



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

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

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Ways and means of expediting the work of the Committee

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

Note by the secretariat

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* CEDAW/C/2010/45/1.

I. Introduction

1. The present report contains information relevant to the work of the Committee on the Elimination of Discrimination against Women. Section II contains information on developments in the human rights regime, including the human rights treaty bodies, the Security Council, the General Assembly and the Human Rights Council. Section IV provides information on reports to be considered by the Committee at future sessions and on reports that have been received but not scheduled for consideration. A list of States that have not ratified or acceded to the Convention on the Elimination of All Forms of Discrimination against Women is contained in annex I to the present report. Annex II contains a list of States parties whose reports had been submitted but not yet considered or scheduled for consideration by the Committee as at 20 November 2009.

II. Developments in the human rights regime

A. Human rights treaty bodies

2. From 13 to 31 July 2009, the Human Rights Committee held its ninety-sixth session. During the session, the Committee held its first dialogue of future cooperation with the Inter-Parliamentary Union (IPU), and agreed on the need to promote awareness on the part of parliamentarians about international human rights treaties and mechanisms, as well as about the role which IPU can play in disseminating information on the International Covenant on Civil and Political Rights and on the Committee's concluding observations. The Committee recognized that national parliaments should play an important role in the protection and promotion of civil and political rights and in the implementation of the recommendations to States parties, in particular with respect to legislative changes aimed at implementing the Covenant. The Committee also decided that reminders should be sent once a year to all States parties whose reports are overdue (after one year's delay in the submission of the report).

3. The Human Rights Committee held its ninety-seventh session from 12 to 30 October 2009. At that session, the Committee discussed its working methods, focusing on its draft revised reporting guidelines.

4. The Committee on the Elimination of Racial Discrimination held its seventy-fifth session from 3 to 28 August 2009. For the first time, the session lasted for four weeks, following the approval of extended meeting time by the General Assembly. The Committee decided that, in addition to prioritizing specific recommendations for follow-up within a year, it would also identify longer-term priorities in its concluding observations, including with a view to providing guidance for the preparation of compilations for the universal periodical review. Furthermore, in order to align itself with the practice of the majority of treaty bodies, the Committee decided to waive the confidentiality of country rapporteurs. During the session, two general recommendations were adopted: general recommendation No. 32, which elaborates on the meaning of special measures within the context of the Convention, with the aim of providing practical guidance to States parties in the discharge of their treaty obligations in this regard, and general recommendation No. 33, on follow-up to the Durban Review Conference, which welcomes the impetus given by

the Conference to the further implementation of the Durban Declaration and Programme of Action, takes note of the provisions in the outcome document with specific reference to the Convention and the work of the Committee.

5. From 14 September to 2 October 2009, the Committee on the Rights of the Child held its fifty-second session. The Committee decided to review its provisional rules of procedure in order to update them and adopt more specific rules regarding the election and term of Bureau members. The Committee and the African Committee of Experts on the Rights and Welfare of the Child met during the session and agreed to strengthen their cooperation. During the session, the Committee met for the first time with the Special Representative of the Secretary-General for Children and Armed Conflict in order to discuss means of cooperation and mutual support of the respective mandates, notably in conjunction with States parties reviewed under the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. At the session, the Committee decided that it would not hold a day of general discussion in 2010 owing to the increasing backlog of reports pending consideration.

6. On 8 and 9 October 2009, the Committee and other partners organized a two-day commemoration to mark the twentieth anniversary of the adoption of the Convention on the Rights of the Child. The meeting consisted of presentations in plenary meeting and discussions in workshops which identified achievements in implementation and examples of best practice; identified challenges for the future; and formulated priority recommendations to enhance implementation. Those recommendations will be reviewed and formally adopted by the Committee on the Rights of the Child at its next session, in January 2010.

7. From 12 to 16 October 2009, the eleventh session of the Committee on Migrant Workers was held. In a public session, the Committee discussed its plans for the twentieth anniversary of the adoption of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. It also initiated a general comment on migrant domestic workers and will discuss a first draft at its twelfth session in April 2010. That will be the Committee's first general comment since it started its work in 2004. During the session, the Committee expressed concern at the delay in reporting by States parties, which may hinder its work in the near future. The Committee has indicated that if there is no improvement in the reporting rate, it would consider the possibility of examining the situation of migrants' rights in States parties in the absence of a report, in line with other treaty bodies' practice.

8. During the session, the Committee devoted a day of general discussion to the issue of migrant domestic workers. The discussion was aimed at, inter alia, providing input to the debate to be held at the ninety-ninth session of the International Labour Conference in 2010 at which the issue of decent work for domestic workers will be discussed and the adoption of a new International Labour Organization (ILO) instrument on domestic workers by 2011 will be considered. Two working groups were organized to discuss the recruitment and employment of migrant domestic workers and the effective protection of migrant domestic workers, respectively. ILO representatives also attended the discussion. A member of the Committee on the Elimination of Discrimination against Women also participated in the event.

9. From 19 to 23 October 2009, the second session of the Committee on the Rights of Persons with Disabilities was held. The Committee discussed reporting guidelines and rules of procedure. It devoted its day of general discussion on 21 October 2009 to article 12 of the Convention on the Rights of Persons with Disabilities, dealing with the right to equal recognition before the law. The discussion was intended to provide States parties and other actors with more comprehensive guidance as to their obligations to promote and protect the right to equal recognition before the law as outlined in article 12 of the Convention.

10. Following the fiftieth ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, by Switzerland on 24 September 2009, the number of independent experts of the Subcommittee on Prevention of Torture will increase from 10 to 25. The membership of the Committee on Migrant Workers will increase from 10 to 14 members as a result of the forty-first ratification, by Nigeria on 27 July 2009, of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

11. On 29 September 2009, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights was opened for signature and received wide support, with 30 signatures. The Office of the United Nations High Commissioner for Human Rights (OHCHR) organized, in Geneva on 28 and 29 October 2009, a two-day expert seminar on the justiciability of economic, social and cultural rights and the Optional Protocol of the Committee on Economic, Social and Cultural Rights. The objective of the seminar was to discuss the most important substantive and procedural issues raised by litigation in the field of economic, social and cultural rights, in order to provide Committee members with a thorough overview of relevant comparative experiences in that area. The seminar brought together experts in the adjudication of economic, social and cultural rights at the national, regional and international levels, such as members of international and regional human rights mechanisms, courts and national judges and practitioners. The Chairperson of the Working Group on Communications under the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women took part in the expert seminar and shared the experience of the Committee on the Elimination of Discrimination against Women in adjudicating economic, social and cultural rights. He noted that there was a clear overlap between the mandates of the Committee on the Elimination of Discrimination against Women and the Committee on Economic, Social and Cultural Rights and expressed the hope that both Committees would use their jurisprudence to strengthen the rights covered by their respective instruments.

12. The forty-third session of the Committee on Economic, Social and Cultural Rights was held in Geneva from 2 to 20 November 2009. During the session, the Committee adopted its General Comment No. 21, on the right of everyone to take part in cultural life (art. 15, para. 1 (a), of the International Covenant on Economic, Social and Cultural Rights). The Committee has long experience of the subject through its consideration of reports and its dialogue with States parties. In addition, it twice organized a day of general discussion, in 1992 and 2008, with representatives of international organizations and civil society with a view to preparing General Comment No. 21. Furthermore, the Committee held an information session on the right to sexual and reproductive health, organized in cooperation with the United Nations Population Fund (UNFPA), the World Health Organization and the Centre for Reproductive Rights, with a view to elaborating a

general comment on this issue. The information session was preceded by an expert meeting organized by UNFPA in New York on 8 and 9 October 2009. The meeting hosted a number of United Nations agencies, experts, practitioners and leading academics in that field. Five members of the Committee were present at the meeting, which provided an opportunity for an extremely useful and instructive exchange of ideas on how to proceed with a general comment of this nature. The Committee might consider devoting a day of general discussion to the issue in November 2010.

B. Ninth inter-committee meeting of human rights treaty bodies

13. The ninth inter-committee meeting of human rights treaty bodies and the twenty-first meeting of chairpersons of human rights treaty bodies were held from 29 June to 1 July 2009 and on 2 and 3 July 2009, respectively. Both meetings focused on the effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights. The inter-committee meeting also discussed the reform of the treaty body system, including the harmonization of working methods and the universal periodic review mechanism of the Human Rights Council.

14. The twenty-first meeting of chairpersons recognized the important contributions provided by special procedures mandate holders to the work of the treaty bodies. The chairpersons reiterated the importance of strengthening cooperation and coordination between the two mechanisms, in particular with regard to information-sharing and more effective use of their mutual outputs. The meeting recommended that each treaty body consider designating a focal point to enhance cooperation, facilitate more effective interaction on country-specific and thematic issues and follow up with the special procedures mandate holders. The chairpersons underlined the complementary and mutually reinforcing nature of the treaty body system and the universal periodic review mechanism and emphasized the importance of a continuing dialogue on this matter. The positive value of the outcome of the universal periodic review as an intergovernmental process was also noted. The chairpersons also stressed that both processes were equally important and recommended that resource allocations reflect this principle.

15. The meeting of chairpersons took note of General Assembly resolution 63/167, on equitable geographical distribution in the membership of the human rights treaty bodies, and recommended that States parties, when nominating and electing members of the treaty bodies, take into account the provisions set out in the legally binding human rights instruments to this effect. The chairpersons also recommended that the report of the Independent Expert on minority issues (A/HRC/10/11/Add.1) containing the recommendations of the Forum on Minority Issues, as well as future reports on the Forum, be provided to all treaty bodies to encourage discussion of those recommendations and the possible elaboration of a joint general comment on minority issues.

C. Security Council

16. The Security Council unanimously adopted resolution 1888 (2009) urging Member States to take effective steps to halt the use of sexual violence as a tactic of

war. The resolution, sponsored by 61 countries, reiterated the Council's demand for the complete cessation by all parties to armed conflict of all acts of sexual violence with immediate effect. The resolution builds on resolutions 1325 (2000) and 1820 (2008), both of which were instrumental in raising the issue of sexual violence in the context of the Council's agenda. In resolution 1888 (2009), the Council affirms that effective steps to prevent and respond to such acts of sexual violence can significantly contribute to the maintenance of international peace and security. The Council urges States to undertake comprehensive legal and judicial reforms without delay with a view to bringing perpetrators of sexual violence in conflicts to justice. Parties to a conflict must also ensure that all reports of sexual violence committed by civilians or by military personnel are thoroughly investigated and the alleged perpetrators brought to justice.

D. General Assembly

17. On 14 September 2009, the General Assembly adopted resolution 63/311, in which it supported the establishment of a new entity to deal with the rights of women. Four United Nations agencies, namely, the United Nations Development Fund for Women (UNIFEM), the Division for the Advancement of Women, the Office of the Special Adviser on Gender Issues and Advancement of Women and the United Nations International Research and Training Institute for the Advancement of Women, will be merged to create a new single entity within the Organization to promote the rights and well-being of women worldwide and to work towards gender equality. The resolution is aimed at improving coherence within the United Nations system. Pursuant to the resolution, the new consolidated body will be headed by an Under-Secretary-General. The resolution requires the Secretary-General to provide Member States with a comprehensive proposal outlining the mission, statement, structure, funding and oversight of the new entity so that it can be created as soon as possible. The resolution also calls for greater measures to harmonize business practices within the United Nations development system, ways to improve the funding system for such activities and other steps to streamline practices within the Organization. It should be noted that, currently, more women are being appointed to senior posts than at any other time in the history of the United Nations, including nine women appointed to the rank of Under-Secretary-General. The number of women in senior posts has increased by 40 per cent since 2007.

E. Human Rights Council

18. In June 2009, the Human Rights Council adopted resolution 11/1, entitled "Open-ended Working Group on an optional protocol to the Convention on the Rights of the Child to provide a communications procedure". The resolution establishes an Open-ended Working Group to explore the possibility of elaborating an optional protocol to the Convention on the Rights of the Child to provide a communications procedure to complement the reporting procedure under the Convention. The Working Group will meet from 14 to 18 December 2009.

19. The Human Rights Council Advisory Committee convened for its third session, from 3 to 7 August 2009. The Advisory Committee adopted a set of guidelines on the elimination of discrimination against persons affected with leprosy and their family members and discussed the draft declaration on human rights

education and training. The Advisory Committee also decided to consider a study on the promotion of the rights of peoples to peace. In its decision, the Advisory Committee noted that there was a need to further clarify the content and scope of this right, proposed measures to raise awareness of the importance of its realization and suggested concrete actions to mobilize States, intergovernmental and non-governmental organizations in the promotion of the rights of peoples to peace. It was agreed that this new initiative would allow the Advisory Committee to make a contribution, from a human rights perspective, to the debate on peace and security. It was decided that the study would be submitted for consideration by the Advisory Committee no later than its fifth session. The Advisory Committee also decided to set a new priority: the promotion of the human rights of elderly people. The Committee noted that the number of elderly people is rapidly increasing, and that they are at risk of suffering as a result of violations of their human rights in various economic, institutional, community and family settings.

20. From 14 September to 2 October 2009, the Human Rights Council held its twelfth session. In this context, it held its annual discussion on the integration of a gender perspective in the work of the Human Rights Council, with a focus on the universal periodic review. Discussion highlighted the fact that the Human Rights Council, the United Nations human rights mechanisms and the universal periodic review process are particularly interesting for countries that have not ratified some of the international human rights treaties, including the Convention on the Elimination of All Forms of Discrimination against Women. It should be noted that in the course of the review, several States made commitments to remove far-reaching and long-standing reservations to the Convention. The Committee on the Elimination of Discrimination against Women was represented by one member, who emphasized that the Human Rights Council must ensure that all of its mechanisms and subsidiary bodies develop and adopt an operational definition of gender that can inform the processes, procedures and outcomes of their work.

21. On 29 and 30 September 2009, the Human Rights Council discussed the report of the United Nations Fact-Finding Mission on the Gaza Conflict (A/HRC/12/48). The Mission was mandated by the Council at its ninth special session. The Council also debated the report of the High Commissioner for Human Rights on the implementation of Human Rights Council resolution S-9/1 (A/HRC/12/37). The Council convened its twelfth special session on 15 and 16 October 2009. The session was called by members of the Council to discuss the human rights situation in the Occupied Palestinian Territory and East Jerusalem and the recommendations of the Fact-Finding Mission. Almost all States called for independent investigations to bring those responsible for violations of human rights law and international humanitarian law to justice. A resolution was adopted by a vote at the end of the session.

III. Thirtieth anniversary of the Convention on the Elimination of All Forms of Discrimination against Women

22. On 18 December 1979, the General Assembly adopted the Convention on the Elimination of All Forms of Discrimination against Women. The thirtieth anniversary of the Convention provided an opportunity to celebrate its near-universal ratification, as well as the recent progress that has been made at the

national level to implement it. To mark the anniversary, a number of events were organized at the national and regional levels. The regional events were organized by OHCHR, UNIFEM and the United Nations regional commissions in the context of the 15-year review of the implementation of the Beijing Platform for Action. Celebrations are taking place in Argentina, Egypt, the Gambia, Kyrgyzstan, Lebanon, Switzerland and Thailand throughout 2009. The celebration of the anniversary will culminate in a global event, to be held on 3 December 2009 at United Nations Headquarters in New York.

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

23. During the forty-fifth session, to be held from 18 January to 5 February 2010, the Committee will consider the reports of the following States parties: Botswana, Egypt, Malawi, Netherlands, Panama, Ukraine, United Arab Emirates and Uzbekistan. The following States parties have been invited to submit their reports at the forty-sixth session in July/August 2010: Albania, Argentina, Australia, Central African Republic, Fiji, Grenada, Papua New Guinea, Russian Federation, Seychelles and Turkey. Argentina, whose report was scheduled for consideration at the forty-fourth session, in July 2009, requested that consideration of its report be postponed. In drawing up the list of States parties to be considered at future sessions, the Committee is invited to consider annex II to the present report, which contains a list of States parties whose reports have been submitted but not yet scheduled for consideration. The Committee may also wish to recall that it decided to consider implementation of the Convention in the Central African Republic, Grenada and Seychelles in early 2010, and Chad, the Comoros and Lesotho in the second part of 2010, if necessary in the absence of a report. At its forty-first session, in June 2008, the Committee invited Afghanistan, Bulgaria, Côte d'Ivoire, Djibouti, Saint Vincent and the Grenadines, Senegal, Solomon Islands and Zimbabwe to submit all of their overdue reports in a combined report within two years, failing which it would proceed with the consideration of the implementation of the Convention in those States parties in the absence of a report. A similar invitation was issued by the Committee at its forty-second session, in October/November 2008, in respect of Iraq, Sri Lanka and Uganda. Following a decision by the Committee at its forty-fourth session, in July 2009, Antigua and Barbuda, Barbados, Saint Kitts and Nevis, Trinidad and Tobago and Zambia also received an invitation to submit all of their overdue reports.

Annex I

States that have not ratified or acceded to the Convention

Africa

Somalia

Sudan

Asia and the Pacific

Iran (Islamic Republic of)

Nauru

Palau

Tonga

Western Europe and other

Holy See

United States of America

Annex II**States parties whose reports have been submitted but not yet considered or scheduled for consideration by the Committee, as at 20 November 2009**

<i>State party</i>	<i>Date due</i>	<i>Date received</i>	<i>Previously considered (session)</i>	<i>Previous report(s)</i>
Algeria				
Combined third and fourth periodic reports	21 June 2009	22 June 2009	2005 (32)	1, 2
Belarus				
Seventh periodic report	3 September 2006	1 July 2009	2004 (30)	4-6
Equatorial Guinea				
Sixth periodic report	22 November 2005	30 October 2009	2004 (31)	2-3, 4-5
Ethiopia				
Combined sixth and seventh periodic reports	10 October 2006	28 July 2009	2004 (30)	4-5
Israel				
Fourth periodic report	2 November 2004	4 May 2005	2005 (33)	3
Fifth periodic report	2 November 2008	4 May 2009		
Kenya				
Seventh periodic report	8 April 2009	10 July 2009	2007 (39)	5-6
Liechtenstein				
Fourth periodic report	21 January 2009	8 September 2009	2007 (39)	2, 3
Oman				
Initial periodic report	9 March 2007	8 October 2009	—	—
Nepal				
Combined fourth and fifth periodic reports	22 May 2008	6 November 2009	2004 (30)	2-3
Niger				
Combined third and fourth periodic reports	7 November 2012	21 March 2009	2007 (38)	1-2

<i>State party</i>	<i>Date due</i>	<i>Date received</i>	<i>Previously considered (session)</i>	<i>Previous report(s)</i>
Singapore				
Fourth periodic report	4 November 2008	25 March 2009	2007 (39)	3
South Africa				
Combined second, third and fourth periodic reports	14 January 2009	2 July 2009	1998 (19)	1
Sri Lanka				
Combined fifth, sixth and seventh periodic reports	4 November 2006	31 July 2009	2002 (26)	3-4
Yemen				
Seventh periodic report	29 June 2009	3 June 2009	2008 (41)	6
Zimbabwe				
Combined second, third, fourth and fifth periodic reports	12 June 2008	6 October 2009	1998 (18)	1