

Check against delivery

71st session of the Committee on the Elimination of Discrimination
against Women



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

It is a pleasure to be with you for the opening of the **seventy-first session** of the Committee on the Elimination of Discrimination against Women. Allow me to convey the greetings of the Secretary-General, and the High Commissioner for Human Rights, **Ms. Michelle Bachelet** who assumed office as High Commissioner on 1 September. Let me also convey her apologies as she is unable to be with you today. She greatly values the enormous work that you do. She recognized this fact during her opening statement to the 39th session of the Human Rights Council, in particular that treaty body recommendations “are fundamental contributions to the work of preventing, mitigating and ending human rights violations – including the inequalities and discriminations which torment so many of our fellow human beings”.

Distinguished members,
Dear colleagues,

First, let me pay tribute to the **outgoing members of the Committee** whose terms expire at the end of this year: Ms. Ayse Feride ACAR; Ms. Magalys AROCHA DOMINGUEZ; Ms. Ruth HALPERIN-KADDARI; Ms. Yoko HAYASHI; Ms. Lilian HOFMEISTER; Ms. Ismat JAHAN; and Ms. Patricia SCHULZ. I would like to salute all of you for your relentless efforts during your tenure to advance the rights of women and girls globally. While the world continues to be confronted with various serious and grave human rights challenges, the international community values your positive contributions that seek to rebalance the ledger of women’s rights protection.

I will be remiss if I do not mention some of the emblematic achievements made by those serving on this Committee. **First**, under the individual communications procedure, the international community witnessed a landmark decision delivered on 17 July 2018 by the Spanish Supreme Court, in relation to the implementation of this Committee’s decision in the case of *González Carreño and Rascón González v. Spain*. The judgment recognizes that the Views of this Committee are binding on Spanish State authorities. This judgment is an epitome of the direct impact of treaty body’s work, and it certainly will provide authoritative guidance in other jurisdictions regarding the enforceability of treaty bodies’ decisions. **Second**, under the State party review procedure, your contributions have not only remarkably improved this Committee’s working methods but also made notable

contributions that are often undocumented. The recent remarks by the head of delegation of New Zealand, quoted in the September issue of the Newsletter of the Commonwealth Association of Legislative Counsel, clearly demonstrate the value and utility of your work in gauging the progress of State parties in implementing their obligations under the Convention. In particular, the remarks render credence to the legitimacy of the State party review procedure. **Third**, under the inquiries procedure, it is gratifying to note that on 7 June 2018, the Supreme Court of the United Kingdom delivered its judgment in a case involving the restrictive access to abortion services in Northern Ireland, which was the subject matter of your inquiry. The judgment of the Supreme Court is littered with positive citations of the Convention and the authoritative findings of the Committee in its inquiry report. **Fourth**, you also made positive contributions to the development of international human rights law in your work to provide important guidance to States parties through General Recommendations. The enunciation in General Recommendation No. 35 on gender-based violence against women that the prohibition of gender-based violence against women has evolved into a principle of customary international law will forever be etched in history books that will recite this as one of the Committee's most revered jurisprudential contributions. Similarly, the Committee left an indelible mark in global discourse when you contributed to the issuance of the first interpretative guidance on disaster risk reduction and climate change by a United Nations human rights treaty body.

Distinguished members,

Dear colleagues,

Concerning **recent developments in the United Nations system and resolutions adopted by the Human Rights Council** during its 39th session, on 6 October, the Intergovernmental Panel on Climate Change (IPCC) approved the **Special Report on Global Warming of 1.5°C**. A press statement issued by the IPCC following the release of this report clearly notes that "limiting global warming to 1.5°C compared with 2°C would reduce challenging impacts on ecosystems, human health and well-being, making it easier to achieve the United Nations Sustainable Development Goals". But it recognised that this would "require rapid, far-reaching and unprecedented changes in all aspects of society". Consequently, the Committee's role to continue to keep guard against the excesses of States parties in order to protect women and girls against the adverse impacts of climate change is pivotal. It would be important that this Committee continue to ensure that States follow its

guidance in General Recommendation No. 37 on gender-related dimensions of disaster risk reduction in the context of climate change. It specifically prescribes measures on how a consistent and effective approach in implementing the SDGs, the Sendai Framework for Disaster Reduction and the Paris Agreement on Climate Change can be pursued. This triad of frameworks, all adopted in 2015, partly derive their inspiration from the need to save succeeding generations from the scourge of human induced global warming and climate change, particularly women and girls who suffer the most from their adverse effects.

Distinguished members,

Dear colleagues,

In an effort to increase the accountability armoury on violations perpetrated against Rohingya women and girls, this Committee requested the Government of Myanmar to submit an exceptional report by the end of May 2018. Specifically, the Committee requested Myanmar to provide information on cases of sexual violence, including rape, against Rohingya women and girls perpetrated by State security forces. While the Committee continues to pursue efforts to engage with the Government on Myanmar on these issues, the **report of the Fact-Finding Mission on Myanmar** established by the Human Rights Council, issued a shocking report about a military-led campaign to commit some of the gravest crimes against Rohingya women and girls, including of sexual violence, on which this Committee requested the Government of Myanmar to report on. In light of the report of the Fact-Finding Mission, the Human Rights Council adopted **a resolution establishing an independent mechanism** to “collect, consolidate, preserve and analyse evidence of the most serious international crimes and violations of international law committed in Myanmar since 2011.” Moreover, on 6 September, **the Pre-Trial Chamber of the International Criminal Court (ICC)** issued a ruling in which it opined that it may exercise jurisdiction over the deportation of the Rohingya people from Myanmar to Bangladesh.

On 27 September 2018, the Council adopted a resolution on **preventable maternal mortality and morbidity and human rights in humanitarian settings**. This resolution urges States to eliminate preventable maternal mortality; and to respect, protect and fulfil sexual and reproductive health and reproductive rights. The resolution also requests the High Commissioner for Human Rights to prepare, in consultation with States, United Nations agencies and all other relevant stakeholders, a follow-up report on good practices and

challenges to respecting, protecting and fulfilling all human rights in the elimination of preventable maternal mortality and morbidity.

The Human Rights Council also adopted, without a vote, a resolution on the **safety of journalists**. The resolution condemns unequivocally the specific attacks on women journalists and media workers in relation to their work, such as gender-based discrimination, including sexual and gender-based violence, threats, intimidation and harassment, online and offline. The resolution urges States to do their utmost to prevent violence, intimidation, threats and attacks against journalists and media workers, including by putting in place safe gender-sensitive preventive measures and investigative procedures. It also calls upon States to tackle gender-based discrimination and incitement to hatred against women journalists as part of broader efforts to promote and protect the human rights of women.

The Human Rights Council also adopted a resolution on **the human rights to safe drinking water and sanitation**. The resolution underlines the importance of an effective remedy for violations of economic, social and cultural rights, including the human rights to safe drinking water and sanitation. It calls upon States to promote both women's leadership and their full, effective and equal participation in decision-making on water and sanitation management, and ensure that a gender-based approach is adopted in relation to water and sanitation programmes. It also underscores the need to protect women and girls from being physically threatened or assaulted, including from sexual violence, while collecting household water and when accessing sanitation facilities.

Another important resolution adopted by the Human Rights Council was on the **United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas**. The resolution urges States to pay attention in the implementation of the Declaration to the rights and special needs of peasants and other people working in rural areas, including older persons and women; and the need to address multiple forms of discrimination. It calls upon States to take all appropriate measures to eliminate all forms of discrimination against peasant women and other women working in rural areas. The resolution also recommends States to take appropriate measures to protect peasants from economic exploitation, and all forms of contemporary slavery, such as debt bondage of women and children.

Distinguished members,

Dear colleagues,

On 19 September, the Secretary-General submitted his **annual report on cooperation with the United Nations**, its representatives and mechanisms in the field of human rights. Andrew Gilmour, the Assistant Secretary-General for Human Rights, presenting the report to the Human Rights Council, noted that “intimidation and reprisals happen even under our noses in the diplomatic hallways of UN headquarters in New York and Geneva.” He underscored that women “report particular barriers and violence, threats of rape, online smear campaigns, physical searches and humiliating and degrading treatment.” He reiterated the Secretary-General’s conviction that “punishing individuals for cooperating with the United Nations is a shameful practice that everyone must do more to stamp out.” I note that during the last session, this Committee appointed a Rapporteur and Alternate Rapporteur on intimidation or reprisals, and endorsed the guidelines against intimidation or reprisals (“San José Guidelines”) adopted at the twenty-seventh meeting of chairs of the UN human rights treaty bodies. Both of these decisions are welcome and we look forward to your continuous cooperation with OHCHR to stem out this odious practice.

On 14 September, the Deputy High Commissioner presented, for the consideration of the Human Rights Council, the **High Commissioner’s report on draft guidelines on the effective implementation of the right to participate in public affairs**. The draft guidelines refer to a number of basic principles underpinning the effective implementation of the right to participate in public affairs. The guidelines make practical recommendations on ensuring women’s participation in public affairs in order to create and maintain a safe and enabling environment that is conducive to the exercise of the right to participate in public affairs. In this regard, the draft guidelines require States to take proactive measures to strengthen the representation and equal participation of women, and groups that are discriminated against, in electoral processes. The draft guidelines also recommend that States adopt temporary special measures to increase the participation of women, including through training programmes that build their capacity to be candidates and adjustments to campaign finance regulations that level the field for women candidates.

Madame Chair,
Distinguished members,

During this **71st session**, you will conduct dialogues with eight States parties; meet with United Nations Country Teams, specialized agencies, other international organizations, Non-Governmental Organizations and National Human Rights Institutions. You will continue to discuss your draft revised reporting guidelines in order to integrate the Sustainable Development Goals with a view to ensuring systematic reporting by States parties on progress made on the implementation of the goal's targets. You will also work on a number of other items related to follow-up, general recommendations, individual communications and inquiries. I also note that on 8 November, the Committee will have an informal meeting with States parties when you will discuss the Sustainable Development Goal indicators and some of the main challenges that you face as you seek to implement General Assembly resolution 68/268. This presents an opportunity for you to highlight the lack of resources for mandated work, particularly with regard to the individual communications and inquiry procedures. This point was underscored by the Chair during her intervention at the Third Committee in New York on 5 October. I fully share your sentiments that while the treaty body strengthening outcome provided welcome new resources, staff support has lagged behind the exponential growth of your mandated work. I remain, however, hopeful that with the 2020 Treaty Body Review Process, we will together find durable solutions to the institutional and other challenges that the treaty body system continues to encounter.

As you clearly have much work ahead of you, I conclude here and wish you a successful and productive session.

Thank you.
