

CEDAW, A/59/38 (2004)

Part I

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Chapter VI

Ways and means of expediting the work of the Committee

413. The Committee considered agenda item 7, ways and means of expediting the work of the Committee, at its 629th and 647th meetings, on 12 and 30 January 2004 and in closed meetings.

Action taken by the Committee under agenda item 7

Members of the pre-session working group for the thirty-first and thirty-second sessions

414. The Committee decided that the members of the pre-session working group for the thirty-first session should be:

Pramila Patten
Rosario Manalo
Göran Melander
Yolanda Ferrer Gómez

415. The Committee decided that the members of the pre-session working group for the thirty-second session and their alternates should be:

Members

Dorcas Ama Frema Coker-Appiah
Françoise Gaspard
Aída González Martínez
Victoria Popescu
Heisoo Shin

Alternates

Yolanda Ferrer Gómez
Salma Khan
Fatima Kwaku
Dubravka Šimonović
Maria Regina Tavares da Silva

Dates of the thirty-first session, the meeting of the pre-session working group for the thirty-second session and the fourth session of the Working Group on Communications under the Optional Protocol

416. In accordance with the draft calendar of conferences and meetings for 2004, the thirty-first session of the Committee will be held from 6 to 23 July 2004. The pre-session working group for the thirty-second session will meet from 26 to 30 July 2004. The Working Group on Communications under the Optional Protocol will hold its fourth session from 30 June to 2 July 2004.

Dates of the thirty-second session, the meeting of the pre-session working group for the thirty-third session, and the fifth session of the Working Group on Communications under the Optional Protocol

417. In accordance with the draft calendar of conferences and meetings for 2005, the thirty-second session of the Committee will be held from 10 to 28 January 2005. The pre-session working group for the thirty-third session will meet from 31 January to 4 February 2005. The Working Group on Communications under the Optional Protocol will hold its fifth session from 31 January to 4 February 2005.

Reports to be considered at future sessions of the Committee

418. The Committee decided to consider the following reports at its thirty-first and thirty-second sessions:

- (a) *Thirty-first session*
 - (i) Initial, second and third periodic reports
 - Angola
 - Malta
 - Latvia
 - (ii) Second, third, fourth and fifth periodic report
 - Equatorial Guinea
 - (iii) Fifth periodic reports
 - Bangladesh
 - Dominican Republic
 - Spain

- (iv) Follow-up report
 - Argentina
- (b) *Thirty-second session*
 - (i) Initial reports
 - Samoa (combined initial, second and third report)
 - Laos (combined initial, second, third, fourth and fifth report)
 - (ii) Periodic reports
 - Algeria (second periodic report)
 - Croatia (combined second and third periodic report)
 - Gabon (combined second, third, fourth and fifth periodic report)
 - Italy (combined fourth and fifth periodic report)
 - Paraguay (combined third and fourth periodic report)
 - Turkey (combined fourth and fifth periodic report)

United Nations meetings to be attended by the Chairperson or members of the Committee in 2004

419. The Committee recommended that the Chairperson or an alternate attend the following meetings in 2004:

- (a) The forty-eighth session of the Commission on the Status of Women;
- (b) The sixtieth session of the Commission on Human Rights;
- (c) The third inter-committee meeting of the human rights treaty bodies, to be held at Geneva on 21 and 22 June 2004 (to be attended by the Chairperson and two members of the Committee);
- (d) The sixteenth meeting of the chairpersons of human rights treaty bodies, to be held from 23 to 25 June 2004;
- (e) The fifty-ninth session of the General Assembly (Third Committee and the commemorative event for the twenty-fifth anniversary of the adoption of the Convention by the General Assembly).

Enhancing the Committee's working methods under article 18 of the Convention

Consideration of reports of States parties

420. The Committee continued its consideration of measures to enhance the effectiveness of its working methods. In particular, it discussed the option of considering periodic reports submitted under article 18 of the Convention in parallel working groups, on the basis of a background note prepared by the secretariat on the implications and possible modalities of this option (CEDAW/C/2004/I/4/Add.2). Other alternatives, such as extending the Committee's two annual sessions by one week each, and holding exceptional (third) sessions, were also mentioned. The Committee was informed that, at the beginning of its thirtieth session, the reports of a total of 33 States parties were awaiting consideration, not including those that would be taken up at that session, and that 14 reports had been received by the secretariat since the closure of the Committee's twenty-ninth session. The Committee was concerned that the significant number of reports awaiting consideration and the related delay in their consideration itself constituted a disincentive for States parties to report in a timely manner. It also was aware that, in future, time would have to be allocated, during its annual sessions, for the implementation of its mandate under the Optional Protocol to the Convention. The Committee agreed to consider further its working methods at the informal meeting to be held in May at Utrecht, the Netherlands (see below), where it would give further consideration to the modalities of considering periodic reports in parallel working groups.

Informal meeting of the Committee

421. The Committee welcomed with appreciation the invitation of the Government of the Netherlands to hold an informal meeting from 5 to 7 May 2004 at Utrecht, the Netherlands. It expressed its gratitude to Cornelis Flinterman for his initiative in obtaining that invitation, and his willingness to prepare the meeting, in coordination with the secretariat. It was agreed that the major focus of the meeting would be the Committee's working methods. In particular, the Committee would discuss consideration of reports of States parties; concluding comments; the option of meeting in parallel working groups for consideration of periodic reports; and expanded core document and harmonized reporting guidelines. Time would also be set aside for a brainstorming session on the content and approach for the Committee's next general recommendation, on article 2. The Committee entrusted its Chairperson, in coordination with Mr. Flinterman and the secretariat, with the task of preparing the organization of work. It requested the secretariat to prepare a background note on the items included in the agenda of the informal meeting in order to facilitate the discussion.

Implementation of the Committee's strategy to encourage States parties to report in accordance with article 18 of the Convention

422. In follow-up to its closed meeting held on 16 July 2003 with States parties whose reports were more than five years overdue, and in further clarification of its incremental measures to encourage reporting, including the letter addressed by the Chairperson to those 29 States whose initial reports were more than five years overdue as at 18 July 2003,¹ the Committee noted that a few States had submitted their initial reports. Several others had informed either the Chairperson or the secretariat of the status of preparation of their reports. The Committee decided to further assess the situation with regard to non-submission of initial reports at its thirty-first session, and to postpone, for the time being, the follow-up meeting planned for the thirty-first session with those States whose initial reports would be more than five years overdue as of May 2004. Further action in that regard would also be influenced by the Committee's ability to consider reports received within a reasonable period of time.

Overview of the Committee's working methods

423. The Committee agreed to include in its annual report an overview of its current working methods in order to make these more transparent and readily accessible to States parties and others interested in the implementation of the Convention, including United Nations organizations, programmes and funds as well as civil society organizations (see annex IV to the present report).

Statement on the situation of women in Iraq

424. The Committee discussed recent developments concerning the situation of women in Iraq, and in particular action taken by the Governing Council, and adopted a statement (see annex II to the present report). The Committee requested its Chairperson to transmit the statement to the Secretary-General of the United Nations, and to issue it as a press release of the Committee.

Request for a combined second and third periodic report

¹ See *Official Records of the General Assembly, Fifty-seventh Session, Supplement No. 38 (A/57/38)*, part two, para. 369, and *ibid.*, *Fifty-eighth Session, Supplement No. 38 (A/58/38)*, part two, paras. 453-456.

425. The Committee expressed its disappointment that no reply had been received from the Government of India in response to the Committee's request at its last session. The Committee therefore decided to request the Government once again to provide the anticipated date of submission of its combined second and third periodic report (due on 8 August 1998 and 8 August 2002, respectively), including information on the events in Gujarat and their impact on women. The Committee also decided that its Chairperson would request a meeting with the Permanent Representative of India to the United Nations while attending the forty-eighth session of the Commission on the Status of Women in March 2004 to seek clarification from the Government on the status of the preparation of the said report.

Twenty-fifth anniversary of the adoption of the Convention

426. The Committee supported the proposal of its Chairperson that the twenty-fifth anniversary of the adoption of the Convention by the General Assembly should be commemorated with an event at an appropriate level of visibility during the fifty-ninth session of the General Assembly. Such an event should provide an opportunity to highlight the progress made in the implementation of the Convention and the Committee's contribution to those efforts, but also to indicate that universal enjoyment by all women of their human rights remains a goal far from being achieved. The Committee requested its secretariat to plan and implement such an event.

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Annex IV

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

I. Introduction

1. Since its first session, in 1982, the Committee has made a concerted effort to develop appropriate working methods. These methods continue to evolve.

2. The present overview is designed to make the current working methods more transparent and readily accessible to States parties and others interested in the implementation of the Convention, including United

Nations organizations, programmes and funds and civil society organizations.

II. Guidelines for reporting by States parties

3. The Committee has adopted reporting guidelines to assist States parties in the preparation of initial and subsequent periodic reports.^a The Committee strongly encourages all States parties to submit reports in accordance with these guidelines. This will reduce the need for the Committee to request further information when it considers a report and will help the Committee to consider the situation regarding human rights in every State party on an equal basis. The Committee keeps these guidelines under review and updates them as appropriate.

4. 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. Where a State party has prepared a core document,^b this will be available to the Committee.

5. The Committee recommends that States parties consult 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.

III. Consideration of reports of States parties by the Committee

6. The Committee usually invites eight States parties to present their reports at each session, taking into account the criteria of preference to be given to those States parties whose reports have been pending for the longest time, the need to give priority to initial reports and the desirability of a balance of reports in terms of geographic and other factors. The Committee usually selects the reports two sessions in advance of consideration and considers a mix of initial and periodic reports at each session.

A. Pre-session working group

7. 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 periodic reports which the Committee will consider at its next session, focusing on major areas of concern in regard to the implementation of the Convention by the States parties concerned. The lists of issues and questions are intended to facilitate the preparations by States parties for constructive dialogues with the Committee, to provide a focus for the dialogue with representatives of the reporting States and to improve the efficiency of the reporting system.

8. 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) after the session prior to the one at which the periodic reports will be considered. The 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.

9. Representatives of the specialized agencies and bodies of the United Nations system, as well as national and international non-governmental organizations, are invited to provide country-specific information to the pre-session working group on those States parties whose reports are before the group.

10. The lists of issues and questions are promptly sent to the States parties concerned, usually within a 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.

B. Constructive dialogue

11. The Committee intends its consideration of a report 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.

12. In general, the Committee devotes up to three 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 45 minutes. This introduction is followed by one or two meetings in which experts pose questions in respect of the individual articles of the Convention. Experts seek to avoid duplicating questions and intervening under each article. Several days later, at the third meeting, the State party presents its replies - in writing and orally - to those questions.

13. 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 then 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 intervening under each cluster and also seek to focus on issues identified by the pre-session working group. In general, the Committee devotes two open meetings to its consideration of periodic reports.

14. Interventions by experts during the constructive dialogue are limited to three minutes. The time limit is monitored by a speech timer but is enforced flexibly. 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.

15. The Committee does not, at this stage, consider a report in the absence of representatives of a State party. Neither does the Committee consider the implementation of the Convention in a State party in the absence of a report.

16. 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

17. 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. The member of the Committee designated as the country rapporteur for the report(s) of that State party then prepares, for the consideration of the Committee, a draft of the concluding comments, with the general rapporteur of the Committee and with the support of the secretariat. The Committee discusses the draft concluding comments in closed meetings.

18. Concluding comments usually follow a standard format under the headings referred to below. The introduction usually indicates whether the report complied with the Committee's reporting guidelines; refers to any reservations to the Convention entered by the State party; notes the level of the delegation and the quality of the dialogue; and indicates whether the report mentions implementation of the Beijing Platform for Action and/or the twenty-third special session of the General Assembly. A section on positive aspects is generally organized in accordance with the order of the articles of the Convention. A section on factors and difficulties affecting the implementation of the Convention is included only in the most exceptional circumstances. 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.

19. 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 implementation of aspects of outcomes of United Nations conferences, summits and special sessions

of review. The concluding comments also set out the date when the State party's next periodic report is due.

20. The Committee's concluding comments are preceded by a summary of the State party's introductory statement to the Committee. This factual summary is prepared by the secretariat.

21. Each concluding comment is internally balanced, 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.

22. 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 web site of the Division for the Advancement of Women.

IV. Strategies to encourage reporting by States parties

23. 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. The Committee's Chairperson also sends reporting reminders to States parties whose initial reports are more than five years overdue. 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. Interaction with specialized agencies and bodies of the United Nations

24. Since its second session, the Committee has invited specialized agencies of the United Nations system to cooperate in its work. The Committee and the pre-session working group invite specialized agencies and United Nations bodies to provide reports containing country-

specific information on States parties whose reports are before them. Representatives of these 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 adopted guidelines for the reports of specialized agencies and United Nations bodies in order to enhance its cooperation with them.^c

25. The Committee recommends that specialized agencies and other entities of the United Nations system with field representation work with non-governmental organizations to disseminate information on the Convention and on the work of the Committee. The Committee continues to explore cooperation in relation to field-level activities and to develop further ways of integrating the Convention into the work of the United Nations system.

VI. Participation of non-governmental organizations in the activities of the Committee

26. 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 at any time, preferably in advance of 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 week 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. 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.

VII. General recommendations

27. 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.^d The Committee elaborates general recommendations on articles or themes/issues of the Convention. Most of these 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.

28. As at 30 January 2004, the Committee has adopted 25 general recommendations.^e 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).

29. 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.

VIII. Statements adopted by the Committee

30. 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. These statements have dealt with issues such as reservations, gender and racial discrimination, solidarity with Afghan women, gender and sustainable development, discrimination against older women, and the situation of women in Iraq.

IX. Optional Protocol to the Convention

31. 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. 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.¹ As at 30 January 2004, it has registered three communications and also taken a number of decisions with regard to its methods of work.

X. Other matters

32. 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 in relevant general discussion days held by other treaty bodies. The Committee holds discussions and exchanges views with other human rights mechanisms, including the special rapporteurs of the Commission on Human Rights on adequate housing, and violence against women, its causes and consequences.

33. The Chairperson of the Committee participates, on behalf of the Committee, in a number of meetings, including the annual sessions of the General Assembly, the Commission on Human Rights 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.

34. In addition to the two annual sessions, in January and July, 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, and preparation of the Committee's rules of procedure under the Optional Protocol. To date (30 January 2004), three such meetings have been convened, and a fourth is in preparation.

35. 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 request of States, organized by the Division for the Advancement of Women, by the Office of the United Nations High Commissioner for Human Rights and by regional United Nations bodies. These activities focus essentially on ratification of the Convention and the Optional Protocol, reporting under the Convention and on follow-up to the Committee's concluding comments.

Notes

- ^a The Committee adopted revised reporting guidelines at its twenty-seventh session, in June 2002, which are effective for all reports submitted after 31 December 2002 and replace all earlier guidelines, which 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 two, annex. They are also available on the web site of the Division for the Advancement of Women at <http://www.un.org/womenwatch/daw/cedaw/reporting.htm>.
- ^b For the guidelines for the core document, see HRI/GEN/2/Rev.1 and Add.1 and 2.
- ^c See *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 38 (A/56/38)*, part two, paras. 392-395.
- ^d Suggestions are usually addressed to United Nations entities.
- ^e The texts of the general recommendations are available on the web site of the Division for the Advancement of Women at <http://www.un.org/womenwatch/daw/cedaw/recommendations.htm>.
- ^f The form is available on the web site 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*

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Part II

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Chapter I

Matters brought to the attention of States parties

Decisions

Decision 31/I

Request for extension of the meeting time of the Committee on the Elimination of Discrimination against Women

The Committee on the Elimination of Discrimination against Women, recognizing that, as at 1 July 2004, 177 States had ratified or acceded to the Convention on the Elimination of All Forms of Discrimination against Women and that 62 of those States had also become party to its Optional Protocol, which provides for a communication and inquiry procedure; noting that the Committee on the Elimination of Discrimination against Women has significantly less annual meeting time than other human rights treaty bodies with comparable responsibilities, a circumstance that led the General Assembly, in its resolution 50/202 of 22 December 1995, to take note with approval of the amendment to article 20, paragraph 1, of the Convention, which was adopted by the States parties to the Convention on 22 May 1995 but which, despite the Committee's efforts, still awaits entry into force; noting also that, in the two years since the holding of the exceptional session in August 2002, which eliminated the significant number of reports of States parties that had awaited consideration by the Committee, a new backlog of reports of forty States parties has accumulated; expressing serious concern that the backlog of reports awaiting consideration constitutes in itself a disincentive for States to report in a timely manner, as the Convention requires them to do; noting the Committee's efforts to encourage States parties to submit their reports in a timely manner and, in this regard, expressing appreciation to States parties for doing so and for submitting their reports in accordance with the Committee's reporting guidelines; noting also the Committee's ongoing efforts to further enhance the efficiency and effectiveness of its working methods, and drawing attention to its most recent decisions to that effect; and emphasizing the urgent need to find a long-term solution that will allow the Committee to implement its responsibilities under the Convention and the Optional Protocol in an effective and timely manner as well as place the Committee on an equal footing with other human rights treaty bodies in regard to its meeting time:

(a) Requests the General Assembly to authorize the Committee to meet for an additional week at its thirty-third, thirty-fourth and thirty-fifth sessions (July 2005 and January and July 2006);

(b) Requests the General Assembly to authorize the Committee to hold three annual sessions of three weeks each, with a one-week pre-session working group for each session, effective from January 2007.

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Decision 31/III

The Committee adopted a number of measures to further enhance and strengthen its working methods. [see Chapter VI].

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Chapter VI

Ways and means of expediting the work of the Committee

409. The Committee considered agenda item 6, on ways and means of expediting the work of the Committee, at its 648th and 666th meetings, on 6 and 23 July 2004, and in closed meetings.

Action taken by the Committee under agenda item 6

Members of the pre-session working group for the thirty-second and thirty-third sessions

410. The Committee confirmed that the members of the pre-session working group for the thirty-second session should be:

Dorcas Frema Coker Appiah
Aida Gonzalez Martínez
Françoise Gaspard
Heisoo Shin
Victoria Popescu

411. The Committee decided that the members of the pre-session working group for the thirty-third session and their alternates should be:

Meriem Belmihoub-Zerdani
Salma Khan
Dubravka Šimonović
(the remaining members remain to be determined)

Alternates:

Naela Gabr
Rosario Manalo
(the remaining alternates remain to be determined)

Dates of the thirty-second session, the pre-session working group for the thirty-third session and the fifth session of the Working Group on Communications under the Optional Protocol to the Convention

412. In accordance with the draft calendar of conferences and meetings for 2005, the thirty-second session of the Committee will be held from 10 to 28 January 2005. The pre-session working group for the thirty-third session will be held from 31 January to 4 February 2005. The fifth session of the Working Group on Communications under the Optional Protocol will be held from 31 January to 2 February 2005.

Dates of the thirty-third session, the pre-session working group for the thirty-fourth session and the sixth session of the Working Group on Communications under the Optional Protocol

413. In accordance with the draft calendar of conferences and meetings for 2005, the thirty-third session of the Committee will be held from 5 to 22 July 2005. The pre-session working group for the thirty-fourth session will be held from 25 to 29 July 2005. The sixth session of the Working Group on Communications under the Optional Protocol will be held from 27 June to 1 July 2005. Should the General Assembly authorize the Committee to meet for an additional week at its thirty-third session, the session will be held from 5 to 29 July 2005, and the pre-session working group for the thirty-fourth session will be held from 1 to 5 August 2005.

Reports to be considered at future sessions of the Committee

414. The Committee decided to consider the following reports at its thirty-second and thirty-third sessions:

- (a) Thirty-second session
 - (i) Initial reports:
 - Lao People's Democratic Republic (combined initial second, third, fourth and fifth periodic reports)
 - Samoa (combined initial, second and third periodic reports)
 - (ii) Periodic reports:
 - Algeria (second periodic report)
 - Croatia (combined second and third periodic reports)
 - Gabon (combined second, third, fourth and fifth periodic reports)
 - Italy (combined fourth and fifth periodic reports)
 - Paraguay (combined third and fourth, and fifth periodic reports)
 - Turkey (combined fourth and fifth periodic reports)
- (b) Thirty-third session
 - (i) Initial reports:

Benin (combined initial, second and third periodic reports)
Democratic People's Republic of Korea (initial report)
Gambia (combined initial, second and third periodic reports)
Lebanon (initial report)
The former Yugoslav Republic of Macedonia (combined initial, second and third periodic reports)

(ii) Periodic reports:

Australia (combined fourth and fifth periodic reports)
Burkina Faso (combined fourth and fifth periodic reports)
Guyana (combined third, fourth, fifth and sixth periodic reports)
Ireland (combined fourth and fifth periodic reports)
Israel (third periodic report)
Thailand (combined fourth and fifth periodic reports)

415. The Committee noted that the above number of 11 States parties' reports is based on the assumption that the General Assembly will authorize the Committee to meet for an additional week at its thirty-third session. Should this not be the case, the following three States parties' reports will be considered at the thirty-fourth session in January 2006: Australia, Thailand, and the former Yugoslav Republic of Macedonia.

Enhancing the Committee's working methods under article 18 of the Convention

Action on the agreements reached at the informal meeting held in Utrecht, the Netherlands, 5-7 May 2004 on working methods

416. The Committee agreed to request the General Assembly at its fifty-ninth session to allocate the necessary financial resources for an extension of the Committee's meeting time (see decision 31/I). A statement of programme budget implications is contained in part two, annex IX.

417. The Committee adopted the following measures (a.-j.) to enhance its working methods, and decided to implement them as of its thirty-second session in January 2005.

(a) *Consideration of reports by the Committee and constructive dialogue with States parties*

418. As of January 2005, two meetings will be allocated for the consideration of initial reports, and two meetings will continue to be allocated for consideration of periodic reports. Each State party's introduction will be limited to 30 minutes.

419. At the beginning of the constructive dialogue, the Chairperson will state the number of experts that will be posing questions under each article or cluster so that experts may consider their own interventions in regard to other experts' questions under each article in each cluster. Each expert will limit her/his interventions to not more than two per State party, and each intervention will be limited to three minutes. A speech timer will continue to be used to monitor adherence to the time limit.

420. A country task force will be established, on an experimental basis, for one of the States that will be reporting at the thirty-first session. Members of the country task force will take the lead during the constructive dialogue with the State party. The details concerning the modalities of the country task force will be determined at that session.

421. After the introduction by the State party, the Chairperson will orient the State party's delegation to the need for careful time management, and precise, short and direct responses to questions asked. The Chairperson will also invite the State party to clearly indicate when a response to a question cannot be provided as lack of, or inadequate replies to questions raised may result in follow-up questions to be put to the State party at the end of the dialogue, and eventually, may be reflected in the concluding comments. The Chairperson will also indicate to the delegation that when necessary, the delegation will be asked to limit its responses for time considerations.

422. Initial reports will be considered on an article-by-article basis, with the exception of articles 1 and 2, 7 and 8, and 15 and 16, which will be considered as clusters. A group of questions posed by experts will be followed by the State party's responses, followed by another group of questions and responses until all articles have been covered. The separate round for general observations will be discontinued, but experts will have the possibility to include any general observations with their questions on articles 1 and 2.

423. Periodic reports will be considered in accordance with the four substantive parts of the Convention (i.e. 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), and experts' questions will be clustered accordingly. When signing up for questions under a cluster, experts will indicate in parentheses, to the extent possible, under which article they will pose a question so as to allow the Chairperson to group questions, as appropriate.

(b) *Pre-session working group*

424. The pre-session working group will prepare lists of issues and questions for initial reports (starting with the pre-session working group for the thirty-second session), as well as periodic reports. Each list will contain not more than a total of 30 clear and direct questions. In preparing the lists of issues and questions for periodic reports, the pre-session working group will pay particular attention to the State party's follow-up to previous concluding comments and also take into consideration its previous report. The practice of clustering questions under priority topics rather than addressing specific articles will continue. The pre-session working group will advise the Committee of the rationale for the choice of prioritization of issues raised, either in the report of the Chairperson of the pre-session working group to the Committee or, when appropriate, in the country rapporteur's briefing to the Committee.

425. Geographical balance in the composition of the pre-session working group will continue to be maintained to the extent possible.

426. The Committee will keep the work of the pre-session working group under review. In particular, modalities will be explored for including all country rapporteurs in the pre-session working group while possibly shortening the duration of the meeting of the pre-session working group.

(c) *Country rapporteur*

427. The Committee will continue to designate from among its members a country rapporteur for the report(s) of each State party, and the role of the rapporteur will be further strengthened. The country rapporteur will provide a short briefing of 10 to 15 minutes to the Committee in closed meeting on the day, or one of the days, preceding the consideration of the report(s). The briefing will highlight the main challenges and issues for consideration rather than provide a summary of the report, and the country rapporteur will refer to the rationale for the priorities contained in the list of issues and questions. The country rapporteur will also take the lead role in guiding the Committee in the identification of priorities for inclusion in the concluding comments in regard to periodic reports.

428. As far as possible, country rapporteurs will be included in the pre-session working group tasked with preparation of the lists of issues and questions with regard to the States parties selected for consideration. The Secretariat will provide the same information concerning the report(s) of the States selected for consideration simultaneously to the country rapporteur and the members of the pre-session working group in cases where the country rapporteur is not a member of the pre-session working group. In such cases the country rapporteur will collaborate with the members of the pre-session working group in drawing up the list of issues and questions in an effective and timely manner. In particular, the country rapporteur will make contact with the member of the pre-session working group responsible for finalizing the list of issues and questions concerning the country rapporteur's assigned report.

(d) *Focused concluding comments*

429. The Committee agreed on the desirability to prioritize a limited number of focused critical concerns of an emerging or persistent nature in each of its concluding comments on periodic reports. To that end, the Committee decided that, starting in January 2005, the section on principal areas of concern and recommendations of each of its concluding comments on periodic reports will begin with a paragraph to assess the general framework for implementation of the Convention in the State party. That paragraph will also refer to, or reiterate, issues of concern highlighted in previous concluding comments, as well as action, or lack of action, taken in this regard by the State party. The Committee will ensure that concluding comments are specific to the concrete situation in the reporting State rather than being formulated in generic terms.

430. Further consideration and discussion will take place concerning criteria for prioritization of concerns in concluding comments on subsequent periodic reports.

(e) *Procedure for drafting and adopting concluding comments*

431. The expert designated as country rapporteur will also draft the concluding comments. The Committee holds a closed meeting after the constructive dialogue to consider the main issues and trends to be reflected in the concluding comments relating to the report of the State party. Concluding comments drafted thereafter reflect only the views expressed at the meetings during which the report is presented and not the views of the individual country rapporteur. Experts indicate to the country rapporteur, immediately after the closed meeting on the main issues and trends to be reflected in the particular concluding comments, their interest in being consulted on the draft. After the country rapporteur has completed the draft, she/he consults these experts and incorporates their comments, to the extent possible, before the draft is submitted for translation. Once the draft is available in languages, all experts will continue to have the opportunity to provide their comments to the country rapporteur before the draft is taken up in closed plenary. At that stage, the country rapporteur will also flag any unresolved matters contained in the draft. There will be no additional substantive or language editing of the draft in closed plenary.

(f) *Standard elements to be included in concluding comments*

432. The Committee reiterates the current standard elements to be included in the introduction and standard closing paragraphs of concluding comments (see decision 19/II, paras. 397 (g) and 374-375 adopted at its twenty-seventh session). Reference will also be made to ratification of the Optional Protocol to the Convention. A new first paragraph will be added to the section on principal areas of concern (see under “focused concluding comments”).

433. The Committee will continue the practice of stating the due date for the next periodic report in its concluding comments as a way of reminding States parties about their reporting obligations under article 18 of the Convention. States parties will be invited to combine the

next two reports in cases where the due date of the next report is already passed or is within the year.

(g) *Format and length of States parties' reports and of replies to lists of issues and questions*

434. The Committee confirmed the established page limitation of 100 and 70 pages, respectively, for initial and periodic reports, as stated in the Committee's reporting guidelines (A/57/38, part two, annex). The State party may attach annexes which will, however, not be translated.

435. 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 page limit of 25 to 30 pages (Times New Roman type, 12 point font). When transmitting the lists of issues and questions, States parties will be informed accordingly. States parties will have the possibility of attaching a limited number of additional pages of statistical data only.

436. When faced with reports or responses in excess of page limits, the Chairperson, during the constructive dialogue, will raise this aspect with the State party's delegation in her opening and closing remarks. A reflection of this concern may also be included in the concluding comments, whereby some flexibility will be applied in regard to initial reports.

437. The Secretariat is requested to play a more proactive role in communicating to States parties the Committee's guidelines with regard to the page limitations applicable to reports and responses. The Secretariat is also requested to introduce further efforts to ensure that responses are obtained in a timely manner from the reporting States.

(h) *Reports requested on an exceptional basis*

438. The Committee confirmed its decision 21/I that it may sometimes be necessary to request exceptional reports from States parties, under article 18.1 (b) of the Convention, in order 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. In this respect, the Committee adopted the following revised standards and guidelines:

- There should be reliable and adequate information indicating grave or systematic violations of women's human rights, in whatever situation;
- Such violations are those that are gender-based, directed at women or affecting women because of their sex;
- Reports should focus on a particular issue or issues identified by the Committee;
- States parties shall submit their reports for consideration at such session as the Committee determines.

The standardized terminology for reports of this nature will be reports requested on an exceptional basis. Modalities for considering reports requested on an exceptional basis will be determined on a case-by-case basis by the Committee, and building on the experience the

Committee will gain in the consideration of Argentina's follow-up report at its thirty-first session.

(i) *Consideration of implementation of the Convention in the absence of a report*

439. The Committee decided that, in principle, it will consider implementation of the Convention by a State party in the absence of a report, only as a measure of last resort and in the presence of a delegation. In doing so, the Committee noted the recommendation of the fifteenth meeting of the chairpersons of human rights treaty bodies concerning incremental and graduated measures to encourage submission of overdue reports, including scheduling the examination of the implementation of the Convention in the State party in the absence of a report but with the participation of a delegation of the State party concerned (see A/58/350). Such a measure will be taken on a case-by-case basis, in particular, in instances where a State party has not submitted an initial report many years after ratification and the Committee's assessment of possible reasons for non-reporting. This step will be preceded by other efforts, including notification of the State party concerned of the Committee's intention to take up implementation of the Convention at a designated future session, inviting the State party to submit the requested report before the designated session. Designation of a future session will be made with the consideration to allow the State party sufficient time to prepare and submit its report.

(j) *Development of a follow-up mechanism for the implementation of concluding comments*

440. The Committee decided that, due to its current workload, this issue will be revisited at a later stage.

Overview of the Committee's working methods

441. The Committee agreed to include in its annual report an overview of its current working methods in order to make these more transparent and readily accessible to States parties and others interested in the implementation of the Convention, including United Nations agencies, programmes and funds and civil society organizations (see part two, annex X).

Request for a combined second and third periodic report of India

442. The Committee expressed its disappointment that no reply had been received from the Government of India to its previous two letters seeking information on the anticipated date of submission of the combined second and third periodic reports of India (due on 8 August 1998 and 8 August 2002, respectively), including information on the events of Gujarat and their impact on women. The Committee further expressed its disappointment that the Chairperson's meeting with the Deputy Permanent Representative of India to the United Nations, in New York, on 2 March 2004, had likewise not led to the hoped-for result. The Committee therefore decided to address a letter to the Minister for Foreign Affairs, seeking the cooperation of the Government of India in providing the requested information.

Summary records

443. The Committee continued its consideration of this question from its twenty-ninth session. It took note of the request by the General Assembly at its fifty-eighth session (resolution 58/250) that the Secretary-General conduct a thorough cost-benefit study of summary records and to review the list of bodies entitled to them, in full consultation with all relevant intergovernmental bodies, with a view to assessing the need for such records, and to explore the possibility of delivering them in a more efficient and effective manner and to report thereon, through the Committee on Conferences, to the General Assembly at its fifty-ninth session. In order to support preparation of the study, the Committee's views, as one of the bodies currently entitled to summary records, were sought by the Secretariat, including whether the Committee could consider the possibility of relinquishing or curtailing the use of summary records, as well as possible alternatives to summary records.

445. Based on the suggested options, the Committee expressed a preference for the option of digital sound recordings of the proceedings made available in all six official languages on the United Nations web site or at specially equipped listening booths. At the same time, the Committee reiterated its concern that notwithstanding its entitlement to summary records of its proceedings, no such summary records, in any language, had been issued for many years.

Twenty-fifth anniversary of the adoption of the Convention

455. The Committee took note of preparations by its secretariat to hold a celebratory event in the form of a round-table discussion during the fifty-ninth session of the General Assembly to commemorate the adoption of the Convention by the Assembly in its resolution 34/180 of 18 December 1979. The Committee welcomed the efforts undertaken by the Secretariat. It decided to issue a statement at the time of the commemorative event in mid-October, which would be prepared through consultation among members via e-mail. The Committee agreed on the focus and approach of the statement as well as the timetable for its preparation. The statement would be reissued on 18 December. Members suggested a series of additional ways to highlight the anniversary, including communication of the statement to all States parties by the Chairperson with an encouragement to organize activities at the national level, such as seminars, round-table discussions and media events, to increase awareness of the Convention, its Optional Protocol and States parties' commitment to the practical realization of the human rights of women.

Follow-up to the recommendations of the third inter-committee meeting and the sixteenth meeting of chairpersons of the human rights treaty bodies

446. The Committee considered the recommendations of the third inter-committee meeting (Geneva, 21 and 22 June 2004) and the sixteenth meeting of chairpersons of the human rights treaty bodies (Geneva 23-25 June 2004) and, in particular, the proposals on guidelines for an expanded core document and treaty-specific targeted

reports and harmonized guidelines on reporting under the international human rights treaties (HRI/MC/2004/3). Following its preliminary exchange of views and suggestions of members, the Committee agreed that its working group on this question (Ms. Popescu, Ms. Schöpp-Schilling and Ms. Shin) would prepare proposals for consideration and further discussion at its thirty-second session, to be held in January 2005. Members were invited to submit their further suggestions and comments in writing to the members of the group (with a copy to the secretariat). In view of the importance of this issue, members agreed that sufficient time would need to be set aside in January to allow for an in-depth discussion.

Database on good practices of temporary special measures

447. The Committee discussed the proposal of Ms. Schöpp-Schilling to develop a web-based database of good practices of States parties in using temporary special measures. Experts could extract such good practices from past and future reports of States parties, and select the best examples for inclusion in the database where they could be easily accessible to interested States parties. As the resource implications for the implementation of this suggestion for the Secretariat would depend on the concrete modalities, it was agreed that the Committee would, at its next session, further examine this proposal on the basis of concrete examples that Ms. Schöpp-Schilling and other members will be providing.

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Annex VII

Report of the Working Group on Communications under the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women on its fourth session

1. The Working Group on Communications under the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women held its fourth session from 30 June to 2 July 2004. All members of the Working Group attended. Ms. Hanna Beate Schöpp-Schilling continued to serve as Chairperson of the Working Group.
2. At its first meeting, the Working Group amended and adopted its agenda (see annex).

I. Summary of discussions

3. The Chief of the Women's Rights Unit of the Division for the Advancement of Women of the Department of Economic and Social Affairs introduced a note by the Secretariat

(CEDAW/C/2004/II/WGCOP/WP.1) on steps taken and developments that have occurred since the third session of the Working Group.

4. The Working Group discussed correspondence that had been received by the Secretariat since the Working Group's third session. It was agreed that a note by the Secretariat providing information on the routing of correspondence to and from the petitions team of the Office of the United Nations High Commissioner for Human Rights would be useful.

5. The Working Group encouraged the Secretariat to continue to disseminate information about the communications procedure under the Optional Protocol and suggested further ways of doing so, including through national Bar Associations and the International Federation of Women Lawyers. The Working Group also underlined the importance of organizing training workshops/courses aimed at relevant stakeholders at the national level on the preparation of communications in order to support the submission of well-crafted communications that would facilitate the processing of communications by the Working Group. It further suggested that the Federation of National Institutes on Human Rights be contacted in this connection, including for fund-raising for such activities. Civil society organizations should also be encouraged to support the translation of communications into the official languages of the United Nations.

6. The Working Group discussed rule 64, paragraph 2, of the Committee's rules of procedure, which deals with the question of when the Working Group may declare that a communication is admissible under the Optional Protocol. The Working Group noted that, under this rule, it would not have the authority to declare admissible any communication that referred to a State party of which one member was a national. This was because the rule provides that decisions on admissibility can only be made by the Working Group when it is composed of five members and all of the members so decide. The Working Group observed that the rule does not account for a situation wherein only four members may participate in the decision-making process because one member is a national of the State party concerned. Rather than suggest an amendment to the rule, which the Working Group considers might be necessary in the long run, the Working Group suggests that the Committee keep the matter pending for the time being. In the meantime, the Working Group would refer admissibility decisions for such cases to the Committee as a whole.

7. The Working Group discussed the elements of article 4, paragraph 2 (e), of the Optional Protocol (the "ratione temporis" rule). The Working Group recognized the importance of this provision of the Optional Protocol and of the case law and practice of other human rights treaty bodies. The Working Group was also of the view that this admissibility criterion will have to be considered on a case-by-case basis.

8. The Working Group was pleased to note that the updated background paper prepared by Ms. Ineke Boerefijn on issues arising under the Optional Protocol to the Convention (CEDAW/C/2004/I/WP.2) had been issued in all official languages of

the United Nations. The Working Group considered that the paper would serve as a valuable tool for the Committee's current and future work on communications and emphasized the importance of regularly updating this research as well as undertaking research into other and emerging areas in relation to its work. By the same token, it considered that the background note on the practice of other human rights treaty bodies concerning interim measures (CEDAW/C/2004/I/WGCOP/WP.2), which the Secretariat had prepared for the Working Group's third session in January 2004, would continue to be a relevant and useful document.

9. The Working Group reaffirmed its commitment to continuing its work between sessions. Decisions on registration of new communications would be taken, as appropriate, following consultations, including through e-mail and teleconferencing, as would decisions on draft recommendations prepared by case rapporteurs on pending communications. It reaffirmed its earlier decision on intersessional modalities for e-mail communications. The Working Group believed that this method of work would ensure that the optimal amount of work would be ready to handover to the next Working Group, which would be constituted at the thirty-second session of the Committee in January 2005. The new Working Group will meet for the first time from 31 January to 2 February 2005.

10. The Working Group discussed pending communications, the fourth of which had been registered since its last session. It submitted a recommendation for action on one of those communications to the Committee.

11. The Working Group adopted the provisional agenda for its fifth session, as follows:

1. Adoption of the agenda and organization of work.
2. Review of steps and activities undertaken since the last session.
3. Review and discussion of working methods.
4. Update on communications.
5. Any other matters.
6. Adoption of the provisional agenda for its sixth session, including dates and duration, and the report of the Working Group.

II. Issues for future consideration

12. The Working Group draws the attention of the Committee to the discussion outlined in paragraph 6 of the present report.

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Annex IX

Request for extension of the meeting time of the Committee on the Elimination of Discrimination against Women

Programme budget implications of draft decision 31/I submitted in accordance with rule 23 of the rules of procedure of the Committee on the Elimination of Discrimination against Women

A. Requests contained in the draft decision

1. By its draft decision 31/I, the Committee on the Elimination of Discrimination against Women (CEDAW) would request the General Assembly to: (a) authorize the Committee to meet for an additional week at its thirty-third, thirty-fourth and thirty-fifth sessions (July 2005; January and July 2006); and (b) authorize the Committee to hold three annual sessions of three weeks each, with a one-week pre-session working group for each session, effective from January 2007.

B. Relationship of the proposed decision to the medium-term plan for the period 2002-2005, and the programme of work for the biennium 2004-2005

2. The activities to be carried out relate to: programme 6, General Assembly and Economic and Social Council affairs and conference services; subprogramme 2, Gender issues and advancement of women of programme 7, Economic and social affairs; and subprogramme 4, Support services of programme 24, Management and central support services of the medium-term plan for the period 2002-2005. They fall under: section 2, General Assembly affairs and conference services; section 9, Economic and social affairs; and section 29D, Office of Central Support Services of the programme budget for the biennium 2004-2005.

3. Provisions have been made in the 2004-2005 programme budget for travel and per diem costs of the 23 members of CEDAW to attend its two annual regular sessions in New York of 15 working days each, with each preceded by a five-day pre-session working group meeting, as well as for conference services to the Committee and the pre-session working group.

C. Activities by which the proposals will be implemented

4. Should the draft decision be adopted, provisions for a total of 70 additional meetings (10 in 2005, 20 in 2006 and 40 in 2007) would be required. The additional meetings of the Committee would require interpretation services in the six official languages while the additional one-week pre-session working group meeting in 2007 would require interpretation services only in English, French and Spanish. Summary records would be provided for the 60 additional meetings of the Committee. For the thirty-third, thirty-fourth and thirty-fifth sessions of the Committee, due to the proposed one-week extension, each would require an additional 50 pages of in-session and 30 pages of post-session documentation in the six languages. For the thirty-sixth session of the Committee in 2007, there would be an additional 150 pages each of in-session and post-session documentation in the six languages. For the one-week session of the pre-session working group, there would be 10 pages of in-session documentation in English, French and Spanish only and 90 pages of post-session documentation in the six languages.

D. Additional requirements for the biennia 2004-2005 and 2006-2007

5. Should CEDAW adopt the draft decision, additional resources estimated at \$62,000 for per diem costs for the members of the Committee in relation to the extension of its thirty-third session in the year 2005 would be required under section 9 of the programme budget for the biennium 2004-2005. With respect to the extension of its thirty-fourth and thirty-fifth sessions in the year 2006 and the holding of three annual sessions of three weeks each, with a one-week pre-session working group for each session, effective from January 2007, the decision would give rise to additional requirements for travel and per diem of \$124,000 and \$287,100, respectively, which will be included in section 9 of the proposed programme budget for the biennium 2006-2007. Furthermore, additional conference-servicing costs are estimated at \$255,000 for 2005, \$522,000 for 2006 and \$1,067,000 for 2007 under section 2; and \$24,000 for 2005, \$50,000 for 2006 and \$103,000 for 2007 under section 29D, with the requirements for 2006 and 2007 also to be included in the proposed programme budget for 2006-2007.

6. The above requirements relating to the additional meetings of the Committee and the pre-session working group are enumerated in the table below:

	<i>2005</i>	<i>2006</i>	<i>2007</i>
	\$	\$	\$
I. Section 9, Economic and social affairs			
Travel, per diem and terminal expenses	62 000	124 000	287 100
II. Section 2, General Assembly affairs and conference services			
Meeting servicing, interpretation and documentation	255 000	522 000	1 067 000

	2005 \$	2006 \$	2007 \$
III. Section 29D, Office of Common Support Services			
Support services	24 000	50 000	103 000
Grand total	341 000	696 000	1 457 100

E. Contingency fund

7. It will be recalled that, under the procedures established by the General Assembly in its resolutions 41/213 of 19 December 1986 and 42/211 of 21 December 1987, a contingency fund is established for each biennium to accommodate additional expenditures derived from legislative mandates not provided for in the programme budget. Under this procedure, if additional expenditures were proposed that exceed the resources available from the contingency fund, the activities concerned would be implemented only through the redeployment of resources from low-priority areas or modification of existing activities. Otherwise, such additional activities would have to be deferred to a later biennium.

F. Summary

8. Should draft decision 31/I be adopted by the Committee on the Elimination of Discrimination against Women, additional resources totalling \$341,000 would be required under section 9, Economic and social affairs (\$62,000), section 2, General Assembly affairs and conference services (\$255,000) and section 29D, Office of Common Support Services (\$24,000) of the programme budget for the biennium 2004-2005. This would represent a charge against the contingency fund, and as such, would require an increase in appropriations for the biennium 2004-2005.

9. The requirements for \$696,000 for 2006 and \$1,457,100 for 2007 would be taken into account in the preparation of the proposed programme budget for 2006-2007.

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Annex X

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

I. Introduction

1. Since its first session, in 1982, the Committee 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 organizations, programmes and funds and civil society organizations, on the current methods of the Committee.

II. Guidelines for reporting by States parties

3. The Committee has adopted reporting guidelines to assist States parties in the preparation of initial and subsequent periodic reports.^a The Committee strongly encourages all States parties to submit reports in accordance with these guidelines. This will reduce the need for the Committee to request further information when it considers a report and will help the Committee to consider the situation regarding women's human rights in every State party on an equal basis. The Committee keeps these guidelines under review and updates them as appropriate.

4. 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 these will not be translated. Where a State party has prepared a core document,^b this will be available to the Committee.

5. The Committee recommends that States parties consult 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.

III. Consideration of reports of States parties by the Committee

6. 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 two sessions in advance of consideration and considers a mix of initial and periodic reports at each session.

A. Pre-session working group

7. 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 its next session, focusing on major areas of concern in regard to the implementation of the Convention by the States parties concerned.

The lists of issues and questions are intended to facilitate the preparations by States parties for constructive dialogues with the Committee, to provide a focus for the dialogue with representatives of the reporting States and to improve the efficiency of the reporting system.

8. 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) after the session prior to the one at which the reports will be considered. The 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.

9. Representatives of the specialized agencies and bodies of the United Nations system, as well as national and international non-governmental organizations, are invited to provide country-specific information to the pre-session working group on those States parties whose reports are before the group.

10. The lists of issues and questions are promptly sent to the States parties concerned, usually within a 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.

11. 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 page limit of 25 to 30 pages (Times New Roman type, 12 point font single-spaced). State parties have the possibility of attaching a limited number of additional pages of statistical data only.

B. Constructive dialogue

12. The Committee intends its consideration of a report 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.

13. In general, 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 have the possibility to 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.

14. 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 then 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 intervening under each cluster and also seek to focus on issues identified by the pre-session working group. In general, the Committee devotes two open meetings to its consideration of periodic reports.

15. 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.

16. In cases where reports and/or responses to the list of issues and questions exceed the page limits 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.

17. Interventions by experts during the constructive dialogue are limited to three minutes. The time limit is monitored by a speech timer but is enforced flexibly. 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.

18. 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.

19. The Committee is of the view that it may sometimes be necessary to request exceptional reports from States parties under article 18, paragraph 1 (b), 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.

20. 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.

Concluding comments

21. 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. The member of the Committee designated as the country rapporteur for the report(s) of that State party then prepares, for the consideration of the Committee, a draft of the concluding comments, with the general rapporteur of the Committee and with the support of the secretariat. The Committee discusses the draft concluding comments in closed meetings.

22. Concluding comments usually follow a standard format under the headings referred to below. The introduction usually indicates whether the report complied with the Committee's reporting guidelines; refers to any reservations to the Convention entered by the State party; notes the level of the delegation and the quality of the dialogue; and indicates whether the report mentions implementation of the Beijing Platform for Action and/or the twenty-third special session of the General Assembly. A section on positive aspects is generally organized in accordance with the order of the articles of the Convention. A section on factors and difficulties affecting the implementation of the Convention is included only in the most exceptional circumstances. 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.

23. 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 implementation of aspects of outcomes of United Nations conferences, summits and special sessions of review. They also note that States parties' adherence to the seven major international human rights instruments enhances women's enjoyment of their human rights in all spheres of life, and encourage States to consider ratifying those to which they are not yet party. The concluding comments also set out the date when the State party's next periodic report is due.

24. The Committee's concluding comments are preceded by a summary of the State party's introductory statement to the Committee. This factual summary is prepared by the secretariat.

25. Each concluding comment is internally balanced, 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 web site of the Division for the Advancement of Women and distributed through the listserve on treaty body recommendations administered by the Office of the United Nations High Commissioner for Human Rights.

IV. Strategies to encourage reporting by States parties

27. 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. The Committee's Chairperson also sends reporting reminders to States parties whose initial reports are more than five years overdue. 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. Interaction with specialized agencies and bodies of the United Nations

28. Since its second session, the Committee has invited specialized agencies of the United Nations system to cooperate in its work. The Committee and the pre-session working group invite specialized agencies and United Nations bodies to provide reports containing country-specific information on States parties whose reports are before them. Representatives of these 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 adopted guidelines for the reports of specialized agencies and United Nations bodies in order to enhance its cooperation with them.^c

29. The Committee recommends that specialized agencies and other entities of the United Nations system with field representation work with non-governmental organizations disseminate information on the Convention and on the work of the Committee. The Committee continues to explore cooperation in relation to field-level activities

and to develop further ways of integrating the Convention into the work of the United Nations system.

VI. Participation of non-governmental organizations in the activities of the Committee

30. 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 at any time, preferably in advance of 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 week 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. 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.

VII. General recommendations

31. 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.^d The Committee elaborates general recommendations on articles or themes/issues of the Convention. Most of these 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.

32. The Committee has so far adopted 25 general recommendations.^e 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).

33. 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. In July 2004, the Committee has initiated work on its next general recommendation on article 2 of the Convention.

VIII. Statements adopted by the Committee

34. 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. These statements have dealt with issues such as reservations, gender and racial discrimination, solidarity with Afghan women, gender and sustainable development, discrimination against older women, and the situation of women in Iraq.

IX. Optional Protocol to the Convention

35. 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. 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.^f As at 30 January 2004, it has registered three communications and also taken a number of decisions with regard to its methods of work.

X. Other matters

36. 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 in relevant general discussion days held by other treaty bodies. The Committee holds discussions and exchanges views with other human rights mechanisms, including the special

rapporteurs of the Commission on Human Rights on adequate housing, and violence against women, its causes and consequences.

37. The Chairperson of the Committee participates, on behalf of the Committee, in a number of meetings, including the annual sessions of the General Assembly, the Commission on Human Rights 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.

38. In addition to the two annual sessions, in January and July, 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, and preparation of the Committee's rules of procedure under the Optional Protocol. To date (30 January 2004), three such meetings have been convened, and a fourth is in preparation.

39. 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 request of States, organized by the Division for the Advancement of Women, by the Office of the United Nations High Commissioner for Human Rights and by regional United Nations bodies. These activities focus essentially on ratification of the Convention and the Optional Protocol, reporting under the Convention and on follow-up to the Committee's concluding comments.

Notes

^a The Committee adopted revised reporting guidelines at its twenty-seventh session, in June 2002, which are effective for all reports submitted after 31 December 2002 and replace all earlier guidelines, which 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 two, annex. They are also available on the web site of the Division for the Advancement of Women at <http://www.un.org/womenwatch/daw/cedaw/reporting.htm>.

^b For the guidelines for the core document, see HRI/GEN/2/Rev.1 and Add.1 and 2.

^c See *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 38 (A/56/38)*, part two, paras. 392-395.

^d Suggestions are usually addressed to United Nations entities.

^e The texts of the general recommendations are available on the web site of the Division for the Advancement of Women at <http://www.un.org/womenwatch/daw/cedaw/recommendations.htm>.

^f The form is available on the web site 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 one, para. 407).