in Geneva. The Committee was also very pleased to be able to discuss with the President of the Human Rights Council the establishment of a closer working relationship between the

Council and the Committee and the input the Committee might have to the women's rights and gender elements of its work.

Insofar as its meetings with entities of the United Nations were concerned, the Committee held in particular discussions with WHO and UNHCR on issues of common concern and possibilities for future cooperation. As a result of these discussions, the Committee has begun exploring ways of collaborating with UNHCR on the issues of refugees and displaced women, including through an expert group meeting. The Committee further had an opportunity to meet with Geneva-based NGOs.

Mr. Chairperson,

It is not easy to summarize the outcome of the Committee's most recent three sessions. I would just like to point out some emerging trends and main developments. The Committee noted with appreciation that a number of States parties have withdrawn reservations to the Convention, or expressed the intention of doing so. This positive trend is a clear indication of changing attitudes toward the Convention and of the growing acceptance of the principle of the equality of women and man as a universal human rights principle.

In regard to almost all States parties, the Committee stressed the importance of full incorporation of the Convention in domestic legislation. It also noted that in many States the CEDAW Convention should be used as a central, legally binding instrument for the development of policies for the advancement of women and the elimination of discrimination against women. The Committee also highlighted the importance of connecting the implementation of the CEDAW Convention to the implementation of other human rights treaties, as well as policy documents, such as the Beijing Platform for Action and the Millennium Declaration and the Security Council resolution 1325.

During frank and constructive dialogues with the States parties' delegations, the Committee was informed about efforts to implement the provisions of the Convention, including through revisions of marriage and family laws, measures to protect women's rights in employment, new initiatives to enhance women's and girls' educational opportunities, eliminate discrimination and stereotypes and enhance the participation of women in public life. The Committee was also informed about the significant steps which a number of States are taking to redress violence against women including domestic violence, and strengthen support services for women victims of violence. At the same time, the Committee found continuing discrimination against women in relation to many substantive provisions of the Convention, including the lack of sufficient resources for the enforcement, monitoring and implementation of the Convention at the national level. As always, the Committee paid attention to the specific situation in each country and elaborated concluding observations that include concerns and recommendations for narrowing and closing gender equality gaps.

Chairperson,

I am also very pleased to report about several decisions taken on complaints submitted under the Optional Protocol. At its thirty-eight session, the Committee declared inadmissible communication 10/2005, N.S.F. v. United Kingdom of Great Britain and Northern Ireland.

At its thirty-ninth session, the Committee declared inadmissible communication 7/2005, Cristina Muñoz-Vargas y Sainz de Vicuña v. Spain. The Committee also adopted views on two communications concerning domestic violence. It found violations of the Convention in both communication 5/2005 (Şahide Goekce (deceased) v. Austria) and communication 6/2005 (Fatma Yildirim (deceased) v. Austria) In both cases, the Committee found a violation of the rights to life and physical and mental integrity under article 2 (a) and (c) through (f), and article 3 of the Convention read in conjunction with article 1 of the Convention and general recommendation 19 on violence against women. For the first time in the context of individual communications, the Committee had to deal with the concept of due diligence concerning prevention, investigation, punishment and compensation/redress. In those two cases, the Committee held Austria accountable for failing to exercise due diligence to protect the two victims from domestic violence. The Committee has made a number of recommendations the implementation of which will be reviewed and assessed through a follow-up mechanism. At its fortieth session, the Committee discontinued communication 9/2005 which had become moot. So far, 18 communications have been registered since the Optional Protocol entered into force.

Mr. Chairperson,
Distinguished delegates

I would like reiterate the Committee's readiness to continue its cooperation with the Commission in pursuing our common goals of the elimination of all forms of discrimination against women and violence against women, and on the follow-up to the implementation of the Beijing Platform for Action. On behalf of the Committee, I thank the Commission for the continued support to its work.

In concluding, I would like to emphasize that the ongoing year-long commemoration of the sixtieth anniversary of Universal Declaration of Human Rights is a great opportunity to highlight the equality of women and men in the recognition and enjoyment of all human rights enshrined in the Universal Declaration. We are also marking 15 years since the adoption, by the General Assembly, of the Declaration on the Elimination of Violence against Women. Last Monday, the Secretary-General of the United Nations launched his campaign to eliminate violence against women, encouraging all of us to redouble our efforts. Violence against women is a violation of human rights – this campaign should use the framework of the Convention and the Committee's general recommendation no. 19 to make decisive progress towards our common goal of eliminating all forms of violence against women.

I wish you well in your important deliberations.

Thank you.