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**Statement by Ms. Ayse Feride Acar
Chairperson
Committee on the Elimination of
Discrimination against Women**

**Statement to the Third Committee
of the 59th Session of the
General Assembly**

Item 98, advancement of women

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Chairperson,
Distinguished delegates,

I am very pleased to address the Third Committee of the General Assembly to present the report of the Committee on the Elimination of Discrimination against Women (A/59/38). Since I addressed this Committee a year ago, the number of States parties to the Convention has increased to 178, ie an increase by four ratifications (Federated States of Micronesia, Kiribati, San Marino, and Swaziland), and the number of States parties to the Optional Protocol to the Convention has reached 67, an increase of 11 ratifications (Belarus, Belgium, Lesotho, Libyan Arab Jamahiriya, Lithuania, Niger, Philippines, Poland, Russian Federation, Slovenia, and The Former Yugoslav Republic of Macedonia). At the Vienna and Beijing conferences, Member States committed to the goal of universal ratification of the Convention by the year 2000. I urge all those who are yet to become parties to this core treaty on the human rights of women to double their efforts at reviewing any remaining constraints to ratification. The twenty-fifth anniversary of the adoption of the Convention by this august Assembly should provide an additional impetus for these efforts.

At its thirtieth and thirty-first sessions, held in January and July 2004 respectively, the Committee considered the reports of 16 States parties, namely Angola, Argentina, Bangladesh, Belarus, Bhutan, Dominican Republic, Equatorial Guinea, Ethiopia, Germany, Latvia, Malta, Nepal, Nigeria, Kuwait, Kyrgyzstan, and Spain. Five of these States parties reported for the first time, while one State party – Argentina – submitted a follow-up report as requested by the Committee. I would like to thank all these states for the sincere and serious discussions they engaged in with the Committee in these last two sessions.

The Committee was pleased that several States who had ratified the Convention some time ago submitted combined reports that covered all their outstanding reporting obligations. Although concerned about the significant delay with which some of these reports had been submitted, the Committee was gratified that interaction between these States and the Committee has now been achieved. We look forward to timely and effective reporting by these States in the future. The Committee once again appreciated that many delegations were headed by a high-level political representative, supported by technical experts in many of the fields covered by the Convention.

I would like to emphasize that the Committee's concluding comments should now form the basis for systematic follow-up action at the national level. The Committee considers it very important that concluding comments are discussed in the Cabinet, and that Parliaments are informed about the constructive dialogue. This is very salient because in many instances, further legislative action will be necessary to improve compliance with the Convention. Similarly, all those who had provided input during the preparatory process of the report should be briefed on the results of the presentation to the Committee. To that end, workshops or seminars on the constructive dialogue and the Committee's concluding comments should be organized in the capital and provincial settings, with government officials, representatives of non-governmental organizations

and other members of civil society, academia and business and professional associations. It is also essential, especially in federal States, that officials at the State and local levels be informed of the results and the Committee's concerns and recommendations. The international community likewise needs to play its part in follow-up: United Nations entities at the country level should actively support Governments' efforts at implementation and follow-up.

During its consideration of the reports of States parties at its thirtieth and thirty-first sessions, the Committee noticed a series of factors in all reporting States that continue to constitute challenges to the achievement of gender equality. These include social and cultural patterns of conduct of men and women, and the persistence of prejudices and customary and other practices, or stereotyped roles of women and men. While these factors take different forms in different countries, they exist everywhere. It is essential that State parties address forcefully and creatively their obligation, under articles 2(f) and 5, to eliminate *de jure* and *de facto* discrimination against women based on such factors.

The Committee also found that particular socio-economic circumstances had a particularly salient impact on the situation of women. The Committee emphasized *vis-à-vis* several reporting States that, as these countries tackled economic crises, or emerged from conflict to proceed on a path of development, gender equality must not be relegated to the backburner. In fact, the Committee asked these States parties to make the promotion of gender equality an explicit component of their national development plans and policies, in particular those aimed at poverty alleviation and sustainable development. The Committee made it clear that realization of *de facto* equality of women is not only an obligation of these States that they have accepted voluntarily with ratification of the Convention, but equality of women and men is also a critical means if these States are to make progress in their sustainable development.

There were several other common trends in implementation in the reporting States. Legislative gaps and the persistence of *de jure* discrimination is still the case in some states. Likewise, women's *de facto* situation continues to be characterized by inequality in relation to many of the rights protected under the Convention. Also, the Committee was especially concerned about the situation of vulnerable groups of women who in most instances experience multiple forms of discrimination. The Committee has noted especially the situation of rural women, migrant and minority women, as well as older women, among others, and called on States to step up their efforts to ensure compliance with the Convention and these women's full enjoyment of their rights under the Convention.

Let me turn to other results of the Committee's two sessions of 2004. The Committee adopted General Recommendation 25 on article 4, paragraph 1, of the Convention, on temporary special measures. I urge all States parties to carefully study this General Recommendation and draw attention to the fact that, in the Committee's view, temporary special measures such as quotas, time bound targets and calendars, as well as sex-specific stipends are not to be considered discrimination. They are, rather,

part of a necessary strategy by States parties to accelerate the achievement of substantive equality for women.

The Committee continued to monitor the situation of women in Iraq, and issued two statements. In both instances, the Committee finds it paramount that all activities in the development of the country be in full compliance with the Convention, especially as Iraq is a State party to the Convention.

Distinguished delegates,

I am pleased to report that the Optional Protocol to the Convention is now an operational instrument. At its thirty-first session, the Committee adopted its first decision in response to a complaint under the Optional Protocol declaring a complaint against Germany inadmissible. Three further communications have been registered.

The Committee also completed its first inquiry under article 8 of the Optional Protocol. This inquiry was carried out in Mexico on the matter of the killings and disappearances of women in Ciudad Juarez. While the Committee's substantive report on the matter will be issued at a later stage I would like to commend the Government of Mexico for its effective cooperation with the Committee throughout the inquiry and I look forward to their sustained support in the follow up of the Committee's recommendations.

The Optional Protocol plays a critical role in ensuring implementation of the Convention at the national level. This instrument is first and foremost an incentive for States parties to ensure that effective and timely remedies are available to women at the national level to obtain redress for their grievances. I urge States parties to disseminate widely information about the Protocol so that women who believe that their claims are not adequately addressed through domestic means may avail themselves of this remedy by an international body. I commend those States who have, and are, cooperating with the Committee as it considers complaints from individuals and undertakes inquiries into situations of grave or systematic violations of the rights of women.

Chairperson,
Distinguished delegates,

During the past year, the Committee also continued to further enhance its working methods, and significant progress was made in regard to several aspects which I will briefly summarize. Much of that work was accomplished in an informal meeting hosted by one of the Committee's members, Mr. Cees Flinterman, at the Netherlands Institute of Human Rights, and financially supported by the Government of the Netherlands. I extend the Committee's appreciation to the Government of the Netherlands for this support. This was the fourth informal meeting the Committee has held since 1995 (the first informal meeting took place in Madrid, in 1995, with support from the Government of Spain, the second in Berlin in 2000, with the support of Germany, and the third in 2002 in Lund, with the support of Sweden). These meetings

have allowed the Committee to focus for a sustained period of time on specific questions which cannot be accommodated during its regular two annual sessions.

As a result of these deliberations, the Committee has implemented a number of measures to achieve greater efficiency without jeopardizing the usefulness of the constructive dialogue with reporting States. Some of these steps include the reduction of meetings allocated for consideration of initial reports from three to two; the preparation of lists of issues and questions also for initial reports; limiting the number of interventions that experts may make during the constructive dialogue with a State party; use of country task forces, initially on an experimental basis; and preparation of more focused concluding comments. An overview of the Committee's current working methods is included in its annual report to make these more widely known to all interested stakeholders. The Committee also decided to consider implementation of the Convention by States parties in the absence of a report as a measure of last resort. Two States whose reports are significantly overdue, namely Cape Verde and Saint Lucia, have been informed of the Committee's intention to consider their implementation of the Convention in July 2006, and these two States have been invited to submit their reports by June 2005.

The Committee will continue to review its working methods, and thereby contribute to the concerted efforts of the human rights treaty bodies towards the overall goals and objectives of the treaty system, which is to strengthen implementation of the treaties at the national level. The Committee held a preliminary exchange on the proposals for an expanded core document and targeted treaty-specific reports, as recommended by the second Inter-Committee meeting and sixteenth meeting of Chairpersons. The Committee will give very serious consideration to these proposals at its session in January of 2005.

Let me now turn to another aspect of the Committee's working methods. I briefed you at the last session about the constraints the Committee faces in dealing with all its responsibilities in a timely and effective manner. Given its workload, the Committee examined the option of considering periodic reports in parallel working groups rather than in plenary. Members carefully assessed the implications of such a procedure, and ultimately agreed not to take up this option. Instead, the Committee agreed to submit a request to this Assembly asking for authorization for an extension of the Committee's annual meeting time. Specifically, the Committee asks for an additional week of meeting time for the 33rd, 34th and 35th sessions in July 2005, and January and July 2006. After that, and in order to achieve a long-term solution for handling its workload, the Committee proposes that it meet three times annually.

Chairperson,

The Committee did not arrive at this decision lightly. It was aware of the financial implications of this proposal, as well as the ongoing discussion of reform of the treaty body system and its reporting procedure. The Committee was also aware that great efforts had been made in the past on the part of the States parties and the Member States,

through the General Assembly, to address constraints in dealing with the workload of the Committee and they have been effective in responding to backlogs. Yet the fact remains that this Convention has 178 State parties, the second largest number of all human rights treaties. Its Optional Protocol now has 67 State parties and the Committee's work under the Optional Protocol is expected to increase significantly in the near future. Currently, 45 state reports are awaiting consideration. If all States parties would report on time, some 44 reports would be received annually. As it is, recent trends indicate that approximately 24 reports are submitted annually (in 2000: 24; in 2001: 11; in 2002: 29; in 2003: 24; in 2004 (1 October): 23), whereby the Committee is able to consider those of 16 States annually. The numbers thus indicate that fast accumulating backlogs are to be expected. The Committee is very much aware that the time lag between States' submission of their reports and the Committee's consideration of these reports acts as a disincentive for States' cooperation with the human rights treaty system in timely manner.

The Committee, for its part, feels that the value and quality of the constructive dialogue it has with States parties must be preserved if the dialogue is to live up to the expectations that all stakeholders have invested in this process of monitoring States' adherence to their international treaty obligations. It is in light of these considerations that I wish to appeal, on behalf of the Committee, to the Members of this Assembly to consider favourably the Committee's request for additional meeting time.

Before concluding, let me state that I am very pleased that a Round Table discussion to celebrate the 25th anniversary of the adoption of the Convention by the General Assembly will take place tomorrow afternoon. This will be an opportunity to highlight the role of the Convention in promoting and protecting the rights of women worldwide, and to focus on the Committee's contributions to this goal. We look forward to the participation of representatives from all the Convention's constituencies towards accelerated practical realization of equality of women and men.

Thank you.