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Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women
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Ways and means of expediting the work of the Committee on the Elimination of Discrimination against Women

Note by the Secretariat**

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* CEDAW/C/2005/I/1.

** The document was submitted late in order to provide the Committee with the most current information.

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I. Introduction

1. The present report contains information that is relevant to the work of the Committee on the Elimination of Discrimination against Women. Section II provides information on developments in the United Nations human rights regime, including information concerning the work of other treaty bodies, the Subcommission on the Promotion and Protection of Human Rights and the Secretary-General's reform proposals for human rights treaty bodies. Section III presents information on the reports to be considered by the Committee at future sessions. Section IV summarizes the Secretariat's activities in support of implementation of the Convention and its Optional Protocol. Other issues of relevance to the Committee's work are contained in section V. Recommendations for action by the Committee are included, as relevant.

II. Developments in the human rights regime

A. Human rights treaty bodies

2. The Human Rights Committee, at its eighty-first session, held from 12 to 30 July 2004, adopted a decision related to its working methods under the Optional Protocol. In this decision, the Committee agreed not to radically change the current procedure but to proceed with gradual amendments to it and to evaluate implementation of these new proposals in due course. This decision proposes, inter alia, that drafts adopted by the Working Group on Communications be transmitted to the plenary as drafts of results of the group's deliberation, and that Committee members give all due consideration to (draft) recommendations transmitted to them and provide observations, on both factual and substantive issues, to the case rapporteur. At its eighty-second session, held from 18 October to 5 November 2004, the Human Rights Committee discussed the procedure for harmonizing guidelines on reporting to all treaty bodies as a means of coordinating and cooperating with other committees on this matter.

3. The Committee against Torture held its thirty-third session from 15 to 26 November 2004. During this session, the Committee initiated consideration of a document containing draft guidelines for States parties submitting their initial reports to the Committee on their efforts to give effect to the provisions of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The document, when adopted, will replace an earlier version issued in 1991 and will complement any guidelines that might be produced jointly by the treaty bodies for an expanded core document. During this session, the Committee also began meeting during plenary time with national and international and non-governmental organizations, which are invited to address the Committee the afternoon immediately prior to the beginning of the consideration of the State party's report.

4. The Committee on the Rights of the Child held its thirty-sixth session from 17 May to 11 June 2004 and its thirty-seventh session from 13 September to 8 October 2004. At its thirty-seventh session, the Committee adopted a decision on children without parental care, in which, among others, it recommended that the Commission on Human Rights (a) consider establishing at its sixty-first session

(2005) a working group to prepare draft United Nations guidelines for the protection and alternative care of children without parental care by 2008; (b) request the Office of the United Nations High Commissioner for Human Rights, the United Nations Children's Fund, the World Health Organization and other interested intergovernmental bodies and international non-governmental organizations to provide, in consultation with the Committee on the Rights of the Child, information and support to the Working Group in pursuance of this objective; and (c) request a report on progress achieved in this regard for consideration at its sixty-second session (2006). During its thirty-seventh session, the Committee held a day of general discussion on implementing child rights in early childhood. It decided to devote the day of general discussion at its next session, in September 2005, to the theme "Children deprived of parental care".

5. At its sixty-fourth session, held from 23 February to 12 March 2004, the Committee on the Elimination of Racial Discrimination held a thematic discussion on non-citizens and racial discrimination. The Committee agreed on a follow-up procedure to concluding observations, and to that end added a new paragraph to rule 65 of its rules of procedure, allowing it to appoint a coordinator for a period of two years who would work in cooperation with country rapporteurs. Accordingly, at its sixty-fifth session, held from 2 to 20 August 2004, the Committee appointed a coordinator. At the same session, the Committee also appointed a five-member working group to consider situations under its early warning and urgent action procedures. Moreover, the Committee adopted a new general recommendation on non-citizens and racial discrimination (general recommendation XXX), which replaces general recommendation XI. The Committee also decided that, at its sixty-sixth session, to be held from 21 February to 11 March 2005, it would hold a thematic discussion on the prevention of genocide and begin consideration of a draft general recommendation on racial discrimination in the administration of justice.

6. At its first session, held from 1 to 5 March 2004, the Committee on Migrant Workers adopted its rules of procedure in accordance with article 75, paragraph 1, of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. Furthermore, the Committee held an informal meeting from 11 to 15 October 2004, during which it agreed on provisional guidelines regarding the form and content of initial reports to be submitted by States parties under article 73 of the Convention.

B. Subcommission on the Promotion and Protection of Human Rights

7. The Subcommission on the Promotion and Protection of Human Rights, at its fifty-sixth session, held from 26 July to 13 August 2004, adopted a number of resolutions and decisions relevant to the work of the Committee on the Elimination of Discrimination against Women, including resolution 2004/8 on a social forum, in which the Subcommission invited women's organizations to participate; 2004/18 on a world programme for human rights education; 2004/22 on systematic rape, sexual slavery and slavery-like practices; 2004/23 on harmful traditional practices affecting the health of women and the girl child; and 2004/29 on the difficulty of establishing guilt and/or responsibility with regard to crimes of sexual violence.

8. In resolution 2004/22 the Subcommission called on the Office of the United Nations High Commissioner for Human Rights to submit an updated report on

systematic rape, sexual slavery and slavery-like practices during armed conflicts at its fifty-seventh session. The Subcommission also noted the working paper[1] on the criminalization, investigation and prosecution of acts of serious sexual violence prepared by Françoise Hampson, and the expanded working paper[2] prepared by Lalaina Rakotoarisoa on the difficulties of establishing guilt and/or responsibilities with regard to crimes of sexual violence. In resolution 2004/23, the Special Rapporteur on traditional practices affecting the health of women and the girl child was requested to submit an updated report at its fifty-seventh session.

9. Françoise Hampson presented her final working paper[3] on reservations to human rights treaties, which the Subcommission, in its decision 2004/110, decided to transmit to the Commission on Human Rights, the Committee on the Elimination of Racial Discrimination, which had originally requested the study, other human rights treaty-monitoring bodies and the International Law Commission.

10. In follow-up to its decision 2003/104, the Subcommission requested Florizelle O'Connor to prepare an expanded version of her working paper on women in prison,[4] including issues relating to the children of women in prison, and to submit the expanded working paper to the Subcommission at its fifty-seventh session.

11. In its resolution 2004/5 on the study on non-discrimination as enshrined in article 2, paragraph 2, of the International Covenant on Economic, Social and Cultural Rights, the Subcommission decided to appoint Marc Bossuyt as Special Rapporteur to undertake a study on non-discrimination as enshrined in article 2, paragraph 2, of the International Covenant on Economic, Social and Cultural Rights, based on the working paper,[5] prepared by Emmanuel Decaux, on the comments received and on the discussion held at the fifty-sixth session of the Subcommission. It requested the Special Rapporteur to submit a preliminary report to the Subcommission at its fifty-seventh session, an interim report at its fifty-eighth session and a final report at its fifty-ninth session.

C. General Assembly

12. In its decision 31/1, the Committee submitted a request to the General Assembly for an extension of its meeting time (A/59/38, Part II). In particular, the Committee requested the Assembly to authorize it to meet for an additional week at its thirty-third, thirty-fourth and thirty-fifth sessions. It also requested the Assembly to authorize the Committee to hold three annual sessions of three weeks each, with a one-week pre-sessional working group for each session, effective from January 2007. No action was taken by the General Assembly at its fifty-ninth session in regard to this request.

13. At its fifty-ninth session, the General Assembly adopted the following resolutions which made reference to the Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol, or which are relevant to the work of the Committee:

(a) A resolution on the elimination of all forms of violence against women, including crimes identified in the outcome document of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century",[6] reaffirmed the obligations of State parties under international human rights instruments, including the

Convention. It requested the Special Rapporteur of the Commission of Human Rights on violence against women, its causes and consequences, to further devote attention to this matter in her work and reports. The Secretary-General was requested to submit a comprehensive report on this matter to the General Assembly at its sixtieth session;

(b) A resolution on working towards the elimination of crimes against women and girls committed in the name of honour[7] reaffirmed the obligations of State parties under international human rights instruments including the Convention. It noted with concern that women and girls continue to be victims of these crimes as described in the relevant sections of the reports of the Committee on the Elimination of Discrimination against Women, among other human rights treaty bodies. It invited the Special Rapporteur to continue addressing the issue. The Secretary-General was requested to report on the implementation of the resolution in his report on the question of violence against women to the General Assembly at its sixtieth session;

(c) A resolution on trafficking in women and girls[8] reaffirmed the principles set forth in the Convention, among other international human rights instruments; welcomed the adoption of the Optional Protocol to the Convention; and urged Governments to consider signing and ratifying the mentioned international human rights instruments. States parties to the Convention, among other human rights treaties, were invited to include information and statistics on trafficking in women and girls as part of their national reports to the respective committees and to work towards developing a common methodology and statistics to obtain comparable data. The Secretary-General was requested to compile successful interventions and strategies in addressing the matter based on reports, research and other materials within the United Nations and to submit a report to the General Assembly at its sixty-first session. The General Assembly also requested the Secretary-General to include in this report proposals for a future international/United Nations year against trafficking in persons, especially women and girls.

D. Reform proposals for treaty bodies

14. In line with the Secretary-General's agenda for reform outlined in the report entitled "Strengthening of the United Nations: an agenda for further change",[9] and further to the request made by the second Inter-Committee Meeting and the fifteenth Meeting of Chairpersons in June 2003, the Secretariat prepared proposed guidelines on an expanded core document and treaty-specific targeted reports, as well as harmonized guidelines for reporting to all treaty bodies,[10] which were submitted to the third Inter-Committee Meeting in June 2004. The Chairperson of the Committee presented the results of the third Inter-Committee Meeting and sixteenth meeting of the Chairpersons to the Committee on the Elimination of Discrimination against Women at its thirty-first session, from 6 to 23 July 2004, and the Committee held a preliminary exchange of views. The Committee subsequently designated a working group to prepare proposals for consideration at its thirty-second session.

15. The Committee is invited to discuss the draft guidelines on an expanded core document and treaty-specific targeted reports. Its comments will be incorporated in the further development of the draft proposed guidelines.

III. Reports to be considered by the Committee at future sessions

16. At its thirty-first session, the Committee drew up a list of States parties whose reports would be considered at future sessions. All States parties selected for presentation of reports at the thirty-second session will be able to do so. The Committee proposed the following list of reports for consideration at its thirty-third session: the combined initial, second and third reports of Benin;[11] the initial report of the Democratic People's Republic of Korea;[12] the combined initial, second and third reports of Gambia;[13] the initial report of Lebanon;[14] the combined fourth and fifth periodic reports of Burkina Faso;[15] the combined third, fourth, fifth and sixth periodic reports of Guyana;[16] the third periodic report of Israel;[17] and the combined fourth and fifth periodic reports of Ireland.[18] The Committee also proposed, subject to approval by the General Assembly of an additional week of meeting time at its thirty-third session, consideration of the following reports: the combined initial, second and third reports of the former Yugoslav Republic of Macedonia;[19] the combined fourth and fifth periodic reports of Australia;[20] and the combined fourth and fifth periodic reports of Thailand.[21] No action was taken by the Assembly on the Committee's request for extension of meeting time.

17. In selecting the reports to be considered at future sessions, the Committee's attention is drawn to the report of the Secretary-General[22] on the status of the submission of reports, which contains a list of States parties whose reports have been submitted but not yet been considered by the Committee. Excluding those it will consider at its thirty-second session, the reports of 43 States parties are available for consideration. Annex II of the present report provides an overview of available reports and dates of previous consideration, as applicable.

18. At its thirty-first session, the Committee reiterated its incremental strategy to encourage States parties to fulfil their reporting obligations. It also reiterated its decision to consider implementation of the Convention in the absence of a report only as a measure of last resort and in the presence of a delegation. The Committee reviewed information on States whose initial reports were more than 10 years overdue and decided to notify two States parties — Cape Verde and Saint Lucia — of its intention to take up implementation of the Convention at its thirty-fifth session (July 2006). At the same time, those two States parties would be invited to submit all their overdue reports as combined reports by June 2005. The two States parties would also be advised that, should their reports not be submitted by the designated time, the Committee intended to proceed with consideration of the implementation of the Convention in the absence of a report. The Committee's decision and invitation have been communicated to the two States parties concerned.

19. In follow-up to earlier action and in accordance with a decision taken by the Committee at its thirtieth session, the Chairperson addressed a letter to the Minister for Foreign Affairs of India, seeking an indication from the Government of India of the anticipated date of submission of the combined second and third periodic reports of India, including information on the events in Gujarat that took place early in 2002 and their impact on women. In a communication by the Permanent Mission of India to the United Nations, the Government of India proposed to submit the combined second and third periodic reports for 1998 and 2002 by December 2004.

20. Two States parties have indicated their intention to submit combined reports, in accordance with article 18 of the Convention. Andorra intends to submit its combined second and third periodic reports in 2005. Sweden intends to submit its combined sixth and seventh periodic reports in 2006.

IV. Secretariat activities in support of the implementation of the Convention

21. The Secretary-General, in his message to mark the International Day for the Elimination of Violence against Women on 25 November 2004, highlighted the dynamic role played by the Committee on the Elimination of Discrimination against Women in ensuring that the issue of violence against women remains a high priority for the international community. He also emphasized the importance of the Optional Protocol to the Convention.

22. The Director of the Division for the Advancement of Women continued her efforts to encourage universal ratification of the Convention on the Elimination of All Forms of Discrimination against Women, acceptance of the Optional Protocol to the Convention and amendment to article 20, paragraph 1, of the Convention. Those aspects are regularly addressed by the Director and the staff of the Division in meetings with, and briefings for, representatives of Member States, entities of the United Nations system and civil society organizations, in training workshops and other outreach activities. Efforts in support of the work of the Committee on the Elimination of Discrimination against Women and other human rights treaty bodies have been undertaken, often in collaboration with the Office of the United Nations High Commissioner for Human Rights, as described in the joint work plan of the Division and the Office of the United Nations High Commissioner for Human Rights (E/CN.6/2004/7-E/CN.4/2004/65).

23. In September 2004, staff of the Division held discussions with government officials and the Committee's working group in the Office for the Promotion of Equality in Timor-Leste to discuss and determine training needs and develop a strategy and timetable for capacity-building activities for implementation of and reporting under the Convention. Maria Regina Tavares da Silva, a member of the Committee, also participated in these meetings. The Division is preparing a proposal for such activities. At the invitation of the Government, Tavares da Silva participated in a treaty reporting workshop for the preparation of Timor-Leste's initial human rights reports, held in Dili from 8 to 10 September 2004 and organized by OHCHR. A staff member of the Division also participated in the workshop.

24. In October 2004, at the request of the Government of Sierra Leone, the Division organized a high-level consultation mission on the Convention to Sierra Leone. The experts who participated in the mission included present and former members of the Committee — Charlotte Abaka, Feride Acar and Dorcas Coker-Appiah, as well as Justice Unity Dow of the High Court of Botswana and Professor Tiyanjana Maluwa of the School of Law at Penn State University. The experts held discussions with the Ministries of Social Welfare, Gender and Children's Affairs; Justice; Education; Health; and Development and Economic Planning. The group also met with members of Parliament, the Law Reform Commission, entities of the United Nations system and non-governmental organizations in Sierra Leone, and participated in a radio interview and a press conference. Experts also met with the

head of UNAMSIL. This mission formed the first stage of a two-phase process to support the Government of Sierra Leone in implementing the Convention. It aimed to identify gaps, challenges and opportunities in implementation, and will lead to the formulation of concrete recommendations for further follow-up action and training activities to support the Government in its efforts to implement the Convention. The second stage, which will involve the delivery of the steps and activities recommended by the experts following the high-level consultation, will commence in early 2005.

25. In November 2004, the Division, in collaboration with the Office of the United Nations High Commissioner for Human Rights, organized a round table of national human rights institutions and national machineries for the advancement of women in Ouarzazate, Morocco. The round table, which was hosted by the Conseil consultatif des droits de l'homme du Maroc, brought together representatives of national human rights institutions and national machineries for the advancement of women from Australia, Bolivia, Cameroon, Costa Rica, Germany, Ireland, Kyrgyzstan, Lithuania, Morocco, New Zealand, Panama, Paraguay, Uganda and Zambia. Two experts of the Committee — Heisoo Shin and Dubravka Šimonovic — participated in the round table. Participants shared experiences and good practices and discussed challenges and constraints in the implementation of the Convention and the Beijing Platform for Action. The round table adopted recommendations aimed at strengthening the capacity of national machineries for the advancement of women and national human rights institutions to promote and protect the human rights of women through the development of institutional links and joint strategies.

26. The Division for the Advancement of Women received positive feedback from representatives of national machineries for the advancement of women and national human rights institutions in Argentina, Hong Kong Special Administrative Region of China, Iran (Islamic Republic of), Ireland, Portugal and Senegal, regarding letters that it had sent requesting the recipients to make the Convention, Optional Protocol and model communications form widely available to potential claimants. Those who responded reported on their intention to further circulate the documentation, translate it into local languages, use the materials in human rights courses and generally promote the equality and well-being of women.

V. Other issues

A. Twenty-fifth anniversary of the adoption of the Convention

27. At its thirtieth session, held from 12 to 30 January 2004, the Committee decided that a commemorative event should be organized during the fifty-ninth session of the General Assembly, in 2004, to mark the twenty-fifth anniversary of the adoption of the Convention. Further to this decision, the Division prepared a round table, on 13 October 2004, as a side event of the General Assembly. Speakers in the round table included the President of the fifty-ninth session of the General Assembly, the Deputy Secretary-General of the United Nations, the Governor-General of New Zealand (a former member of the Committee), the Under-Secretary-General for Economic and Social Affairs, the Executive Director of UNFPA, the former Special Adviser on Gender Issues and Advancement of Women, three former and the current Chairpersons and past and current members of the Committee, and

representatives of non-governmental organizations and Member States. The Committee's statement issued for the occasion was widely disseminated. The Committee's Chairperson sent the statement to all States parties and encouraged them to use the opportunity provided by the anniversary to accelerate the momentum, at the national level, for full and comprehensive implementation of the Convention. The statement noted that the Committee welcomed all initiatives taken by States parties to strengthen the promotion and protection of the human rights of women (see annex III). The statement, as well as all statements made at the occasion of the anniversary round table, are available on the web site of the Division.

B. In-depth study on all forms of violence against women

28. Following the adoption of resolution 58/185, in which the General Assembly requested submission of the study to the sixtieth session of the Assembly, the Secretariat initiated action towards its preparation at several levels. Based on a funding proposal by the Division, two Governments, namely the Netherlands and France, made financial contributions towards the overall amount of voluntary contributions sought for the study. The Division has recruited a project officer responsible for supporting the preparatory process, including technical organization of the expert meetings and maintaining coordination and regular information exchange with contributing United Nations entities and other stakeholders. A task force consisting of representatives of United Nations entities and non-governmental organizations has been established in support of preparations.

C. Briefing on the Convention at the Inter-Parliamentary Union

29. The Division collaborated for the second year with IPU in a one-day briefing-cum-discussion with parliamentarians from countries whose reports have recently been or will soon be considered by the Committee. The meeting was held on 2 October 2004, immediately after the annual conference of IPU. Françoise Gaspard, member of the Committee, served as expert and resource person at the event. A staff member of the Division also participated.

D. Issuance of pre-session documentation

30. In a number of relevant resolutions, the General Assembly has requested that pre-session documents for meetings are distributed in all official languages not less than six weeks before meetings. In order to ensure issuance in accordance with the six-week rule, documents must be submitted to conference services for processing in accordance with an established slotting system, in general 10 weeks prior to the beginning of the meeting. If a report is submitted late to conference services, the reasons for such late submission should be included in a footnote to the document.

Notes

[1] E/CN.4/Sub.2/2004/12.
[2] E/CN.4/Sub.2/2004/11.
[3] E/CN.4/Sub.2/2004/42.
[4] E/CN.4/Sub.2/2004/9.

[5] E/CN.4/Sub.2/2004/24.
[6] A/C.3/59/L.23.
[7] A/C.3/59/L.25.
[8] A/C.3/59/L.27.
[9] See A/57/387.
[10] See HRI/MC/2004/3.
[11] CEDAW/C/BEN/1-3.
[12] CEDAW/C/PRK/1.
[13] CEDAW/C/GMB/1-3.
[14] CEDAW/C/LBN/1.
[15] CEDAW/C/BFA/4-5.
[16] CEDAW/C/GUY/3-6.
[17] CEDAW/C/ISR/3.
[18] CEDAW/C/IRL/4-5.
[19] CEDAW/C/MKD/1-3.
[20] CEDAW/C/AUL/4-5.
[21] CEDAW/C/THA/4-5.
[22] See CEDAW/C/2005/I/2.

Annex I

States that have not ratified or acceded to the Convention

Africa

Somalia
Sudan

Asia and the Pacific

Brunei Darussalam
Iran (Islamic Republic of)
Marshall Islands
Nauru
Oman
Palau
Qatar
Tonga

Western European and Other

Monaco
United States of America
Holy See

Annex II

States parties whose reports have been submitted but not yet considered by the Committee as of 30 November 2004[a]

Initial reports

State party (report)	*Date due*	*Date received*
Benin (1-3)	1993, April	2002, June
Cambodia (1-3)	1993, November	2004, February
Democratic People's Republic of Korea (1)	2002, March	2002, September
Eritrea (1-2)	1996, October	2004, January
Gambia (1-3)	1994, May	2003, April
Lebanon (1)	1998, May	2003, November
Malaysia (1-2)	1996, August	2004, March
The former Yugoslav Republic of Macedonia (1-3)	1995, February	2004, May
Togo (1-5)	1984, October	2004, March
Turkmenistan (1-2)	1998, May	2004, November

Periodic reports

State party (report)	*Date due*	*Date received*	*Previously considered*	*Previous report(s)*
Australia (4-5)	1996, Aug	2004, Jan	1997, 17th	3
Austria (6)	2003, April	2004, Oct	2000, 23rd	3-4, 5
Burkina Faso (4-5)	2000, Nov	2003, Aug	2000, 22nd	2-3
Chile (4)	2003, Jan	2004, May	1999, 21st	3
China (5-6)	1998, Sept	2004, Feb	1999, 20th	3-4
Cyprus (3-5)	1994, Aug	2004, March	1996, 15th	1-2
Czech Republic (3)	2001, March	2004, Aug	2002, EXE	2
Democratic Republic of the Congo (4-5)	1999, Nov	2004, Aug	2000, 22nd	1, 2 and Add.1, 3

State party (report)	*Date due*	*Date received*	*Previously considered*	*Previous report(s)*
Denmark (6)	2004, May	2004, July	2002, 27th	4, 5 and Add.1
Finland (5)	2003, Oct	2004, Feb	2001, 24th	4
Georgia (2-3)	1999, Nov	2004, April	1999, 21st	1
Guatemala (6)	2003, Sept	2004, Jan	2002, EXE	3-4, 5
Guyana (3-6)	1990, Sept	2003, June	2001, 25th	2
Iceland (5)	2002, July	2003, Nov	2002, 26th	3-4
Ireland (4-5)	1999, Jan	2003, June	1999, 21st	2-3
Israel (3)	2000, Nov	2001, Oct	1997, 17th	1-2
Jamaica (5)	2001, Nov	2004, Feb	2001, 24th	2-4
Libyan Arab Jamahiriya (2)	1994, June	1998, Dec	1994, 13th	1
Liechtenstein (2)	2001, Jan	2001, Feb	1999, 20th	1
Malawi (2-5)	1992, April	2004, June	1990, 9th	1
Mali (2-5)	1990, Oct	2004, March	1988, 6th	1
Mauritius (3-5)	1993, Aug	2004, Nov	1995, 14th	1-2
Peru (6)	2003, Oct	2004, Feb	2002, EXE	5
Philippines (5-6)	1998, Sept	2004, July	1997, 16th	3, 4
Poland (4-5, 6)	1994, Sept	2004, Nov	1991, 10th	3
Republic of Korea (5)	2002, Jan	2003, July	1998, 19th	3, 4
Republic of Moldova (2-3)	1999, July	2004, Oct	2000, 23rd	1
Romania (6)	2003, Feb	2003, Dec	2000, 23rd	4-5
Thailand (4-5)	2002, Sept	2003, Oct	1999, 20th	2-3
Singapore (3)	2004, Nov	2004, Nov	2001, 25th	1-2
United Kingdom (5)	2003, May	2003, Aug	1999, 21st	3, 4
Uzbekistan (2-4)	2000, Aug	2004, Oct	2001, 24th	1
Venezuela (Bolivarian Republic of) (4-6)	1996, Jan	2004, June	1997, 16th	3

[a] The list does not include the States parties whose reports the Committee will consider at its thirty-second session.

Annex III

Statement to commemorate the twenty-fifth anniversary of the adoption of the Convention on the Elimination of All Forms of Discrimination against Women

Issued by the Committee on the Elimination of Discrimination against Women on 13 October 2004

1. The year 2004 marks the twenty-fifth 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 in 1979. Since its entry into force two years later, the Convention has been ratified by 178 States. It contains human rights standards for women and girls in the civil, political, economic, social, cultural, and any other area. This comprehensive scope underlines the interdependence and indivisibility of human rights. The Convention aims at the universal enjoyment of these rights by all women, in all parts of the world, in public and in private life.

2. The Committee on the Elimination of Discrimination against Women, which is mandated to monitor implementation of the Convention by States parties, wishes to use the opportunity this anniversary year provides to encourage all States to increase their efforts at protecting and promoting the human rights of women. The Convention creates binding legal obligations to pursue "by all appropriate means and without delay a policy of eliminating discrimination against women". It also constitutes a powerful advocacy and awareness-raising tool to increase women's knowledge of their rights and capacity to claim these rights.

3. Since the Convention's adoption, there has been significant progress in the recognition and implementation of the human rights of women. The legal framework for equality has been strengthened in many countries, ensuring that de jure equality for women is now better established. Constitutions in many countries include provisions guaranteeing equality on grounds of sex. Legislation prohibiting discrimination in general, and in regard to specific areas such as employment, has become a standard component of regulatory frameworks. Many countries have repealed discriminatory provisions in civil, penal and personal status codes to bring them into conformity with the Convention. Equal opportunity acts aim at improving women's legal and de facto position. New laws have been adopted on violence against women, especially domestic violence, to create protection and remedies for women.

4. Progress has also been made in putting in place institutional mechanisms that act as catalysts for the promotion and protection of the human rights of women. National machineries for the advancement of women, gender equality commissions and ombudspersons are among the mechanisms that now exist in many countries, and which, at different levels and with different mandates, actively work to make implementation of the Convention a priority of national development. Courts and judicial procedures have likewise become more attuned to the requirements of the Convention, and are increasingly developing a jurisprudence of gender equality informed and guided by the Convention. Civil society, and especially women's groups and organizations have become essential actors in awareness-raising and lobbying efforts concerning the human rights of women.

5. Legislative advancements are supported in many countries by policies, programmes and other measures to ensure that women's de jure equality becomes a de facto reality. Temporary special measures are in place in many countries to accelerate achievement of de facto equality. The number of women in the formal labour force is growing, and measures to reconcile better work and family responsibilities for women and men are becoming more common.

6. Programmes are in place to support women's entrepreneurship and to strengthen their position in the informal sector. This participation in the formal and informal labour market has also been accelerated by increasing levels of access to, and quality of education for girls and women. Their health status has benefited from policies that respond effectively to women's overall health needs as well as to their reproductive health needs. States are also increasingly implementing specific measures targeted at disadvantaged groups of women who experience multiple forms of discrimination. To that end, women living in rural areas or in immigrant communities, indigenous, older and disabled women as well as refugee women, women victims of trafficking or of armed conflict, or who suffer discrimination on additional grounds such as race or ethnic identity, are being brought more fully within the realm of the Convention's protective framework.

7. It must, however, also be pointed out that in no country in the world has women's full de jure and de facto equality been achieved. Discriminatory laws are still on the statute books of many States parties. The coexistence of multiple legal systems, with customary and religious laws governing personal status and private life and prevailing over positive law and even constitutional provisions of equality, remains a source of great concern. Nationality laws also continue to discriminate against women by curtailing their capacity to confer their nationality to their children. Women continue to experience discrimination and disadvantage in the enjoyment of rights to own and inherit property, to access economic resources and social benefits and services. Women are far from enjoying equal and full participation in political and public spheres, especially at decision-making levels. Criminal law, especially in relation to sexual violence and crimes, continues to be discriminatory, inadequate or poorly enforced.

8. Discriminatory social norms, cultural practices, traditions, customs and stereotypical roles of women and men continue to be major impediments to women's enjoyment of their human rights in societies around the world. Insufficient political will to bring about gender equality, the extensive underrepresentation of women in decision-making positions and a lack of resources to support mechanisms entrusted with gender equality work are further impediments to progress. Women themselves are often unaware of the rights they have under the law, and they may not be empowered to claim them effectively. Women's lack of empowerment to assert their rights is often compounded by insufficient or ineffective means of redress for violations at the national level. Although violence against women — a form of discrimination that seriously inhibits women's ability to enjoy rights and freedoms on a basis of equality with men — is now widely recognized as a public concern, it remains pervasive in all societies and is aggravated in situations of conflict and other forms of social upheaval.

9. Failure to achieve the goal of universal ratification of the Convention by the year 2000 should be an issue of concern to all States that participated in the Vienna and Beijing Conferences. The significant number of reservations to the Convention

is highly problematic, particularly with regard to broad-based reservations to articles such as 2 and 16, which must be considered as incompatible with the object and purpose of the Convention, and States parties are encouraged to review and withdraw them. The lack of adherence to the reporting obligation by a number of States parties, and the significant delays in timely compliance with this obligation by others are also cause for concern as they jeopardize the Committee's ability to monitor effectively the implementation of the Convention. There is also a need to address the constraints imposed on the Committee in the discharge of its responsibilities in a timely and effective manner, such as limited meeting time.

10. In this anniversary year, the Committee wishes to recognize the enthusiastic cooperation which reporting States have consistently demonstrated in the constructive dialogue. This is a clear indication that States parties see this process not only as a formal requirement under international law but also as a useful and rewarding part of an ongoing review of the status of women. On this occasion, the Committee wishes to underline the critical contribution of full and timely reporting under the Convention to its effective implementation at the national level.

11. The Committee wishes to highlight the importance it attaches to the availability of the right to petition, as well as of an inquiry procedure, under the Optional Protocol to the Convention. It welcomes the fact that 67 States parties to the Convention have thus far ratified the Optional Protocol, providing individual women and groups of women with a means of redress for claims of violations of rights protected under the Convention, and invites all other States parties to do likewise. The Committee emphasizes the positive role which it expects the Optional Protocol to play in the national implementation and realization of the provisions of the Convention.

12. Over the last 25 years, the proper and consistent implementation of the Convention has proven to be a most effective tool for women in their quest for equality. It will continue to play this pivotal role in the fight against old and persistent forms of discrimination against women and in staving off new forms of inequality, subordination and disadvantage. The Committee urges Governments, civil society and women's groups, and all individuals committed to equality between women and men to use the Convention to accelerate the achievement of substantive equality for women.

13. The Committee calls on all States parties to hold public debates about equality for women on 18 December, the anniversary day of the adoption of the Convention by the General Assembly of the United Nations in 1979, and launch new initiatives to increase compliance with the Convention.