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Communications concerning the status of women

Future work of the Working Group on Communications on the Status of Women

Report of the Secretary-General

1. The Secretary-General, in notes dated 18 June and 14 October 2003, invited Member States to submit any written views relevant to the implementation of Commission on the Status of Women decision 47/102, entitled "Communications concerning the status of women". The views of 12 Governments were reflected in the main report of the Secretary-General (E/CN.4/2004/11, paras. 11-48). The views submitted by Italy on behalf of the European Union and the acceding countries (Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia) and by Pakistan, received after the finalization of the main report, are reflected below.

2. The European Union stated that the communications procedure was intended to assist the Commission on the Status of Women in fulfilling its mandate to prepare recommendations and reports to the Economic and Social Council on promoting women's rights in the political, economic, civil, social and educational fields. It considered that continuation of the practice of transmitting monthly lists of communications and their contents was essential to facilitate the work of the Commission.

3. The advice of the Office of Legal Affairs in 2002 confirmed that the current practice of sharing confidential communications between the Commission on Human Rights and the Commission on the Status of Women was not only acceptable but, in the light of resolutions of the Economic and Social Council, to be expected.

4. The European Union stressed that communications that related to the status of women that were considered under the 1503 procedure were shared with the confidential communications procedure of the Commission on the Status of Women only to identify categories in which communications were most frequently submitted. In the European Union's view, sharing 1503 communications with the

Commission on the Status of Women did not result in duplication or consideration of the same communication twice, as the Commission on the Status of Women examined those that were relevant to the status of women for a different purpose than the Commission on Human Rights. In addition, the Commission on the Status of Women did not take action on communications that were being considered under the 1503 procedure, but rather sought to identify emerging trends and patterns in regard to women's rights.

5. The European Union pointed out that the communications procedure of the Commission on the Status of Women was confidential and respected the confidentiality of communications considered under the 1503 procedure.

6. The European Union emphasized in conclusion that the Economic and Social Council had clearly mandated the Secretary-General to provide lists of all communications relating to the status of women to the Commission on the Status of Women in order to enable the Commission to fully implement its mandate. The European Union's view was that that practice should continue.

7. Pakistan stated that the Economic and Social Council in its resolution 1992/19 of 30 July 1992 envisaged a three-tiered approach to handling the communications sent to the Commission on the Status of Women: (a) the Working Group of the Commission, which considers all communications with a view to bringing to the attention of the Commission those communications that reveal a "consistent" pattern of "reliably attested" discriminatory practices against women; (b) the Commission, which discerns the emerging trends and pattern of discrimination and makes recommendations to the Economic and Social Council on action to be taken; and (c) the Economic and Social Council, which decides on appropriate action on the emerging trends and pattern of discrimination.

8. The recommendatory role of the Commission on the Status of Women in this regard, as mandated by the Economic and Social Council, and the subordinate character of its Working Group, should be borne in mind in determining the scope of the future work of the Working Group. Pakistan indicated that it was important that, in order to avoid duplication of work, the Working Group and the Commission should disregard those communications that had already been considered and acted upon by other organs of the Economic and Social Council.