



**Convention on the Elimination  
of All Forms of Discrimination  
against Women**

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**Committee on the Elimination of Discrimination  
against Women**

**Thirty-seventh session**

Item 8 of the provisional agenda\*

15 January-2 February 2007

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

**Overview of the working methods of the Committee on the  
Elimination of Discrimination against Women**

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\* CEDAW/C/2007/I/1.



## I. Introduction

1. Since its first session in 1982, the Committee on the Elimination of Discrimination against Women has made a concerted effort to develop appropriate working methods. These methods continue to evolve.
2. The present overview is designed to update States parties and others interested in the implementation of the Convention, including United Nations programmes and funds, specialized agencies and civil society organizations, on the current working methods of the Committee.
3. As authorized by the General Assembly in its resolution 60/230 of 23 December 2005, the Committee will meet on an exceptional and temporary basis in 2006 and 2007 for up to seven days in parallel chambers during its third annual session in 2006 and its first and third annual sessions in 2007. The Committee has adopted a number of measures concerning its consideration of reports in parallel chambers which complement its other working methods.

## II. Guidelines for reporting by States parties

4. The Committee has adopted reporting guidelines to assist States parties in the preparation of initial and subsequent periodic reports.<sup>1</sup> The Committee strongly encourages all States parties to submit reports in accordance with those guidelines. The Committee keeps the guidelines under review and updates them as appropriate.
5. Reports should be as concise as possible. Initial reports should be no more than 100 pages long and should deal specifically with every article of the Convention. Periodic reports should be no more than 70 pages long and generally should focus on the period between the consideration of the previous report and the current report, using the concluding comments on the previous report as their starting point and highlighting new developments. The State party may attach annexes, although they will not be translated. Where a State party has prepared a core document, it will be available to the Committee.
6. The Committee recommends that States parties involve national non-governmental organizations in the preparation of their reports. It requests that reports of States parties describe the situation of non-governmental organizations and women's associations and their participation in the implementation of the Convention and the preparation of the report.

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<sup>1</sup> The Committee adopted revised reporting guidelines at its twenty-seventh session, in June 2002. The revised guidelines are effective for all reports submitted after 31 December 2002 and replace all earlier guidelines that were first issued in 1983 and 1988 and revised in 1995 and 1996. For the text of the revised reporting guidelines, see *Official Records of the General Assembly, Fifty-seventh Session, Supplement No. 38 (A/57/38 (Part II), annex)*. They are also available on the website of the Division for the Advancement of Women at <http://www.un.org/womenwatch/daw/cedaw/reporting.htm>.

### **III. Consideration of reports of States parties by the Committee**

7. The Committee usually invites eight States parties to present their reports at each three-week session. In making the selection, the Committee gives preference to reports that have been pending for the longest time, prioritizes initial reports and considers a balance of reports in terms of geographic and other factors. The Committee usually selects the reports at least two sessions in advance of consideration and, in general, considers a mix of initial and periodic reports at each session.

8. In order to enhance the effectiveness of the consideration of reports of States parties and to continuously improve the quality of the constructive dialogue with reporting States, the Committee designates from among its members a country rapporteur for the report(s) of each State party. The Committee has adopted guidelines on the role and function of the country rapporteur. The country rapporteur's responsibilities pertain to the following three phases of the consideration of reports: the preparation of a draft list of issues and questions for the pre-session working group; consideration of the report(s) of the State party, in particular the identification of issues and priorities to be raised during the constructive dialogue; and the preparation of draft concluding comments. All experts participate in the three stages of the consideration of a report, while the country rapporteur facilitates and coordinates the process.

#### **A. Pre-session working group**

9. On the basis of drafts prepared by the country rapporteurs concerned, a pre-session working group of the Committee, with the support of the secretariat, draws up short lists of issues and questions with regard to reports which the Committee will consider at upcoming sessions. In general, each list contains no more than 30 clear and direct questions that focus on major areas of concern with regard to the implementation of the Convention by the State party concerned. In preparing the lists of issues and questions for periodic reports, the pre-session working group pays particular attention to the State party's follow-up to the Committee's previous concluding comments. The lists of issues and questions are intended to facilitate the preparations by the State party for the constructive dialogue with the Committee, to provide a focus for the dialogue with representatives of the reporting State and to improve the efficiency of the reporting system.

10. In order to provide the States parties with the lists of issues and questions well in advance, the pre-session working group meets for five days (in closed meetings) in advance of the session at which the reports will be considered. The pre-session working group is normally composed of five members of the Committee, taking account of the desirability of a balanced geographical distribution and other relevant factors. An expanded pre-session working group, composed of up to 10 members, prepares the lists of issues and questions for sessions when the Committee meets in parallel chambers. To the extent possible, the country rapporteurs are members of the pertinent pre-session working group.

11. The lists of issues and questions are promptly sent to the States parties concerned, usually within one week after the pre-session working group concludes its work. States parties are invited to provide their responses within six weeks thereafter. The lists of issues and questions, together with the responses from States parties, are circulated to members of the Committee prior to the session at which the reports are to be examined.

12. A State party's reply to the list of issues and questions should be short, precise and to the point and should not exceed the limit of 25 to 30 pages (Times New Roman type, 12 point font, single-spaced). States parties may attach a limited number of additional pages of statistical data only. Annexes are made available to the Committee in the language in which they are received.

## **B. Constructive dialogue**

13. The Committee intends its consideration of a report, in accordance with its mandate under article 18 of the Convention, to take the form of a constructive dialogue with representatives of the reporting State, the aim of this dialogue being to improve the situation pertaining to Convention rights in that State. Therefore, not only are representatives of the reporting States entitled to be present, but indeed their presence and participation are necessary at the meetings of the Committee when their countries' reports are examined.

14. The Committee devotes two open meetings (of three hours each) to its consideration of initial reports. Representatives of the State party are invited to make introductory comments for a maximum of 30 minutes. Consideration of initial reports proceeds on an article-by-article basis, with the exception of articles 1 and 2, 7 and 8, and 15 and 16, which are considered as clusters. A group of questions posed by experts is followed by the State party's responses, followed by another group of questions and responses until all articles have been covered. Experts may include any general observations with their questions on articles 1 and 2. The method for consideration of initial reports is also used in cases where an initial report is combined with one or more subsequent periodic reports.

15. The Committee devotes two open meetings (of three hours each) to its consideration of periodic reports. Representatives of States parties presenting periodic reports are invited to make introductory comments for a maximum of 30 minutes. In the consideration of periodic reports, questions by experts are clustered in accordance with the four substantive parts of the Convention, namely part I: articles 1 to 6; part II: articles 7 to 9; part III: articles 10 to 14; and part IV: articles 15 to 16. After several experts pose questions under a cluster, the State party is given an opportunity to respond; the next round of questions and answers follows until all clusters have been covered. Experts seek to avoid duplicating questions and to limit the number of their interventions, in general, to no more than two per State party, or no more than three when the Committee meets in parallel chambers. They also seek to focus on issues identified by the pre-session working group. Experts may pose follow-up questions, as time permits.

16. During the constructive dialogue, the Committee appreciates careful time management on the part of the State party and precise, short and direct responses to questions asked. It expects the State party to clearly indicate when a response to a question cannot be provided. Lack of or inadequate replies to questions raised may result in follow-up questions at the end of the dialogue and may be reflected in the concluding comments.

17. In cases where reports and/or responses to the list of issues and questions exceed the page limit indicated in the Committee's guidelines and decisions, the Chairperson raises this aspect during the constructive dialogue. This concern may also be reflected in the concluding comments. Some flexibility will be applied in regard to initial reports.

18. Interventions by experts during the constructive dialogue are limited to three minutes, or up to five minutes when the Committee meets in parallel chambers. The time limit is monitored by a speech timer but is enforced flexibly. For its consideration of periodic reports, the Committee has, on a number of occasions, established country task forces, whose members take the lead during the constructive dialogue with the State party. While the Committee does not yet have a formal follow-up procedure for its concluding comments, it routinely asks States parties about the steps taken to follow up on the concluding comments adopted following consideration of the State party's previous report.

19. The Committee does not, at this stage, consider a report in the absence of representatives of a State party. It will, however, consider implementation of the Convention by a State party, in the absence of a report, but only as a measure of last resort, in the presence of a delegation, and on a case-by-case basis. Before deciding to proceed to consideration in the absence of a report, the Committee will notify the State party concerned of its intention to take up implementation of the Convention at a designated future session and invite that State party to submit the requested report before the designated session.

20. The Committee is of the view that it may sometimes be necessary to request exceptional reports from States parties under paragraph 1 (b) of article 18 of the Convention. Such exceptional reports would aim to obtain and examine the information on an actual or potential violation of women's human rights where there is special cause for concern about such violation.

21. Individual members of the Committee refrain from participating in any aspect of the consideration of the reports of the States of which they are nationals in order to maintain the highest standards of impartiality, both in substance and appearance.

### **C. Concluding comments**

22. The Committee adopts concluding comments on the reports of States parties that it considers. For this purpose, the Committee holds a closed meeting after the constructive dialogue with each State party to consider the main issues to be reflected in the concluding comments for that State, based on the proposals of the country rapporteur of the positive aspects as well as principal areas of concern and recommendations. The country rapporteur

prepares the first draft of the concluding comments, with the support of the secretariat, and coordinates further comments and inputs by Committee experts before finalizing the draft. The Committee discusses and finalizes the draft concluding comments in closed meetings. Concluding comments reflect the issues agreed by the Committee and do not reflect the views of the individual country rapporteur. Only issues and concerns raised during the constructive dialogue are included in the concluding comments.

23. Concluding comments usually follow a standard format under the headings referred to below. The introduction usually indicates, *inter alia*, whether the report complied with the Committee's reporting guidelines; refers to any reservations to the Convention entered by the State party; and notes the level of the delegation and the quality of the dialogue. A section on positive aspects is generally organized in accordance with the order of the articles of the Convention. The last section of the concluding comments, on principal areas of concern and recommendations, is presented in the order of importance of the particular issues to the country under review and provides concrete proposals from the Committee on the concerns identified. In comparison with concluding comments on initial reports, the concluding comments on periodic reports highlight a limited number of priority areas of concern and recommendations and include a paragraph assessing the general framework for implementation of the Convention in the State party which may be followed by a paragraph highlighting issues of concern identified in previous concluding comments as well as action, or lack of action, taken in that regard by the State party.

24. All concluding comments include a recommendation relating to dissemination, requesting the wide dissemination of the concluding comments in the State party concerned, and also a paragraph requesting that information be included in the State party's next periodic report on the utilization of the Beijing Declaration and Platform for Action in the implementation of the Convention. The comments call for the integration of a gender perspective and reflection of the provisions of the Convention in efforts to achieve the Millennium Development Goals and request information thereon in the State party's next periodic report. They also note that the State party's adherence to the seven major international human rights instruments enhances women's enjoyment of their human rights in all spheres of life, and encourage the State to consider ratifying those to which they are not yet party. Reference is also made to ratification of the Optional Protocol to the Convention if the State is not yet a party thereto, and to acceptance of the amendment to article 20, paragraph 1, of the Convention if the State party has not yet accepted it. The concluding comments set out the date when the State party's next periodic report is due and invite the State party to combine the next two reports in cases where the due date of the next report has already passed or is within the year.

25. Each concluding comment is country specific, and the Committee strives to achieve consistency and balance, particularly in terms of praise and expressions of concern, among the concluding comments elaborated at each session.

26. The concluding comments are transmitted to the State party concerned promptly after the close of the session. They are then made available to all interested parties and included in the Committee's annual report to the General Assembly. They are also made available on

the website of the Division for the Advancement of Women of the United Nations Secretariat and distributed through the listserv on treaty body recommendations administered by the Office of the United Nations High Commissioner for Human Rights.

#### **D. Consideration of reports in parallel chambers**

27. The Committee usually invites 14 States parties to present their reports at the sessions when it meets in parallel chambers. Only periodic reports are considered by the Committee in parallel chambers. The Committee applies the following criteria for establishing parallel chambers, while also maintaining flexibility: fair geographical balance of experts between the two chambers; length of experience of experts on the Committee; assignment of experts who are nationals of a reporting State to the chamber that is not considering the report from that State party; assignment of office holders of the Committee to each chamber; and geographical balance, to the extent possible, of States whose reports are to be taken up in each chamber. In advance of each session, the Committee decides on the composition of chambers based on a proposal submitted by its Bureau. Efforts are made to ensure that the Committee's five office holders are assigned to each chamber in a balanced manner.

28. The Committee uses flexible working methods for consideration of reports in parallel chambers and continues to apply effective time management. Parallel chambers use and benefit from the experience gained with country task forces when preparing the constructive dialogue with each State party. The responsibilities of the country rapporteur continue when the Committee meets in parallel chambers. The country rapporteurs take a leading role as regards coordination among experts to ensure that all critical issues and priorities are raised in the constructive dialogues in parallel chambers. They also have a lead responsibility in identifying specific and priority issues for inclusion in the concluding comments. They continue to prepare the first draft of the concluding comments and coordinate further comments and inputs by Committee experts to the draft. All concluding comments are adopted by the Committee in plenary meeting.

#### **IV. Strategies to encourage reporting by States parties**

29. The Committee has adopted a number of measures to address the challenges posed to the treaty monitoring process by the significant number of outstanding and overdue reports. On an exceptional basis and as a temporary measure in order to encourage States parties to fulfil their reporting obligations under article 18 of the Convention as well as to address the backlog of reports awaiting consideration, States parties are invited to combine all their outstanding reporting obligations into a single document. United Nations and other entities are encouraged to provide technical assistance in order to support States parties, at their request, in the implementation of their reporting obligations under the Convention. The Committee keeps these measures under review and modifies them as appropriate.

## **V. Documentation supplied by the Secretariat**

30. The Committee is provided with documentation on the reporting State party, including the official report of the State party, the list of issues and questions prepared by the pre-session working group of the Committee and the reply by the State party, and other relevant documents.

31. In order to highlight information on each reporting State party, the following documentation is available on the website of the Division for the Advancement of Women: the report(s) of the State party; the list of issues and questions; the reply by the State party; any annexes submitted by the State party, where available; the introductory statement of the State party to the Committee, where available; the summary records pertaining to the consideration of the report(s) by the Committee, where available; the composition of the delegation, where available; and the concluding comments of the Committee.

## **VI. Interaction with specialized agencies and bodies of the United Nations**

32. Since its second session, the Committee has invited specialized agencies of the United Nations system to cooperate in its work. The Committee underlines that the contributions of specialized agencies and United Nations funds, programmes and other entities are critical to the full implementation of the Convention at the national level. The Committee and the pre-session working group invite specialized agencies and United Nations bodies to provide country-specific information on States parties whose reports are before them, as well as information on the work of those entities in contributing to the implementation of the Convention. Representatives of those entities are invited to address the Committee in a closed meeting at the beginning of each of its sessions. They are also invited to address the pre-session working group. The Committee finds it most beneficial to be given written reports, the contents of which are highlighted by the representatives of the specialized agency or United Nations body concerned during the closed meetings with the Committee or working group. The Committee has issued guidelines for the submission of reports by specialized agencies and United Nations bodies in order to clarify the content of those reports and their format and presentation to the Committee so as to enhance the Committee's cooperation with those entities.<sup>2</sup>

33. The Committee requests specialized agencies and United Nations bodies to contribute to the efforts of Governments and non-governmental organizations at the national level towards implementation of the Convention and encourages entities that so far have not, or only sporadically, contributed to the Committee's work to increase their involvement.

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<sup>2</sup> The Committee adopted revised guidelines for submission of reports by specialized agencies and United Nations bodies at its thirty-fourth session in January-February 2006 (see *Official Records of the General Assembly, Sixty-first Session, Supplement No. 38 (A/61/38)*).

## **VII. Participation of non-governmental organizations and national human rights institutions in the activities of the Committee**

34. Since its early sessions, the Committee has invited non-governmental organizations to follow its work. In order to ensure that it is as well informed as possible, the Committee invites representatives of national and international non-governmental organizations to provide country-specific information on States parties whose reports are before it. National and international non-governmental organizations are also invited to provide country-specific information to the pre-session working group on those States parties whose reports are before the group. Such information may be submitted in writing prior to or at the relevant session or working group. In addition, the Committee sets aside time at each of its sessions, usually at the beginning of the first and second weeks of the session, to enable representatives of non-governmental organizations to provide oral information. The pre-session working group also provides an opportunity for non-governmental organizations to provide oral information, usually on the first day of the pre-session working group. The Committee encourages international non-governmental organizations and United Nations organizations, funds and programmes to facilitate attendance at Committee sessions by representatives of national non-governmental organizations.

35. An information note for non-governmental organizations is available on the website of the Division for the Advancement of Women. It gives an overview of procedures for submission of information and attendance at the Committee's sessions and those of the pre-session working group.

36. At a recent session, the Committee set aside time for representatives of national human rights institutions to present information to the Committee. The Committee is interested in establishing further interaction with such institutions and will continue to develop modalities for such interaction.

## **VIII. General recommendations**

37. Article 21 of the Convention provides that the Committee may make suggestions and general recommendations based on the examination of reports and information received from States parties. General recommendations are normally directed at States parties and usually elaborate the Committee's view of the content of the obligations assumed by States as parties to the Convention.<sup>3</sup> The Committee elaborates general recommendations on articles or themes/issues of the Convention. Most of them outline matters which the Committee wishes to see addressed in the reports of States parties and seek to provide detailed guidance to States parties on their obligations under the Convention and the steps that are required for compliance.

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<sup>3</sup> Suggestions are usually addressed to United Nations entities.

38. The Committee has so far adopted 25 general recommendations.<sup>4</sup> Those adopted during the Committee's first 10 years were short, addressing such issues as the content of reports, reservations to the Convention and resources for the Committee. At its tenth session, in 1991, the Committee decided to adopt the practice of issuing general recommendations on specific provisions of the Convention and on the relationship between the Convention articles and themes/issues. Following that decision, the Committee issued more detailed and comprehensive general recommendations which offer States parties clear guidance on the application of the Convention in particular situations. Comprehensive general recommendations have been adopted on violence against women (No. 19), equality in marriage and family relations (No. 21), women in public life (No. 23), access to health care (No. 24) and temporary special measures (No. 25).

39. In 1997, the Committee adopted a three-stage process for the formulation of general recommendations. The first stage consists of an open dialogue between the Committee, non-governmental organizations and others on the topic of the general recommendation. Specialized agencies and other bodies of the United Nations system as well as NGOs are encouraged to participate in this discussion and to submit informal background papers. A Committee member is then asked to draft the general recommendation, which is discussed at the next or a subsequent session of the Committee. Resource persons may be invited to participate in the discussion. At a following session, the revised draft is adopted by the Committee. The Committee is currently working on two general recommendations, one on article 2 of the Convention and the other on migrant women.

## **IX. Statements adopted by the Committee**

40. With a view to assisting States parties to the Convention, the Committee adopts statements to clarify and confirm its position with respect to major international developments and issues that bear upon the implementation of the Convention. Those statements have dealt with issues such as reservations (1998); gender and racial discrimination (2001); solidarity with Afghan women (2002); gender and sustainable development (2002); discrimination against older women (2002); the situation of women in Iraq (2004); the occasion of the 10-year review and appraisal of the Beijing Declaration and Platform for Action (2005); and gender aspects of the tsunami disaster that took place in South-East Asia in December 2004 (2005). The Committee has also presented its views on the proposals for reform of the human rights treaty bodies system in a statement entitled "Towards a harmonized and integrated human rights treaty bodies system" (2006).

## **X. Optional Protocol to the Convention**

41. Since the Optional Protocol to the Convention entered into force on 10 December 2000, the Committee allocates time at each session to consider issues arising thereunder.

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<sup>4</sup> The texts of the general recommendations are available on the website of the Division for the Advancement of Women at <http://www.un.org/womenwatch/daw/cedaw/recommendations.htm>.

The Committee has appointed a five-member Working Group on Communications under the Optional Protocol. The Working Group has prepared a model form for submission of a communication.<sup>5</sup> As at 31 August 2006, 11 communications have been registered, a number of decisions have been taken with regard to its methods of work, and decisions have been taken on five communications (two inadmissibility decisions and three decisions on the merits). The Committee concluded one inquiry in 2004 under article 8 of the Optional Protocol.

## **XI. Other matters**

42. The Committee continues to interact and coordinate activities with other human rights treaty bodies and mechanisms. It seeks the comments of other treaty bodies on its draft general recommendations and provides comments on their draft general recommendations/comments when invited to do so. Members of the Committee participate, whenever possible, in relevant general discussion days held by other treaty bodies. The Committee holds discussions and exchanges views with other human rights mechanisms. The Committee also actively participates in the current discussions on reform of the human rights treaty body system.

43. The Chairperson of the Committee participates, on behalf of the Committee, in a number of meetings, including the annual sessions of the General Assembly and the Commission on the Status of Women as well as meetings of persons chairing human rights treaty bodies. The Chairperson and other members of the Committee also participate in the inter-committee meetings of treaty bodies.

44. In the past, the Committee has held discussions with a number of special rapporteurs of the former Commission on Human Rights, and the Chairperson of the Committee has participated in the annual sessions of the Commission. The Committee looks forward to coordinating with the other treaty bodies in establishing proposals for institutionalizing the relationship between the treaty bodies and the Human Rights Council.

45. In addition to its annual sessions at United Nations Headquarters, informal meetings of the members of the Committee, funded through extrabudgetary resources, are held from time to time. During such meetings, Committee members have focused mainly on enhancing the working methods of the Committee, including revision of reporting guidelines, preparation of the Committee's rules of procedure under the Optional Protocol and the working methods of the Committee in regard to parallel chambers. As at 31 August 2006, five such meetings have been convened.

46. As part of the many efforts to encourage and support the implementation of the Convention, members of the Committee participate in technical assistance activities, at the

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<sup>5</sup> The form is available on the website of the Division for the Advancement of Women, at <http://www.un.org/womenwatch/daw/cedaw/protocol/crpl-communic.pdf>, as well as in the report of the Committee on its twenty-sixth session (see *Official Records of the General Assembly, Fifty-seventh Session, Supplement No. 38 (A/57/38 (Part I), para. 407)*).

request of States, organized by the Division for the Advancement of Women, the Office of the United Nations High Commissioner for Human Rights and other United Nations entities, including those at the regional level. Those activities focus on enhancing implementation of the Convention at the national level and use of the Optional Protocol, including reporting under the Convention and follow-up to the Committee's concluding comments.

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