

**CEDAW, A/60/38 (2005)**

**Part I**

...

**Chapter VI**

**Ways and means of expediting the work of the Committee**

398. The Committee considered agenda item 8, ways and means of expediting the work of the Committee, at its 666th and 683rd meetings, on 10 and 28 January 2005.

**Action taken by the Committee under agenda item 8**

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

399. The Committee confirmed that the members of the pre-session working group for the thirty-third session would be:

Meriem Belmihoub-Zerdani  
Salma Khan  
Glenda Simms  
Dubravka Šimonović  
Maria Regina Tavares da Silva

400. The Committee decided that the members of the pre-session working group for the thirty-fourth session and their alternates would be:

*Members*

Shanthi Dairiam  
Françoise Gaspard  
Pramila Patten  
Silvia Pimentel  
Victoria Popescu

*Alternates*

Hanna Beate Schöpp-Schilling

(the remaining alternates remain to be determined)

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

401. 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 fifth session of the Working Group on Communications under the Optional Protocol will be held from 31 January to 2 February 2005, and the sixth session from 29 June to 1 July 2005.

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

402. In accordance with the draft calendar of conferences and meetings for 2006, the thirty-fourth session of the Committee will be held from 16 January to 3 February 2006. The pre-session working group for the thirty-fifth session will be held from 6 to 10 February 2006. The seventh session of the Working Group on Communications under the Optional Protocol will be held from 9 to 13 January 2006.

**Reports to be considered at future sessions of the Committee**

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

(a) **Thirty-third session**

*Initial reports*

Benin  
Democratic People's Republic of Korea  
Gambia  
Lebanon

*Periodic reports*

Burkina Faso  
Guyana  
Ireland  
Israel

(b) **Thirty-fourth session**

*Initial reports*

Cambodia  
Eritrea  
The former Yugoslav Republic of Macedonia  
Togo

*Periodic reports*

Australia  
Mali  
Thailand  
Venezuela (Bolivarian Republic of)

**United Nations meetings to be attended by the  
Chairperson or members of the Committee in 2005**

404. The Committee recommended that the Chairperson or an alternate attend the following meetings in 2005:

- (a) The forty-ninth session of the Commission on the Status of Women;
- (b) The sixty-first session of the Commission on Human Rights;
- (c) The seventeenth meeting of persons chairing human rights treaty bodies;
- (d) The fourth Inter-Committee Meeting, together with two other members of the Committee;
- (e) The sixtieth session of the General Assembly (Third Committee).

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

**Focused concluding comments**

405. In its efforts to adopt focused concluding comments on periodic reports that would highlight a limited number of priority areas of concern and recommendations, the Committee decided to include a new standard paragraph as the first paragraph in the section on "principal areas of concern and recommendations". This paragraph may be followed by a paragraph in which the Committee will highlight areas of concern already identified in its previous concluding comments in regard to which the State party, in the Committee's view, has taken insufficient action. These would be briefly reiterated and the State party would be invited to implement previously made recommendations of the Committee. The new paragraphs will read:

**The Committee notes the State party's obligation for the systematic and continuing implementation of all provisions of the Convention. At the same time, it is the Committee's view that the concerns and recommendations identified in the present concluding comments require the State party's priority attention between now and the submission of the next periodic report. Consequently, the Committee calls on the State party to focus on these areas in its implementation activities and to report on actions taken and results achieved, in its next periodic report. It calls on the State party to**

**submit the present concluding comments to all relevant ministries and Parliament so as to ensure their full implementation.**

The Committee is concerned that the State party has taken inadequate steps to implement the recommendations in regard to some concerns raised in the Committee's previous concluding comments adopted in (Year) (Symbol). In particular, the Committee finds that its concerns about ... (paragraph ...) and ... (paragraph ...) have been insufficiently addressed.

**The Committee reiterates these concerns and recommendations and urges the State party to proceed without delay with their implementation.**

#### **Country task forces**

406. The Committee used a country task force for the constructive dialogue with one reporting State (periodic report). It agreed to continue this effort and to establish country task forces for the consideration of two periodic reports at its thirty-third session. It agreed that for the time being, it would continue to use this approach on a case-by-case basis, in a flexible manner.

#### **Consideration of implementation of the Convention in the absence of a report**

407. The Committee reiterated its incremental strategy to encourage States parties to fulfil their reporting obligations. It also reiterated its decision to consider implementation of the Convention in the absence of a report only as a measure of last resort and in the presence of a delegation.

408. The Committee recalled its decision, taken at its thirty-first session, to notify two States parties, namely, Cape Verde and Saint Lucia, whose initial reports under article 18 of the Convention are more than 10 years overdue, of its intention to take up implementation of the Convention at the thirty-fifth session (July 2006). These two States parties have been invited to submit all their overdue reports as combined reports by June 2005. They have also been advised that, should their reports not be submitted by the designated time, the Committee intends to proceed with consideration of the implementation of the Convention in the absence of a report.

409. The Committee decided to review the status of long-overdue initial reports again at its thirty-third session, and requested the Secretariat to include relevant information in the pre-session documentation. Based on the information provided, the Committee will invite up to two States parties to submit their reports within a specified time period, for consideration by the Committee.

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

410. The Committee continued its follow-up to 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 harmonized guidelines on reporting under the international human rights treaties and guidelines for an expanded core document and treaty-specific targeted reports (HRI/MC/2004/3). It considered a discussion paper prepared by three of its members, Victoria Popescu, Hanna Beate Schöpp-Schilling and Heisoo Shin. The Committee finalized its preliminary views that it will be submitting to the fourth inter-committee meeting.

#### **Date of issuance of pre-session documentation**

411. The Committee took note of the guidance by the General Assembly in regard to the issuance of pre-session documentation, the so-called 10-week and 6-week rules. In this regard, the Committee stressed that it would rather receive the most up-to-date information possible in reports prepared by the Secretary-General rather than receive these reports six weeks prior to the session. It therefore agreed to waive the 10-week rule for submission of certain documents, in particular those contained in documents CEDAW/C/YEAR/SESSION/2, 3 and 4 and addenda, as well as confidential documentation issued in regard to the Optional Protocol to the Convention. Such documentation should be available in all languages one week prior to the opening of the session.

#### **Extension of the Committee's meeting time**

412. The Committee expressed its disappointment at the lack of action taken by the General Assembly at its fifty-ninth session in regard to the Committee's request to put in place short-term measures and a long-term solution that would allow the Committee to implement its responsibilities under the Convention and the Optional Protocol in an effective and timely manner. It reiterated the urgent need to find such a solution in line with its decision 31/I. The Committee requested the Secretariat to include in the Committee's pre-session documentation detailed information on all possible options for extension of the Committee's meeting time, including extension of the current sessions and the holding of additional annual sessions from 2006. The Committee decided to consider these options at its thirty-third session with a view to submitting a request to the General Assembly for action at its sixtieth session.

#### **Twenty-fifth anniversary of the Committee**

413. The year 2007 will mark 25 years since the Committee held its first session. The Committee held a preliminary discussion on the proposal to edit a collection of brief essays by former and current members on their experience related to their work on the Committee and the impact of the Convention. Members agreed to consider this proposal with a view to discussing it further and to making a decision at the thirty-third session.

#### **Interaction with national human rights institutions**

414. The Committee expressed its interest in establishing interaction with national human rights institutions and agreed to discuss the

modalities for such interaction at the thirty-third session. Representatives of national human rights institutions wishing to present information to the Committee at its thirty-third session would be able to do so during the meeting between the Committee and representatives of NGOs.

...

## **Part II**

...

## **Chapter I**

### **Matters brought to the attention of States parties**

#### **Decisions**

##### **Decision 33/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 2005, 180 States had ratified or acceded to the Convention on the Elimination of All Forms of Discrimination against Women and that, of those States, 71 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 three 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 55 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 its 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; drawing attention to its previous request to the General Assembly seeking authorization for an extension of meeting time:

(a) 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 2006;

(b) Also requests the General Assembly to authorize the Committee to meet on a temporary basis in 2006 and 2007, for part of its three annual sessions, in parallel working groups for the purpose of considering reports of States parties submitted under article 18 of the Convention. In particular, the Committee requests approval to meet for up to seven days in parallel working groups during its third (July/August) annual session in 2006, and its first (January) and third (July/August) annual sessions in 2007. The Committee notes that it intends to evaluate its experience, as well as the need for parallel working groups, in July and August 2007 with a view to submitting a new recommendation to the General Assembly at its sixty-second session;

(c) Further requests the General Assembly to continue to authorize two annual sessions of the Working Group on Communications under the Optional Protocol to the Convention.

...

## **Chapter VI**

### **Ways and means of expediting the work of the Committee**

414. The Committee considered agenda item 6, ways and means of expediting the work of the Committee, at its 684th and 700th meetings, on 5 and 22 July 2005.

#### **Action taken by the Committee under agenda item 6**

##### **Members of the pre-session working group for the thirty-fourth and thirty-fifth sessions**

415. The Committee confirmed that the members of the pre-session working group for the thirty-fourth session would be:

*Members:*

Magalys Arocha  
Shanthi Dairiam  
Françoise Gaspard  
Pramila Patten  
Victoria Popescu

416. The Committee decided that the members of the pre-session working group for the thirty-fifth session would be:

Silvia Pimentel  
Dubravka Šimonović  
Náela Gabr  
Xiaoqiao Zou

(One expert remains to be determined)

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

417. In accordance with the draft calendar of conferences and meetings for 2006, the thirty-fourth session of the Committee will be held from 16 January to 3 February 2006. The pre-session working group for the thirty-fifth session will be held from 6 to 10 February 2006. The seventh session of the Working Group on Communications under the Optional Protocol will be held from 11 to 13 January 2006.

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

418. In accordance with the draft calendar of conferences and meetings for 2006, the thirty-fifth session of the Committee will be held from 10 to 28 July 2006. The pre-session working group for the thirty-sixth session will be held from 31 July to 4 August 2006. The eighth session of the Working Group on Communications under the Optional Protocol will be held from 3 to 7 July 2006. The dates of the thirty-fifth session are subject to adjustment in the light of any decision by the General Assembly on the Committee's request for an extension of its meeting time (see decision 33/I).

**Reports to be considered at future sessions of the Committee**

419. The Committee confirmed that it would consider the following reports at its thirty-fourth session:

(a) *Initial reports:*

Cambodia  
Eritrea  
The former Yugoslav Republic of Macedonia  
Togo

(b) *Periodic reports:*

Australia  
Mali  
Thailand  
Venezuela

420. The Committee decided to consider the following reports at its thirty-fifth session:

(a) *Initial reports:*

Bosnia and Herzegovina  
Cape Verde  
Malaysia  
Saint Lucia  
Turkmenistan

(b) *Periodic reports:*

Malawi



Mexico  
Romania

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

### **Extension of the Committee's meeting time**

421. The Committee considered the possible options for extension of its meeting time presented by the Secretariat (CEDAW/C/2005/II/4, paras. 37-43). It also met with the Chief, Planning and Meetings Servicing Section of the Central Planning and Coordination Service, and Secretary of the Committee on Conferences, Department for General Assembly and Conference Management, who further clarified the constraints and possible options for accommodating an additional annual session as well as meetings of the Committee in parallel working groups during all or part of the annual sessions.

422. The Committee took account of the above-mentioned constraints, as well as of the significant backlog of reports awaiting consideration — 55 at the beginning of the Committee's thirty-third session. The Committee's proposal to the General Assembly for the addition of a regular third annual session would enable the Committee to consider up to 24 reports annually, an increase of eight reports. The addition of a limited number of meetings in parallel working groups (seven for the sessions of January and August) would allow the Committee to consider the reports of an additional 14 States parties.

423. Approval by the General Assembly of the Committee's request would enable the Committee to consider the reports of 30 States parties in 2006 (8 in January, 8 in May and 14 in August) and 36 in 2007 (14 in January, 8 in May and 14 in August). While the extension of the meeting time would enable the Committee to eliminate the backlog of reports awaiting consideration, a considerable number of reports are received annually, thus necessitating a third regular annual session. The Committee intended to keep the status of reports received under review and would assess the situation at its session in August 2007, with a view to making a recommendation to the General Assembly about a possible continuing need for parallel working groups.

424. A statement of programme budget implications concerning the Committee's decision 33/I is contained in annex IX to part two of the present report.

### **Country task forces**

425. The Committee used country task forces for the constructive dialogue with two reporting States on their periodic reports. Experts assessed the lessons learned from the experience and identified strengths, as well as where there was room for improvement. In general, the experts strongly supported the continuation of this method of work at the thirty-fourth session. It was agreed that country task forces would be established for the examination of up to four reporting States and that the modalities of the work of country task forces would remain flexible.

### **Interaction with national human rights institutions**

426. The Committee received, for the first time, information from a national human rights institution in relation to a reporting State (Ireland). The Committee allocated a separate segment during the informal meeting with non-governmental organizations to receive information from the Irish Human Rights Commission. The Committee welcomed this development. It agreed that modalities for interaction with national human rights institutions should be developed in coordination with other human rights treaty bodies. The Committee therefore agreed to prepare proposals at its thirty-fourth session for submission to the fifth inter-committee meeting in 2006. It requested the Secretariat to prepare a short working paper as part of its pre-session documentation to support the Committee's discussion and action. It also agreed that, should other national human rights institutions request opportunities to provide information to the Committee in the interim, the same modalities as those applied in the case of the Irish Human Rights Commission would apply.

### **Views of the Committee on a special rapporteur on discriminatory legislation**

427. The Committee considered the question of the advisability of a special rapporteur on discriminatory legislation, as requested by the Commission on the Status of Women in its resolution 49/3.<sup>3</sup>

428. While the Committee appreciated fully the desire of the Commission on the Status of Women to carry out its mandate to work towards the elimination of discriminatory legislation, as called for in the Beijing Platform for Action and the outcome document of the twenty-third special session of the General Assembly,<sup>4</sup> the Committee did not see the necessity of establishing a special rapporteur on discriminatory legislation. Instead, the Commission might consider other avenues of pursuing the same objective. Should the Commission decide, however, to pursue the establishment of such a mechanism, the Committee would recommend that the Commission include in the mandate of the special rapporteur a requirement to address various types of discriminatory laws; customary and other forms of law (common and codified law); and de jure and de facto discrimination against women. The mandate should clearly spell out the scope of the discriminatory legislation to be covered and should also include indirect discrimination. Lastly, the Commission should consider the ways in which a mandate holder could have a significant political impact at the national level.

### **Secretary-General's in-depth study on violence against women**

429. Following a presentation by the Secretariat on the study, experts commented on the importance and value added of the study. Experts emphasized the Committee's critical contribution to the consideration of violence against women as a form of discrimination within the meaning of article 1 of the Convention, which had brought this scourge into the human rights framework. This understanding was elaborated in the Committee's general recommendation 19, as well as most recently in *A. T. v Hungary* under the Optional Protocol. Experts

agreed to continue the discussion at the Committee's thirty-fourth session, on the basis of a provisional outline and draft chapters that would be available at that time.

**Follow-up to the seventeenth meeting of Chairpersons of human rights treaty bodies and the fourth inter-committee meeting, 20 to 24 June 2005**

430. Based on the decision taken by the Committee at its thirty-second session, the Chairperson as well as Meriem Belmihoub-Zerdani and Hanna Beate Schöpp-Schilling participated in the fourth inter-committee meeting. The Chairperson also participated in the seventeenth meeting of Chairpersons of treaty bodies. In follow-up to recommendations made at the meetings, the Committee designated Ms. Schöpp-Schilling for membership in a technical working group of seven members, one from each committee, to finalize the draft harmonized guidelines (HRI/MC/2005/3) for consideration and eventual adoption by each of the committees. Heisoo Shin and Victoria Popescu were designated as Ms. Schöpp-Schilling's alternates.

431. Cornelis Flinterman was designated to join a seven-member working group to be convened in early 2006 to consider an updated version of a report on the practice of human rights treaty bodies with respect to reservations to international human rights treaties (HRI/MC/2005/5), which had been prepared by the Secretariat. Pramila Patten was designated as the alternate.

432. The Committee agreed to consider the issues of standardization of terminology and follow-up to concluding comments at the thirty-fourth session in January 2006.

**Plan of Action of the Office of the High Commissioner for Human Rights**

433. The Committee met in closed meeting on 20 July 2005 with the Director of the New York Office of the United Nations High Commissioner for Human Rights, who made a statement on the Plan of Action of the Office of the High Commissioner for Human Rights. He focused on the proposal to transfer responsibility for supporting the Committee to the Office of the High Commissioner for Human Rights (Geneva) and on the proposal to create a unified standing treaty body.

**Twenty-fifth anniversary of the Committee**

434. Mr. Flinterman and Ms. Schöpp-Schilling reported to the Committee on their successful efforts to seek funding and identify a publishing house for a book of thematic essays on the Convention. The book would take a thematic approach to the Convention, rather than covering each article separately. A certain number of present and former participants in expert groups would be invited to contribute essays, while others would be invited to write short personal stories. The target audience would be the general public, as well as college and graduate students, and the book would be written in an accessible

way. A manuscript should be ready by August 2007. An outline would be circulated to members in due course.

### **Cooperation with the Committee on the Rights of the Child**

435. The Committee discussed procedures, as well as areas of common interest, for possible cooperation with the Committee on the Rights of the Child. It was agreed to explore several possibilities, including extending an invitation to the Chairperson of the Committee on the Rights of the Child to attend a session of the Committee and establishing a small group of experts from both Committees to explore topics for cooperation.

### **Intersessional meeting in 2006**

436. The Committee warmly welcomed the prospect of holding an intersessional meeting in Berlin in the spring of 2006 as a result of the efforts of Ms. Schöpp-Schilling. While the dates and detailed agenda would be discussed at a future stage, the Committee planned to use the meeting for substantive discussions (including on the draft general recommendation on article 2; a draft general recommendation on migrant women; the proposals of the United Nations High Commissioner for Human Rights for a standing unified treaty body on the basis of a forthcoming concept paper; and the question of indicators for monitoring implementation of the Convention) and for a discussion on working methods, especially in regard to the Committee's anticipated use of parallel working groups.

### **Interaction with entities of the United Nations system**

#### **Information submitted to the Committee by United Nations entities; Focal points of the Committee to United Nations entities**

437. The Committee expressed concern about the lack of, or frequently unsatisfactory, input received from United Nations entities. The Committee was especially concerned about the apparent indifference of some entities, particularly the United Nations Development Programme, in relation to the Committee's work. It was concerned about the gap between pertinent information available in the field and the limited, or lack of, information provided to the Committee by the central offices of United Nations entities.

438. The Committee agreed to revise its guidelines for reports of United Nations bodies and specialized agencies at the thirty-fourth session to make them clearer and more specific, and designated two experts, Shanthi Dairiam and Dubravka Šimonović, to prepare a draft revision for the Committee's consideration. United Nations bodies and agencies would be especially encouraged to provide written and oral information to the pre-session working group, as well as updated information to the session itself, in respect of the countries whose reports were before the Committee.

439. The Committee also suggested that the Special Adviser to the Secretary-General on Gender Issues and Advancement of Women might wish to raise the issue of requests for inputs (particularly country-specific information on women) to the work of the Committee

from United Nations bodies and agencies in high-level meetings, stressing that such information was needed already for the Committee's pre-session working groups.

440. The Committee discussed the designation of Committee focal points to entities of the United Nations system. Several experts were concerned about the limited response and interest they had received from their counterparts in United Nations entities. Experts considered that Committee focal points should be provided with an official letter of introduction signed by the Chairperson to assist in the establishment of a relationship with relevant staff in the relevant United Nations bodies and agencies. The Committee agreed to develop the mandates for focal points in coordination with other treaty bodies and, to that end, the Committee would make suggestions to the next inter-committee meeting. It was also agreed to review, and update as necessary, the current list of Committee focal points.

441. Experts agreed on the desirability of organizing, in conjunction with the Committee's sessions, short workshops or dialogue sessions with entities of the United Nations system, of a half-day's duration or during lunch time, on selected thematic issues. The discussions would be aimed at strengthening cooperation between the Committee and United Nations entities and would also provide an opportunity for in-depth discussions on issues arising from the Convention and falling within the purview of particular entities.

#### **Website of the Division for the Advancement of Women**

442. The Committee noted that the documentation pertaining to the early years of the work of the Committee was not available on the website of the Division for the Advancement of Women (in particular, reports of States parties and the Committee's annual reports). The Committee suggested that the Division prepare an estimate of resources required to store electronically and make available on the website the documentation relating to the consideration of reports of States parties.

...

## **Annex VII**

### **Report of the fifth session of the Working Group on Communications under the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women**

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 fifth session from 31 January to 2 February 2005. All the members of the Working Group, except for Krisztina Morvai, attended.
2. Pramila Patten was elected Chairperson of the Working Group.
3. The Working Group adopted its agenda (see appendix).
4. The Working Group reviewed procedures for processing communications under the Optional Protocol, coordination between

the Division for the Advancement of Women and the Petitions Team of the Office of the United Nations High Commissioner for Human Rights, including routing of correspondence, and activities undertaken to disseminate information on the Optional Protocol procedure, in particular the model communications form. It took note of decisions on working methods taken at past sessions.

5. The Working Group agreed to continue the practice of working between sessions and taking decisions on the registration of new communications and decisions on draft recommendations prepared by case rapporteurs on pending communications, as appropriate, in order to expedite its work. The Working Group also requested the Secretariat to provide the pre-session documentation one week prior to its sessions.

6. The Working Group decided to register the fifth, sixth, seventh and eighth communications.

7. The Working Group decided that its sixth session would be held from 29 June to 1 July 2005.

...

## **Annex VIII**

### **Report of the sixth session of the Working Group on Communications under the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women**

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 sixth session from 29 June to 1 July 2005. All the members of the Working Group attended.

2. The Working Group adopted its agenda (see appendix).

3. The Working Group reviewed its working methods in respect of aspects of processing communications under the Optional Protocol, including applications for interim measures and registration of communications between sessions, and discussed the issue of a follow-up mechanism for views in which the Committee finds a violation of any Convention rights. It also discussed the organization of its sessions.

4. The Working Group considered a request for interim measures in accordance with article 5, paragraph 1, of the Optional Protocol prior to its sixth session. It decided against granting the request.

5. The Working Group considered a draft recommendation prepared by a case rapporteur, reviewed the status of other communications and decided to register its ninth communication.

6. The Working Group requested the Secretariat to research the case law of other human rights treaty bodies and regional human rights bodies regarding the meaning of “ordinary” and “extraordinary” domestic remedies, with a focus on constitutional reviews of relevant

laws, in the context of the admissibility requirement that authors of communications exhaust all available domestic remedies.

7. The Working Group decided that its seventh session would be held from 11 to 13 January 2006.

...

## **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 33/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 33/I, the Committee on the Elimination of Discrimination against Women (CEDAW) would request the General Assembly to: (i) 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 2006; (ii) authorize the Committee to meet, on a temporary basis in 2006 and 2007, for part of its three annual sessions in parallel working groups, for the purpose of considering reports of States parties submitted under article 18 of the Convention. In particular, the Committee would request approval to meet for up to seven days in parallel working groups during its third (July/August) annual session in 2006 and its first (January) and third (July/August) annual sessions in 2007; the Committee notes that it intends to evaluate its experience, as well as the need for parallel working groups in July/August 2007 with a view to submitting a new recommendation to the General Assembly at its sixty-second session; and (iii) continue to authorize two annual sessions of the Working Group on Communications under the Optional Protocol.

##### **B. Relationship of the proposed decision to the biennial programme plan for the period 2006-2007 and the proposed programme of work for the biennium 2006-2007**

2. The activities to be carried out relate to: programme 1, General Assembly and Economic and Social Council affairs and conference management; 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 support services, of the biennial programme plan for the period 2006-2007. They fall under: section 2, General Assembly and Economic and Social Council affairs and conference management;

section 9, Economic and social affairs; and section 28D, Office of Central Support Services, of the proposed programme budget for the biennium 2006-2007.

3. Provisions have been made in the 2006-2007 proposed programme budget for the 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 and, for each session, a five-day pre-session working group meeting, and the cost of attendance at two annual meetings of the Working Group on Communications under the Optional Protocol, as well as for conference and support services to the Committee, the pre-session working group and the Working Group on Communications.

### **C. Activities by which the proposals would be implemented**

4. The additional sessions called for in the draft decision, referred to in paragraph 1 (i), above is expected to allow the Committee to consider a greater number of States parties' reports at each of its three annual sessions. The Committee currently considers 16 States' reports annually. Should the decision of CEDAW be endorsed, it is estimated that it will be able to consider between 30 and 35 reports per year and effectively eliminate the backlog of reports that has accumulated. Other expectations with regard to an extension of the Committee's meeting times and changes to its work methods are that the establishment of parallel working groups would effectively double the volume of States parties' initial and periodic reports considered at the Committee's sessions and that the Secretariat would provide high-quality servicing and support to the parallel working groups that would be considering State's parties reports. It is estimated that an additional amount of \$505,700 would be required in the biennium 2006-2007 to provide for the members of CEDAW to attend the two additional sessions and two additional pre-session working group meetings.

5. Under the supervision of the Chief of the Women's Rights Section of the Division for the Advancement of Women at the P-5 level, a staff member at the P-4 level serves as the Secretary of the Committee. In addition, the incumbents of one P-4 and one P-2 post provide substantive support for the work of the Committee on the Optional Protocol to the Convention that came into effect in 2000. One P-4 and one P-3 post is allocated for supporting the work on the human rights of women undertaken by United Nations bodies such as the General Assembly and the Commission on the Status of Women. The incumbents of the latter four posts also assist with the substantive servicing of CEDAW sessions.

6. In order to support the additional workload of the Committee in eliminating the backlog of reports and in view of the additional time that would be dedicated to the consideration of States' parties reports during the Committee's sessions in the biennium 2006-2007, general temporary assistance resources estimated at \$233,900, equivalent to 18 work-months at the P-3 level, are proposed, on a non-recurrent basis, for the biennium 2006-2007, to assist with:



(a) Analysis of States parties' reports on the implementation of the Convention on the Elimination of All Forms Discrimination against Women, drawing upon prior reports and other relevant information, including from United Nations sources;

(b) Identification of gaps existing at the country level in the implementation of the Convention;

(c) Preparation of draft lists of issues and questions on States' parties reports under consideration by the Committee;

(d) In-session support to Committee experts in the preparation of draft concluding comments on States parties' reports; and

(e) Provision, in general, of substantive support, especially during the sessions of the Committee with parallel working groups.

7. The current mandate of the Committee is to meet twice a year for three weeks each time. A one-week pre-session working group follows each session. Should the draft decision be adopted, it would entail additional meetings of the Committee during one additional three-week session in each year of the 2006-2007 biennium for which interpretation services would be required in the six official languages. The additional one-week pre-session working group meeting that would be held following each additional three-week session would require interpretation services only in English, French and Spanish. For the thirty-fifth and thirty-eighth sessions of the Committee, pre-session documentation is estimated at 400 and 1,200 pages, respectively. Each session would require 150 pages of in-session and 150 pages of post-session documentation in the six languages. Regarding the existing two three-week annual sessions, the interpretation requirements are expected to remain unchanged, while documentation requirements will increase to 1,800 pages of pre-session, 200 pages of in-session and 200 pages of post-session documentation in all six languages. The documentation for the proposed additional one-week session of the pre-session working group in each year and for the proposed seven days of parallel meetings that would be held in July 2006 (during the thirty-sixth session), January 2007 (during the thirty-seventh session) and July 2007 (during the thirty-ninth session) is included in the overall forecast. Summary records would be provided for all the meetings of the Committee, except the pre-sessional working group meetings.

8. Should draft decision 33/I be adopted, the exact dates for all the meetings of CEDAW, consisting of three three-week annual sessions of the Committee, three one-week pre-sessional working group meetings and two additional parallel working group meetings to be held in 2006-2007 will be determined by consultation between the substantive secretariat and the Department for General Assembly and Conference Management, subject to the availability of conference facilities and services.

#### **D. Additional requirements for the biennium 2006-2007**

9. Should CEDAW adopt the draft decision, additional resources estimated at \$505,700 for travel, per diem and terminal costs for the

members of the Committee to attend a third annual session of three weeks in each year of the biennium 2006-2007, with a one-week pre-session working group meeting for each session, effective from January 2006, are proposed under section 9 of the proposed programme budget for the biennium 2006-2007. General temporary assistance resources estimated at \$233,900, equivalent to 18 work-months at the P-3 level, are also proposed under section 9. Furthermore, additional conference-servicing costs are estimated at \$8,689,800 under section 2 and \$89,900 under section 28D of the proposed programme budget for the biennium 2006-2007.

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

	<i>2006</i>	<i>2007</i>	<i>Total</i>
	\$	\$	
<b>I. Section 9, Economic and social affairs</b>			
Travel, per diem and terminal expenses	252 800	252 900	505 700
General temporary assistance	116 900	117 000	233 900
<b>Subtotal</b>	<b>369 700</b>	<b>369 900</b>	<b>739 600</b>
<b>II. Section 2, General Assembly and Economic and Social Council affairs and conference management</b>			
Meetings servicing, interpretation and documentation	3 751 400	4 938 400	8 689 800
<b>III. Section 28D, Office of Central Support Services</b>			
Support services	39 800	50 100	89 900
<b>Total</b>	<b>4 160 900</b>	<b>5 358 400</b>	<b>9 519 300</b>

## **E. Contingency fund**

11. 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**

12. **Should draft decision 33/I be adopted by the Committee on the Elimination of Discrimination against Women, additional resources totalling \$9,519,300 would be required under section 9, Economic and social affairs (\$739,600), section 2, General**

**Assembly and Economic and Social Council affairs and conference management (\$8,689,800), and section 28D, Office of Central Support Services (\$89,900), of the proposed programme budget for the biennium 2006-2007. This would represent a charge against the contingency fund and, as such, would require appropriations for the biennium 2006-2007 to be approved by the General Assembly at its sixtieth session.**