

Check against delivery

**Thirteenth Meeting of the States parties to the
Convention on the Elimination of All Forms of Discrimination against
Women
5 August 2004**

**Opening statement by
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**Chairperson,
Excellencies,
Distinguished Delegates**

It is my honour and privilege, on behalf of the Secretary-General of the United Nations, to address the thirteenth meeting of the States parties to the Convention on the Elimination of All Forms of Discrimination against Women and to extend a warm welcome to you.

Chairperson,

Since the twelfth meeting of States parties on 29 August 2002, the Committee on the Elimination of Discrimination against Women has held four sessions during which it made significant progress in the implementation of its major responsibilities under the Convention and its Optional Protocol, as well as in enhancing its working methods. I would like to briefly address these two aspects.

The Committee considered the reports of 32 States parties to the Convention. It adopted concluding comments with detailed and country-specific recommendations on further implementation of the Convention in the identified principal areas of concern. In all instances, the Committee requested the reporting States to give wide publicity to these concluding comments, not only among public officials, but to also society at large, so as to ensure that these concluding comments become the basis for specific follow-up action in the area of legislative initiatives, policy and programme development, and administrative and other measures. The Committee also pointed to the critical role of Parliamentarians in the implementation of the Convention, and emphasized the important role of civil society and in particular of women's NGOs, in the promotion of women's

human rights. It urged States parties to cooperate more effectively with women's NGOs in the implementation of the Convention and of the concluding comments.

The Committee has established a Working Group on Communications under the Optional Protocol to the Convention, which now meets regularly either just prior to, or after a session of the Committee. The Working Group considers communications received from individuals, or groups of individuals, alleging violations of the rights protected under the Convention. So far, the working group has registered four communications, and based on its recommendation, the Committee took action on the first communication at its last session.

The Committee initiated its work under article 8 of the Optional Protocol, the inquiry procedure, at its 28th session, and has continued this effort. A summary of the Committee's activities under the procedure will be contained in the Committee's annual report that will be submitted to the fifty-ninth session of the General Assembly.

At its thirtieth session, the Committee successfully completed its work on general recommendation 25 on article 4, paragraph 1, of the Convention, temporary special measures. The use of article 4, paragraph 1 continues to pose challenges to many States parties. It is the Committee's hope that the general recommendation will contribute to a better understanding of the meaning of this article, and consequently, the effective use of such temporary special measures as part of a necessary strategy by States parties towards the achievement of de facto or substantive equality of women and men in the enjoyment of their human rights and fundamental freedoms.

Let me now turn to some of the steps taken by the Committee to enhance its working methods. In this area, the Committee has been guided by the need to ensure that it can continue to make a significant contribution to the effective implementation of the Convention at the national level. Such improvements include: preparation of lists of issues and questions also for States who present their initial reports; recommendations on the length of the reports, as well as of the written replies to the lists of issues and questions; streamlining of the constructive dialogue; and decisions inviting States to consolidate all their outstanding reports into one combined report. The Committee has also put in place incremental measures to encourage States to submit long overdue reports, and especially initial reports. In this regard, the Committee decided at its just concluded session to invite two States to submit all their overdue reports as combined reports by June 2005, for consideration in July 2005. The total number of outstanding reports as of 1 August is 217.

The Committee's changes to its working methods adopted at this last session were prepared at an informal meeting the Committee held from 5 to 7 May 2004, at the invitation of one of its members, Mr. Cees Flinterman, and supported financially by the Netherlands Government.

A summary of the Committee's current working methods will be included in the Committee's annual report to the General Assembly (A/59/38). I should also like to take

this opportunity to draw delegations' attention to an information note prepared by the Secretariat which is before you (CEDAW/SP/2004/INF). The note contains, for ease of reference, the Committee's current guidelines for reporting, as well as a model communication form prepared by the Committee for use in the submission of communications under the Optional Protocol.

Notwithstanding these efforts, the Committee faces serious constraints in discharging all its responsibilities in a timely and effective manner. It considered various options, including that of meeting in parallel working groups for purposes of considering periodic reports. At its last session, the Committee took the decision to request from the General Assembly an extension of its annual meeting time. Specifically, the Committee is requesting the Assembly to authorize it to meet for an additional week at its sessions in July 2005, and in January and July 2006. In order to achieve a long-term solution for dealing with the workload, the Committee is requesting the Assembly to authorize it to hold, as of 2007, three annual sessions of three weeks each, with a pre-session working group for each session. This request will be before the Assembly, by way of the Committee's annual report to the General Assembly. The decision also outlines the reasons for the Committee's request, in particular the fact that, notwithstanding the Committee's exceptional session of 2002, the reports of over forty States parties currently await consideration, which means that reports that are submitted now will be considered at the earliest in July 2007 – a delay which in itself constitutes a disincentive for States to report in a timely manner.

The Division would be happy to provide States parties with factual information about the Committee's working methods, trends in report submission and consideration, and time allocated for consideration of the various components of the Committee's mandate, so as to facilitate and support the intergovernmental decision-making process on the Committee's request.

Chairperson,

The Division for the Advancement of Women has continued to provide technical assistance to States, at their request, to support implementation of the Convention, including reporting obligations. Since the last meeting of States parties, the Division, in collaboration with the United Nations Economic Commission for Asia and the Pacific (ESCAP), convened a workshop from 6 to 8 November 2002 at ESCAP Headquarters in Bangkok. We also convened a sub-regional workshop for 13 African countries, hosted by the Government of United Republic of Tanzania in Arusha, from 11 to 13 September 2003. Most recently, we held a workshop for 11 countries of the Caribbean region, from 19 to 21 May 2004, hosted by the Government of the Bahamas, in Nassau. Also in May 2004, we collaborated with the Economic and Social Commission for Asia and the Pacific (ESCAP) in a training workshop for six countries of Central Asia, in Almaty, Kazakhstan.

In conjunction with our training workshops, the Division held judicial colloquia on the application of international human rights law at the domestic level, where judicial officers discussed ways of using the Convention in crafting a jurisprudence of gender equality in national judicial decision-making. I would like to take this opportunity to extend my sincere appreciation to all Governments for hosting these events, to the participants for their active contributions, and donors for supporting these activities. I am happy to report that several of the participating States have since submitted their reports, and we hope that the workshops were one of the contributing factors that facilitated the finalization of these reports.

Chairperson,

I should like to draw attention to article 28 of the Convention, which provides that the Secretary-General shall receive and circulate to all States parties the text of reservations made at the time of ratification of accession. It also provides that the Secretary-General shall inform the States parties of any reservations, declarations, objections and notifications of withdrawal of reservations to the Convention. You have before you document CEDAW/SP/2004/2 updating information contained in the previous report (CEDAW/SP/2002/2) in regard to reservations, declarations, objections and notifications of withdrawal of reservations. The report also contains a list of States parties to the Convention and the Optional Protocol, and of those States parties that have deposited with the Secretary-General instruments of acceptance of the amendments of article 20, paragraph 1 on the Committee's meeting time.

Since the last meeting of the States parties, 7 States have become party to the Convention for a total of 177, and 20 States parties have ratified or acceded to the Optional Protocol, bringing the total to 63. An additional 9 States parties have accepted the amendment to article 20, paragraph 1, bringing that total to 44.

Chairperson and distinguished delegates

The purpose of this meeting is the election of 11 members of the Committee on the Elimination of Discrimination against Women. Their names and curricula vitae are contained in document CEDAW/SP/2004/3.

States parties are aware that the Committee on the Elimination of Discrimination against Women is the body established by the Convention to monitor its implementation in those States that have ratified or acceded to the Convention. The Optional Protocol to the Convention also empowers the Committee to consider communications submitted in accordance with that instrument, and to inquire of its own motion into grave or systematic violations of the Convention's terms.

Article 17 (1) of the Convention provides that the Committee is composed of 23 experts who are elected by secret ballot from a list of persons nominated by States parties from among their nationals. These experts serve in their personal capacity, and not as

delegates or representatives of their countries of origin. Nominees must be of high moral standing, and have competence in the fields covered by the Convention. In this regard, States parties may wish to take into account the recommendation of the eighth meeting of persons chairing human rights treaty bodies, which states that “States parties to the treaty bodies should refrain from nominating or electing to the treaty bodies, persons performing political functions, or occupying positions which were not readily reconcilable with the obligations of independent experts under the given treaty”. They may also wish to take into account the recommendation made by Chairpersons that consideration be given to the importance of expertise in areas related to the mandate of the treaty body, the need for balanced geographical composition, and the desirability of an appropriate gender balance, as well as the nominee’s availability in terms of time to discharge the responsibility of a treaty-body member.

Members of the Committee on the Elimination of Discrimination against Women serve four-year terms. Those elected at this meeting will begin their terms on 1 January 2005 and will serve until 31 December 2008. There are a total of 25 candidates for 11 vacancies to be filled at this election.

May I now extend my best wishes to you for a successful meeting and best of luck to the candidates.

Thank you