

Check against delivery

68th session of the Committee on the Elimination of Discrimination
against Women



Statement by
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Distinguished members of the Committee,
Colleagues and Friends,

It is a pleasure to be with you for the opening of the sixty-eighth session of the Committee on the Elimination of Discrimination against Women. I am pleased to bring you greetings from the High Commissioner for Human Rights Mr. Zeid Ra'ad Al Hussein.

I have the pleasure to welcome Ms. Aruna Devi Narain who has been appointed by Mauritius to replace Ms. Pramila Patten as a Committee member following Ms. Patten's appointment as Special Representative of the Secretary-General on Sexual Violence in Conflict earlier this year. Ms. Narain, on behalf of the High Commissioner, I wish you success in your new functions.

I also wish to congratulate Ms. Feride Acar on her reelection on 10 October 2017 as President of the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) monitoring the implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) by the Parties, for another two-year term.

Work of the Petitions and Inquiries Section on CEDAW communications

I would like to start this morning by highlighting your important work regarding communications. The number of registered communications has continued to increase. In 2016 13 new communications were registered by the Committee. Currently you have 45 pending cases, of which 3 will be decided during this session, after they were reviewed last week by the Working Group on communications.

When dealing with communications under the Optional Protocol, the Working Group on communications is very much dedicated to putting in place rigorous procedures and practices, to align them with other treaty bodies, and to rationalize procedures. These measures have proved to be beneficial for both the efficiency of the procedure and, ultimately, for the quality of the jurisprudence and recommendations you adopt under the Optional Protocol. The Committee has adopted a number of landmark decisions in past sessions, which have strengthened and given more visibility to the individual communications procedure. These decisions show the diversity of aspects of life in which women face discrimination, as your Views concern a variety of issues such as reproductive health, access to housing, domestic violence, rape and sexual harassment, maternity leave entitlements, access to employment and inheritance.

Link between communications and other aspects of your work

In July, in collaboration with the Special Rapporteur on violence against women, Ms. Dubravka Simonovic, the Committee adopted its general recommendation No. 35 on gender-based violence against women, updating general recommendation No. 19. The new general recommendation is an example of cross-fertilization of your work on complaints with that on other mandated activities. It is particularly noteworthy that at the same session in July, you also adopted Views in a case of femicide, through which you issued strong recommendations, notably to investigate, prosecute and punish the perpetrators in this case, and in similar cases. While drawing on the Committee's jurisprudence under the Optional Protocol, general recommendation No. 35 at the same time provides a strong normative reference for your work on individual communications.

The general recommendation also provides a powerful legal and policy tool to tackle gender based violence. It recalls that such violence may amount to torture or cruel, inhuman or degrading treatment in certain circumstances, including in cases of rape, domestic violence, harmful practices or violations of women’s sexual and reproductive health and rights. It furthermore details how State responsibility also extends to acts and omissions by non-State actors. A novelty in treaty body practice, the general recommendation observes that the prohibition of gender-based violence against women has evolved into a principle of customary international law, in accordance with *opinio juris* and State practice.

During the current session, you will launch your new general recommendation on gender-based violence against women by hosting an expert panel in the afternoon of 14 November, in a public meeting and with live webcasting. You will also explore possibilities of cooperation with relevant international and regional stakeholders.

36th session of the Human Rights Council

Dear members,

Let me now update you on relevant developments that took place during the 36th session of the Human Rights Council:

On 15 September, the Human Rights Council held its annual discussion on the integration of a gender perspective throughout the work of the Council and that of its mechanisms. This year’s theme was “The Universal Periodic Review and the 2030 Agenda for Sustainable Development: Achieve gender equality and empower all women and girls (Goal 5)”. In his opening speech, the High Commissioner recalled that many women and girls continue to be deprived of equal opportunities and access to resources, denied choice, and constrained by discriminatory stereotypes. However, instead of increasing momentum towards greater rights for women, there are backlashes in many regions such as increasing efforts to de-fund, restrict and criminalise aspects of sexual and reproductive health. The High Commissioner emphasized that the ongoing reform of the UN development system will encourage UN Country Teams to follow up and assist implementation of the recommendations by the human rights mechanisms, including the treaty bodies, within the context of their development programming. This will help to translate the recommendations of treaty bodies into real human rights change. The SDGs could become a global gender agenda, if there are vigorous efforts to ensure that women, in particular marginalized groups of women, participate in the development of policies that affect them.

The Human Rights Council also adopted a resolution on the full enjoyment of human rights by all women and girls and the systematic mainstreaming of a gender perspective into the implementation of the 2030 Agenda for Sustainable Development. The resolution requests OHCHR, in collaboration with Member States, UN-Women, UNFPA, international human rights mechanisms and civil society, to organize a two-day intersessional expert meeting to consider gaps in, challenges to and best practices aimed at the full enjoyment of human rights by all women and girls and the systematic mainstreaming of a gender perspective in the implementation of the 2030 Agenda, and to present the report on the meeting to the Human Rights Council at its 39th session in September 2018.

On 25 September, the Council held a panel discussion on “The impact of multiple and intersecting forms of discrimination and violence in the context of racism, racial

discrimination, xenophobia and related intolerance on the full enjoyment of all human rights by women and girls". Your colleague Ms. Hilary Gbedemah participated as a panellist and informed the panel about CEDAW's work in conceptualizing and assessing the impact of intersectional forms of discrimination, in particular those based on gender and ethnicity. This was the first time that the Human Rights Council discussed issues of intersectionality, drawing heavily on the work of your Committee.

The Human Rights Council also appointed four new members of the Working Group on the issue of discrimination against women in law and in practice. It further adopted a resolution with 27 votes in favour, 13 against and 7 abstentions on the question of the death penalty. In the preamble, the resolution recalls your general recommendation No. 35 (2017) on gender based violence against women as well as the joint CEDAW/Committee on the Rights of the Child general recommendation No. 31/general comment No. 18 (2014) on harmful practices. In the operative part, the resolution urges States that have not yet abolished the death penalty to protect the rights of persons facing the death penalty to equality and non-discrimination; ensure that the death penalty is not applied on the basis of discriminatory laws; and that it is not imposed as a sanction for specific forms of conduct such as, inter alia, adultery and same-sex relations.

The Committee's 68th session

SDGs

The Office commends you on the momentum generated and the concrete steps taken by CEDAW to promote the 2030 Agenda for Sustainable Development. Practically speaking, this includes the imminent revision of your reporting guidelines to encourage systematic reporting by States parties on the achievement of relevant SDG targets; the use of your expertise to shape the methodologies for selected SDG indicators; and influencing global and national policy-making through your substantive submissions to the High Level Political Forums in 2016 and 2017. Through all these efforts, which we have so far been able to support despite exceeding our resources, the Committee has highlighted the inextricable linkage between women's human rights and the 2030 Development Agenda.

Significantly, on 6 July 2017, the UN General Assembly adopted the SDG indicator framework developed by the UN Statistical Commission which had been adopted earlier this year by ECOSOC. The list of SDG indicators includes those for which OHCHR has been the internationally recognized custodian: conflict-related deaths (16.1.2), killing and other forms of violence against human rights defenders (16.10), existence of Paris Principle-compliant NHRIs (16.a), and prevalence of discrimination (16.b.1).

With respect to indicator 5.1.1. ("Whether or not legal frameworks are in place to promote, enforce and monitor equality and non-discrimination on the basis of sex"), UN Women will further refine the development of its methodology, to which you have contributed, based on data generated by testing the pilot methodology. Such data will be available only in early 2018 and, following its review, a validation process will begin with Member States.

Workload of the 68th session

During this 68th session, this Committee will conduct dialogues with twelve States parties; meet with UNCTs and specialized agencies, other international organizations, NGOs and NHRIs.

During this session, the Committee will potentially adopt a new general recommendation on the right to education of women and girls and undertake a first reading of its draft general recommendation on the gender-related dimensions of disaster risk reduction in a changing climate.

The Committee's tasks are as usual heavy, as you will also consider several proceedings under the confidential communications and inquiry procedures on issues such as gender based violence against women and harmful practices.

In addition to these various undertakings, the Committee shall at its present session, also work on a host of other items related to follow-up and continue discussing issues in relation to General Assembly resolution 68/268 on treaty body strengthening. You will also have a number of informal meetings relating to cooperation with other UN entities.

In all these endeavours, I wish the Committee a most successful and productive 68th session and we look forward to working with you these coming weeks.

Thank you.
