

[INFORMAL DOCUMENT]

CEDAW/C/2014/I/CRP

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

**Fifty-seventh session
(10 – 28 February 2014)**

Chapter I

Matters brought to the attention of States parties

Decisions

Decision 57/1

Statement on the post-2015 development agenda and the elimination of discrimination against women

On 26 February 2014, the Committee adopted a statement on the post-2015 development agenda and the elimination of discrimination against women. (Annex 1)

Decision 57/2

Statement on women's sexual and reproductive health and rights

On 26 February 2014, the Committee adopted a statement on sexual and reproductive health and rights. (Annex 2)

Decision 57/3

Review of rules of procedure

On 28 February 2014, the Committee decided to entrust the working group on working methods with the task of reviewing, with support from the Secretariat, the rules of procedure of the Committee, with a view to proposing amendments, as and when required, in order to incorporate into the rules of procedure (a) recent decisions of the Committee on its methods of work; (b) new provisions operationalizing the Addis Ababa guidelines on the independence and impartiality of members of the human rights treaty bodies (A/67/222, annex I); as well as (c) integrating the outcome of the inter-governmental process on strengthening and enhancing the effective functioning of the human rights treaty body system (General Assembly resolution A/68/...).

Decision 57/4

Pre-Session Working Group

The Committee confirmed the members of the pre-session working group for the fifty-ninth session, i.e., Feride Acar, Barbara Bailey, Ismat Jahan, Dalia Leinarte and Pramila Patten.

Decision 57/5

Servicing of the Committee's work under article 8 of the Optional Protocol

On 28 February 2014, the Committee decided to request the High Commissioner for Human Rights to designate the Petitions and Inquiries Section to service the work of the Committee under article 8 of the Optional Protocol (inquiry procedure) and to provide the Petitions and Inquiries Section with the necessary additional human and financial resources. (Annex 3).

Decision 57/6

Task force on inquiries

The Committee designated Niklas Bruun as Chair and Nahla Haidar as Vice-Chair of the task force on inquiries and decided to expand the task force to include Naela Gabr, in addition to the existing members Olinda Bareiro-Bobadilla, Niklas Bruun (Chair),

Barbara Bailey, Nahla Haidar (Vice-Chair), Ruth Halperin-Kaddari, Violeta Neubauer, Pramila Patten, Patricia Schulz, and Dubravka Simonovic.

Decision 57/7

Task Force on women in conflict prevention, conflict and post-conflict situations

The Committee decided to establish a task force on women in conflict prevention, conflict and post-conflict situations, chaired by Ms. Patten and additionally composed of Ms. Ameline, Ms. Bareiro-Bobadilla, Mr. Bruun, Ms. Haidar, Ms. Jahan, Ms. Nwanko, Ms. Pires and Ms. Pomeranzi.

Decision 57/8

Working Group on gender-related dimensions of refugee status, asylum and statelessness

The working group on gender-related dimensions of refugee status, asylum and statelessness was expanded to include Nahla Haidar, in addition to the existing members Feride Acar, Meriem Belmihoub-Zerdani, Niklas Bruun, Yoko Hayashi, Ismat Jahan, Patricia Schulz and Dubravka Simonovic (Chair).

Chapter II

Organizational and other matters

A. States parties to the Convention on the Elimination of All Forms of Discrimination against Women and to the Optional Protocol

On 28 February 2014, the closing date of the fifty-seventh session of the Committee on the Elimination of Discrimination against Women, there were 187 States parties to the Convention on the Elimination of All Forms of Discrimination against Women, which was adopted by the General Assembly in its resolution 34/180 and opened for signature, ratification and accession in New York on 1 March 1980. In accordance with its article 27, the Convention entered into force on 3 September 1981. In addition, 68 Contracting States had accepted the amendment to article 20, paragraph 1, of the Convention, concerning the Committee's meeting time. A total of 125 States parties to the Convention are currently required to accept the amendment in order to bring it into force, in accordance with its provisions.

As at the same date, there were 104 States parties to the Optional Protocol to the Convention, which was adopted by the General Assembly in its resolution 54/4 and opened for signature, ratification and accession in New York on 10 December 1999. In accordance with its article 16, the Optional Protocol entered into force on 22 December 2000.

The updated status of the Convention, the amendment to the Convention and its Optional Protocol, including lists of States signatories and parties as well as the texts of declarations, reservations, objections and other relevant information can be found in the United Nations Treaty Collection on the Internet at <http://treaties.un.org>, maintained by the Treaty Section of the Office of Legal Affairs, which discharges the depositary functions of the Secretary-General.

B. Opening of the session

The Committee held its fifty-seventh session at the United Nations Office at Geneva from 10 to 28 February 2014. The Committee held 17 plenary meetings, and also held 13 meetings to discuss agenda items 5, 6, 7 and 8. A list of the documents before the Committee is contained in annex [...] to the present report.

The session was opened by the Vice-Chairperson of the Committee, Pramila Patten, at its 1185th meeting on 10 February 2014.

C. Adoption of the agenda and organization of work

The Committee adopted the provisional agenda (CEDAW/C/57/1) at its 1185th meeting.

D. Report of the pre-session working group

The report of the pre-session working group (CEDAW/PSWG/57/1), which met from 29 July to 2 August 2014, was introduced by Pramila Patten at the 1185th meeting.

E. Organization of work

On 10 and 17 February 2014, the Committee held closed meetings with representatives of specialized agencies and United Nations funds and programmes, as well as other intergovernmental organizations, during which country-specific information was provided, as well as information on the efforts made by those bodies to support the implementation of the Convention.

Also on 10 and 17 February 2014, the Committee held informal public meetings with representatives of non-governmental organizations and national human rights institutions who provided information on the implementation of the Convention in the States parties considered by the Committee at its fifty-seventh session.

On 17 February 2014, the Committee was briefed by representatives of the World Health Organization (WHO) on the revised WHO technical and policy guidance on safe abortion.

On 27 February 2014, the Committee met with the Chief of the OHCHR Women's Rights and Gender Section, Veronica Birga, who briefed the Committee on women's rights in the strategic planning of OHCHR for 2014 to 2017 and on an ongoing study on gender stereotyping.

F. Membership of the Committee

All members attended the fifty-seventh session, with the exception of Noor Al-Jehani and Meriem Belmihoub-Zerdani. Feride Acar did not attend the session from 10 to 11 February 2014. Nicole Ameline was not able to attend the session from 10 to 11 and on 17 February 2014. Niklas Bruun did not attend the session on 13 February 2014. Ruth Halperin Kaddari did not attend the session from 10 to 14 and on 21 and 28 February 2014. A list of members of the Committee, indicating the duration of their terms of office, is annexed to the present report.

Chapter III

Report of the Chairperson on activities undertaken between the fifty-sixth and fifty-seventh sessions of the Committee

At the 1185th meeting, the Vice-Chairperson, Pramila Patten, presented the report of the Chairperson, Nicole Ameline, on the activities that the Chairperson had undertaken since the fifty-sixth session of the Committee.

Chapter IV

A. Consideration of reports submitted by States parties under article 18 of the Convention

At its fifty-seventh session, the Committee considered the reports of seven States parties submitted under article 18 of the Convention: the third periodic report of Bahrain; the combined fourth and fifth periodic reports of Cameroon; the seventh periodic report of Finland; the combined fourth, fifth and sixth periodic reports of Iraq; the combined third and fourth periodic reports of Kazakhstan; the initial report of Qatar; and the sixth periodic report of Sierra Leone.

The Committee prepared concluding observations on each of the reports considered. Those observations are available through the Official Document System of the United Nations (<http://documents.un.org/>) under the symbol numbers indicated below:

- Bahrain (CEDAW/C/BHR/CO/3)
- Cameroon (CEDAW/C/CMR/CO/4-5)
- Finland (CEDAW/C/FIN/CO/7)
- Iraq (CEDAW/C/IRQ/CO/4-6)
- Kazakhstan (CEDAW/C/KAZ/CO/3-4)
- Qatar (CEDAW/C/QAT/CO/1)
- Sierra Leone (CEDAW/C/SLE/CO/6)

It is noted that the consideration of Senegal in the absence of a report was also scheduled for the fifty-seventh session. However, Senegal submitted its combined third to seventh periodic reports on 31 July 2013, and the consideration was subsequently postponed to the sixty-first session in order to allow for the translation of the report and the establishment of an updated list of issues at the pre-session working group.

B. Follow-up procedures relating to concluding observations

The Committee considered the follow-up reports from the following States parties:

- 1) Bangladesh (CEDAW/C/BGD/CO/7/Add.1)
- 2) Italy (CEDAW/C/ITA/CO/6/Add.1)
- 3) Lesotho (CEDAW/C/LSO/CO/1-4/Add.1)
- 4) Sri Lanka (CEDAW/C/LKA/CO/7/Add.1)

The Committee also considered the additional information sent by Myanmar (CEDAW/C/MMR/CO/3/Add.4).

The Committee sent first reminders to the following States parties whose follow-up reports were overdue:

- 1) Chad
- 2) Côte d'Ivoire
- 3) Kuwait
- 4) Montenegro
- 5) Oman

The Committee sent second reminders to the following States parties whose follow-up reports were overdue:

- 1) Burkina Faso
- 2) Kenya
- 3) Malta
- 4) South Africa
- 5) Uganda.

The Committee sent a reminder to Tanzania regarding the submission of additional information which was overdue.

The Rapporteur on follow-up and her alternate met with representatives of Libya, as the State party's follow-up report was overdue.

Chapter V

Activities carried out under the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women

Article 12 of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women provides that the Committee shall include in its annual report under article 21 of the Convention a summary of its activities under the Optional Protocol.

A. Action taken by the Committee in respect of issues arising from article 2 of the Optional Protocol

The Committee discussed activities under article 2 of the Optional Protocol on 17 and 24 February 2014. It endorsed the report of the Working Group on Communications under the Optional Protocol regarding its twenty-eighth session (see annex 4).

The Committee adopted final decisions with regard to three individual communications submitted under article 2 of the Optional Protocol. The Committee adopted Views finding violations on communications No. 34/2011 (*R.P.B. v. the Philippines*) and No. 36/2012 (*De Blok et al. v. the Netherlands*) as well as an inadmissibility decision on communication No. 39/2012 (*N. v. the Netherlands*). All decisions were adopted by consensus. The Committee also decided to discontinue its consideration of one communication (No. 41/2012) regarding Ecuador. The text of the Views and the decision are available through the Official Document System of the United Nations (<http://documents.un.org/>) under the symbol numbers CEDAW/C/57/D/34/2011, CEDAW/C/57/D/36/2012 and CEDAW/C/57/D/39/2012, respectively.

B. Follow-up to views of the Committee on individual communications

No follow-up progress report was prepared during the reporting period, but the Committee was informed that the Working Group, during its 28th session, had discussed the follow-up situation in each case where the follow-up dialogue is on-going and that it had agreed on the action to be taken. The Committee did not take a decision to put the follow-up dialogue to an end in any of the cases currently under follow-up examination. Of the 11 cases that are currently under follow-up examination, one relates to Belarus, one to Brazil, three to Bulgaria, one to Canada, one to Peru, one to the Philippines, one to Turkey¹; and in the two cases adopted at the 57th session in which the Committee found violations (one against the Philippines and one against the Netherlands), the States parties were given six months to provide their follow-up replies.

C. Action taken by the Committee in respect of issues arising from article 8 of the Optional Protocol

The Committee was briefed on the status of all pending submissions and proceedings under the inquiry procedure.

¹ The Chairperson of the Committee's Working Group on Communications under the Optional Protocol, Ms. Hayashi, and Ms. Bareiro-Bobadilla held two meetings to discuss follow-up matters on individual communications with the Permanent Representatives of Brazil and Belarus to the United Nations Office at Geneva on 21 and 28 February 2014, respectively, during the Committee's 57th session. During the meetings, the Permanent Representatives provided the Committee members with updated information regarding recent positive steps to give effect to the recommendations contained in the Committee's Views on communications No. 17/2008 (*Maria da Lourdes da Silva Pimentel v. Brazil*) and No. 23/2011 (*Inga Abramova v. Belarus*), respectively.

In relation to Inquiry No. 2010/1, the Committee decided to include a summary of its findings, comments and recommendations in its annual report to the General Assembly, in accordance with article 12 of the Optional Protocol.

On 24, 27 and 28 February 2014, the Committee discussed its draft findings, comments and recommendations in relation to Inquiry No. 2011/1.

In relation to submissions Nos. 2011/2 and 2011/3, the Committee, after an assessment of the information received from the source of information as well as of the observations submitted by the State party concerned, in each case decided to defer to the fifty-eighth session of the Committee its decision on whether or not to designate one or more of its members to conduct an inquiry.

In relation to submissions Nos. 2011/4 and 2012/1, the Committee decided to request additional information from the sources of information.

In relation to submission No. 2013/1, the Committee decided to send a reminder asking the State party concerned to submit, within two months, its observations with regard to the information received under article 8 of the Optional Protocol.

In relation to submission No. 2013/2, the Committee decided to defer to the fifty-eighth session of the Committee, its examination of the information received under article 8 of the Optional Protocol.

The Committee received one additional submission under article 8 of the Optional Protocol, registered as submission No. 2014/1, and requested the Secretariat to prepare a summary of that submission.

Chapter VI

A. Ways and means of expediting the work of the Committee

The Secretariat informed the Committee about the status of submission of overdue reports by States parties under article 18 of the Convention.

On 14 February 2014, the Chairperson, Nicole Ameline, briefed the Committee about her participation in the informal consultation of the Chairpersons of the human rights treaty bodies held in Washington, D.C., on 31 January and 1 February 2014, during which the Chairpersons met with the co-facilitators of the inter-governmental process of the General Assembly on treaty body strengthening, the Permanent Representatives of Iceland and Tunisia to the United Nations in New York.

On 17 and 21 February 2014, the Secretariat informed the Committee about the outcome of the inter-governmental process of the General Assembly on strengthening and enhancing the effective functioning of the human rights treaty body system.

On 27 February 2014, the Secretary of the Committee against Torture (CAT), Joao Nataf, briefed the Committee on the experience of CAT in applying the simplified reporting procedure (or list of issues prior to reporting procedure) and in dealing with inquiries under article 20 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment of Punishment.

B. Action taken by the Committee under agenda item 7

Dates of future sessions of the Committee

In accordance with the calendar of conferences, the following dates are confirmed for the Committee's fifty-eighth and fifty-ninth sessions:

Fifty-eighth Session (Geneva)

Twenty-ninth session of the Working Group on Communications under the Optional Protocol: 25 to 27 June 2014

Fifty-eighth session: 30 June to 18 July 2014

Pre-session working group for the sixtieth session: 21 to 25 July 2014

Fifty-ninth Session (Geneva)

Thirtieth session of the Working Group on Communications under the Optional Protocol:
15 to 17 October 2014

Fifty-ninth session: 20 October to 7 November 2014

Pre-session working group for the sixty-first session: 10 to 14 November 2014

Reports to be considered at future sessions of the Committee

The Committee confirmed that it will consider the reports of the following States parties at its fifty-eighth and fifty-ninth sessions:

Fifty-eighth session:

- 1) Central African Republic
- 2) Georgia
- 3) India
- 4) Lithuania
- 5) Mauritania
- 6) Peru
- 7) Swaziland
- 8) Syria

It is noted that the consideration of the Central African Republic in the absence of a report had originally been scheduled for the 53rd session. However, the Central African Republic submitted its combined initial to fifth periodic reports on 26 June 2012, and the consideration was subsequently postponed to the 58th session to allow for the translation of the report as well as the establishment of an updated list of issues at the pre-session working group.

Fifty-ninth session:

- 1) Belgium
- 2) Brunei Darussalam
- 3) China
- 4) Ghana
- 5) Guinea
- 6) Poland
- 7) Solomon Islands
- 8) Venezuela

It is noted that the consideration of Solomon Islands in the absence of a report had originally been scheduled for the 54th session. However, Solomon Islands submitted its combined initial to third periodic reports on 30 January 2013, and the consideration was subsequently postponed to the 59th session to allow for the translation of the report as well as the establishment of an updated list of issues at the pre-session working group.

Chapter VII

Implementation of article 21 of the Convention

A. Action taken by the Committee under agenda item 6

Working Group on harmful practices

The working group met during the session and revised the latest version of the draft joint CEDAW/CRC general recommendation/comment on harmful practices.

Working Group on gender related dimensions of refugee status, asylum and statelessness

The working group met during the session.

On 25 February 2014, the Committee discussed the second part dealing with nationality and statelessness of the draft general recommendation on gender related dimensions of refugee status, asylum and statelessness.

Working Group on women and access to justice

The working group met during the session and discussed a first draft of the general recommendation on women's access to justice. It decided to circulate the finalized first draft to the other members of the Committee and to stakeholders inter-sessionally.

Working Group on rural women

The working group met during the session and endorsed an outline of the draft general recommendation.

Working Group on gender equality in the context of climate change and natural disasters

The working group met during the session and discussed an outline of the concept note, in the presence of representatives from the Office for Disaster Risk Reduction (UNISDR).

Working Group on the right to education

The working group met during the session.

The working group presented a revised concept note to the Committee. The Committee endorsed the concept note and decided to hold a half day of general discussion on the right to education during the fifty-eighth session.

Working Group on working methods

The working group met during the session and discussed, inter alia, the possibility of establishing an inter-sessional mechanism to respond to urgent matters. The working group also proposed one decision that was adopted by the Committee (see decision 57/3 above).

Focal points on sexual and reproductive rights

The focal point and alternate focal points met during the session to revise the draft statement on sexual and reproductive health and rights (see annex 2).

Chapter VIII

Provisional agenda for the fifty-eighth session

The Committee considered the draft provisional agenda for its fifty-eighth session on 28 February 2014 and approved the following provisional agenda for that session:

1. Opening of the session.
2. Adoption of the agenda and organization of work.
3. Report of the Chairperson on activities undertaken between the fifty-seventh and fifty-eighth sessions of the Committee.
4. Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women.
5. Follow-up to concluding observations of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women.
6. Implementation of articles 21 and 22 of the Convention on the Elimination of All Forms of Discrimination against Women.
7. Activities of the Committee under the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.
8. Provisional agenda for the fifty-ninth session of the Committee.
9. Adoption of the report of the Committee on its fifty-eighth session.

Chapter IX

A. Adoption of the report

The Committee considered the draft report on its fifty-seventh session and addenda on 28 February 2014 and adopted it as orally revised during the discussion.

[Annexes will be added to the final version of the text]

B. Composition of the working groups of the Committee

[To be added to the final version of the report]

Annexes

Annex 1

Statement of the Committee on the Elimination of Discrimination against Women on the post-2015 development agenda and the elimination of discrimination against women

1. The CEDAW Committee

The Committee on the Elimination of Discrimination against Women (the Committee) welcomes the opportunity to provide input to the discussion regarding the post-2015 development agenda. As the international body charged with overseeing the implementation of the legal obligations of the 187 States parties under the Convention on the Elimination of All Forms of Discrimination against Women (the CEDAW Convention), the Committee is keenly aware of the nexus between development and the realization of women's rights. The near universal ratification of the CEDAW Convention, together with the vast experience of the Committee since its establishment in 1982 in relation to women and development garnered through its supervisory mandate, underlines the importance of the Committee's expertise in shaping the conceptual design of the post-2015 development agenda.

The Committee recalls that the Millennium Declaration, an unprecedented global consensus by Member States of the United Nations which presented a vision for achieving sustainable development, identifies gender equality as an essential component for achieving the Millennium Development Goals (MDGs). The Committee also recalls the commitments made by the international community in the Beijing Declaration and Platform of Action. They both affirm the need to combat violence against women as well as the implementation of the CEDAW Convention. The Committee acknowledges the positive outcomes resulting from the implementation of the MDGs. It recalls that MDG 3 explicitly aimed to promote gender equality and empower women. However, the MDGs did not entirely embrace this full vision of gender equality, adopting only a narrow range of indicators to reflect a very narrow range of issues important for the elimination of discrimination against women. The Committee also notes that progress in the realization of this goal has been tracked through four indicators, which represent narrow, albeit important, aspects of gender equality, namely, participation of women and girls in education, improving the literacy ratio, employment, and improving the proportion of women in national parliaments. Through its regular discussions with States parties on the implementation of the CEDAW Convention, the Committee has been tracking the degree to which women and girls enjoy their rights. The international community now has the opportunity to embrace a new paradigm that builds on the gaps and lessons of the MDGs and truly aims to eliminate discrimination against women. The Committee considers that the international community should deliver on its promise in the Universal Declaration of Human Rights of a social and international order in which all human rights can be fully realized for all persons.

2. A human rights based approach to sustainable development

International human rights law provides critical normative standards that are intrinsically linked to development such as those related to food, education, health, housing, non-discrimination, political participation, freedom of expression and freedom of assembly. It also provides strong standards on equality and non-discrimination for all. The CEDAW Convention prohibits any distinction, exclusion or restriction made on the basis of sex, which has the effect or purpose of impairing or nullifying the enjoyment and exercise of rights by women on an equal basis with men. The Committee has thus repeatedly articulated a vision of substantive equality which takes account of the reality of women's and girls' lives that is impacted both by consequences of the past as well as current inequalities between women and men, and requires measures to address both direct and indirect discrimination against women.

The post-2015 framework should be grounded in this existing international human rights framework, with a view to addressing all facets of the development challenge. The CEDAW Convention, along with the other international human rights treaties, establishes a normative framework built and accepted by States which sets with precision the minimum guarantees for the individual. A human rights-based approach to development ensures that rights are used as a means to promoting development – sustainable development will continue to be a distant dream if women’s rights in particular are not prioritized. In addition, and more fundamentally, a human rights-based approach ensures that rights, including the rights related to gender equality, are the ultimate end of development. The Committee underscores the fact that anchoring the post-2015 framework in human rights standards would affirm that development is not only a matter of policy choices for countries but rather, a matter of human rights obligations. This fills the development agenda with the notions of accountability for those with obligations, and empowerment for those with rights. Building the new agenda on a firm foundation of equality and non-discrimination would ensure that no one is left behind. It is also essential to reaffirm the indivisibility of human rights, recognizing that efforts to eliminate discrimination in access to health care for women, for example, will founder without respecting the right to freedom of choice and autonomy in respect of sexual and reproductive health care.

3. The MDGs on gender equality and women’s empowerment

From its experience, the Committee knows that traditional models of development that are based predominantly on economic growth, the expansion of the democratic space and peace, do not automatically lead to gender equality and the realization of women’s rights and empowerment. For this reason, later models developed by feminist scholars envisaged addressing the needs and role of women in development processes. Yet, these models have also not resulted in the complete elimination of gender based discrimination and the full realization of women’s rights and empowerment. Focusing only on the symptoms and manifestations of women’s exclusion (e.g. lack of income, education or health), rather than their structural causes (e.g. discrimination, lack of access to justice and to resources, inadequate political representation), has often led to narrow, discretionary measures aimed at addressing short-term needs, which do not allow for an understanding of the real contribution of women to sustainable development. Moreover, recent studies estimate that over one third of women worldwide have suffered violence in their lifetime, which has dire implications for women’s enjoyment of their human rights, as well as their economic, social and cultural potential. The failure of the MDGs to include gender-based violence and to address discrimination against women in access to justice, are major shortcomings which must be rectified.

It is clear that sustainable development is utterly unachievable if fifty percent of the population is neglected. We know that empowering women and girls not only enhances their ability to claim their rights, but also has powerful effects on social change and economic growth.

4. The way forward

The Committee’s efforts have thus already helped to provide a strong framework for bridging the accountability mechanism gap of the MDGs and also for bringing to the fore relevant data from countries on women and development. The CEDAW Committee, taking stock of its experience, suggests the following:

- First, a post-2015 **architecture** that is explicitly based on the promotion of all human rights, addressing people's right to be free from want but also free from fear.
- Second, the post-2015 agenda should include a **“transformative stand-alone goal”** on gender equality and women’s empowerment to underline the centrality of the rights of women and girls to future development gains seeking not only formal equality, but also substantive equality. A specific consideration should be given to indicators that capture situations predominantly experienced by women and girls, related to gender based

violence, sexual and reproductive health, maternity and family leave policies, and forced and child marriages.

- Third, a commitment to gender equality and to the principle of equality and non-discrimination more broadly should be mainstreamed throughout all **goals**, to ensure that the new agenda does not exclude those facing discrimination, or worse, that it deepens existing inequalities. This can be achieved by ensuring that all **indicators are disaggregated by sex**, in order to give a clear and disaggregated view of progress over time. Together with discrimination on the basis of sex, all grounds of discrimination prohibited by international human rights law must be addressed in this process, as women regularly face multiple or intersecting forms of discrimination. This could significantly expand the possibility to capture not just the situation of women, but the situation of rural and urban women, women with disabilities, indigenous women, as well as women and girls from other minority groups.
- Fourth, **targets** should be universal or ‘zero’ targets that are more ambitious than the MDG targets to ensure that no one is left behind, including women facing multiple or intersecting forms of discrimination who are the least advantaged in most societies. Clear timelines should be set to ensure that steady progress is made to reach all groups and reduce the inequalities between different groups. For example, setting interim targets would go a long way in ensuring that continuous steps are taken towards reaching everyone without discrimination.
- Fifth, **accountability** mechanisms will be essential for ensuring that progress is tracked and that States are accountable to their populations. Explicitly tying development objectives to universally agreed human rights obligations supports a shift in paradigm – from a discourse of charity and expediency to one of rights and legal obligations. With this approach comes the need for duty bearers to be held accountable for achievements. Whatever accountability mechanism is adopted, the CEDAW Committee (along with the other human rights treaty bodies) should have a critical role in ensuring accountability for gender equality through its periodic review of state party reports, its consideration of individual communications and its inquiry procedure. It would, therefore, be useful for example, if the new accountability framework could ensure the systematic exchange of information between the treaty bodies and any new accountability mechanism designed to monitor the new goals, targets and indicators. Under its reporting procedure, the Committee has found that MDG 3, despite its narrow focus, has been of great value in galvanizing efforts that have led to improved data collection and accountability. In its authoritative guidance to State parties to the CEDAW Convention expounded through General Recommendation No. 9, the Committee seeks from State parties the submission of reliable data disaggregated by sex in order to fully understand the situation of women.

5. Conclusion

The Committee considers the post-2015 development agenda a unique opportunity for accelerating measures aimed at addressing critical issues regarding gender equality and the empowerment of women by adopting a stand-alone goal on gender equality and mainstreaming gender in all goals, including through disaggregating all indicators by sex. All **goals, targets and indicators** should be aligned with **human rights standards**. Based on its mandate, the Committee shall continue to be a **critical pillar** for the future work of the post-2015 development agenda in partly addressing, through its various procedures under the CEDAW Convention, which remains the most comprehensive internationally binding instrument on women’s rights, the **deficiencies in accountability** and in implementation by the multilateral system and various stakeholders in this area. The Committee also recognizes the **critical role that civil society organizations play in development** and in the implementation of the CEDAW Convention. It, therefore,

expresses the hope that the international community will continue its engagement with them in the future work on the post-2015 development agenda.

The Committee, also, calls upon the international community to ensure a strong accountability framework that holds States accountable to their citizens. On this point, the Committee joins the statement of the Chairpersons of the human rights treaty bodies on the post-2015 development agenda in requesting for the strengthening of the treaty bodies as critical players in the outcome and the accountability arrangements of the post-2015 development architecture.

Annex 2

Statement of the Committee on the Elimination of Discrimination against Women on sexual and reproductive health and rights: Beyond 2014 ICPD review

The Committee on the Elimination of Discrimination against Women (the Committee) welcomes the ongoing review of the ICPD Programme of Action also known as ICPD Beyond 2014. The ICPD Programme of Action, adopted by consensus by 179 States in Cairo in 1994, was a ground-breaking achievement and heralded a new era where the human rights of every individual were paramount. Member States of the United Nations (UN) recognised reproductive rights as based on internationally accepted human rights standards, and as codified in the human rights treaties, including the Convention on the Elimination of All Forms of Discrimination against Women (the Convention), which our Committee oversees. The Beijing Declaration and Platform for Action reiterated these commitments. In order to further the implementation of the Convention, the Committee submits this statement as its contribution to the ICPD Beyond 2014 review process. This is based on its expertise under the Convention and Optional Protocol stemming from the reporting, individual complaints and inquiry procedures as well as its General Recommendation No. 24 (1999) on article 12 (women and health), which all show that inequality and discrimination are major factors preventing women and girls from enjoying “the highest attainable standard of physical and mental health”².

The Committee acknowledges that there is much progress to celebrate. However, every State can and should do more to ensure the full respect, protection and fulfilment of sexual and reproductive rights, in line with human rights obligations. The ICPD Beyond 2014 review process is, therefore, a critical moment to recommit to human rights standards on the sexual and reproductive health rights of women and men, girls and boys, and ensure that the prohibition of discrimination based on sex and gender and the protection and promotion of human rights are at the centre of any efforts towards sustainable development and social justice. The ICPD Beyond 2014 will also define one of the most critical parts for women and girls, of the Post-2015 Development Agenda. As such, it should foresee strong accountability mechanisms and also ensure that there is system-wide collaboration between the various actors at the UN, regional and national levels as well as with non-governmental organisations.

Many Member States of the UN have devised innovative strategies and programmes to advance sexual and reproductive health and rights. However, across all regions, there are still serious deficiencies in the protection of these fundamental rights and freedoms. The right to health, which includes the right to bodily autonomy, and encompasses sexual and reproductive freedom, is often violated. Violence against women and girls (if not outright torture, or cruel and inhuman and degrading treatment) and the multiple and intersectional forms of discrimination based on sex and gender that they experience, impact heavily on their sexual and reproductive health and rights. The Committee continuously addresses discriminatory gender stereotypes and harmful practices that contribute to, and perpetuate, these violations. The Committee, therefore, consistently advises States parties to the Convention to take all practical and legislative measures to prevent, prohibit, punish and redress these acts, whether committed by State or non-State actors.

² Article 12 (1) of the International Covenant on Economic, Social and Cultural Rights.

Upholding the right to health for women and girls requires health services, including sexual and reproductive information, counselling and services that are available, accessible, affordable and of good quality. The Committee has observed that failure of a State party to provide services and the criminalisation of some services that only women require is a violation of women's reproductive rights and constitutes discrimination against them.

According to the Committee, protecting human rights related to sexual and reproductive health requires that “all health services [...] be consistent with the human rights of women, including the rights to autonomy, privacy, confidentiality, informed consent and choice.” Thus, the empowerment of women and their capacity to decide are at the heart of the protection of their rights in this field. The right to autonomy requires measures to guarantee the right to decide freely and responsibly on the number and spacing of their children, and the right to access sexual and reproductive health information and services with the consent of the individual alone. The right to enter freely into marriage is also related to choice and autonomy.

Measures are also required to ban and eliminate the practice of forced and child marriages, which often lead to early pregnancies that are risky for the life and/or health of girls. The provision of, inter alia, safe abortion and post abortion care; maternity care; timely diagnosis and treatment of sexually transmitted diseases (including HIV), breast and reproductive cancers, and infertility; as well as access to accurate and comprehensive information about sexuality and reproduction, are all part of the right to sexual and reproductive health. Furthermore, access to comprehensive services and a wide range of contraceptive methods, including emergency contraception, is a fundamental aspect of ensuring sexual and reproductive rights. States parties have obligations to enable women to prevent unwanted pregnancies, including through family planning and education on sexual and reproductive health. The Committee has also called upon State parties to address the power imbalances between men and women, which often impede women's autonomy, particularly in the exercise of choices on safe and responsible sex practices.

Unsafe abortion is a leading cause of maternal mortality and morbidity. As such, States parties should legalize abortion at least in cases of rape, incest, threats to the life and/or health of the mother, or severe foetal impairment, as well as provide women with access to quality post-abortion care, especially in cases of complications resulting from unsafe abortions. States parties should also remove punitive measures for women who undergo abortion. States parties should further organize health services so that the exercise of conscientious objection does not impede their effective access to reproductive health care services, including abortion and post-abortion care.

Furthermore, special attention is needed to ensure that adolescents have access to accurate information about their sexual and reproductive health and rights, including responsible sexual behaviour, prevention of early pregnancies and sexually transmitted diseases. Age-appropriate education on sexual and reproductive health should, therefore, be integrated in school curricula. States parties should further address negative stereotypes and discriminatory attitudes with regard to the sexuality of adolescents, with a view to ensuring that these do not interfere with access to information and education on sexual and reproductive health and rights.

Strengthening health systems, improving their operation, monitoring and evaluating outcomes from a gender and human rights perspective contribute to the improvement of the sexual and reproductive health of women and, in particular, the reduction of maternal mortality and morbidity, and the reinforcement of the prevention and treatment of HIV-AIDS, and other sexually transmitted diseases, which are considered, at least in part, as products of discrimination against women. It, therefore, behoves States parties to ensure the allocation of adequate budgetary resources to reproductive health and rights programmes.

The ICPD Beyond 2014 review process affords the international community and all stakeholders an opportunity to take stock of the progress that has been made in the area of sexual and reproductive health and rights. Most importantly, it presents a unique opportunity for up-scaling measures in this area with a view to ensuring that the right to “the highest attainable standard of physical and mental health” does not remain a distant

dream for women and girls. The Committee, therefore, calls upon the international community to take this opportunity to renew its commitment towards sexual and reproductive health and rights.

Annex 3

Decision of the Committee on the Elimination of Discrimination against Women

The Committee on the Elimination of Discrimination against Women (the Committee),

Bearing in mind its mandate under article 8 of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (the Optional Protocol);

Noting that the Committee is facing a considerable, and increasing, backlog of inquiry submissions received under article 8 of the Optional Protocol;

Noting further that preliminary assessments of information in several of these submissions so far received by the Committee, pursuant to article 8 of the Optional Protocol, indicates grave or systematic violations of rights set forth in the Convention;

Acknowledging the support provided by the Committee's current Secretariat in servicing the Committee's work under article 8 of the Optional Protocol;

Concerned that the Committee and its secretariat lack the necessary resources to timely deal with preliminary assessments of submissions and to dispose of all current requests for inquiries;

Concerned further that the lack of adequate resources has caused delays in the consideration of inquiry submissions and presents the risk that the consideration of information indicating grave or systematic violations will be prolonged;

Recognising the expertise of the Petitions and Inquiries Section in the handling of individual communications and that it is better equipped than the Committee's Secretariat as well as the need to ensure consistency in dealing with all matters under the Optional Protocol;

Decides:

To request the High Commissioner for Human Rights, in light of recent developments on treaty body strengthening, to designate and mandate the Petitions and Inquiries Section as the responsible section within OHCHR to service the Committee's work under article 8 of the Optional Protocol and to provide the Section with the necessary additional human and financial resources.

Annex 4

Report of the Working Group on Communications under the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women on its twenty-eighth session

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 twenty-eighth session from 4 to 7 February 2014 in Geneva. All members attended the session (Ms. Bareiro-Bobadilla, Mr. Bruun, Ms. Hayashi, Ms. Patten, Ms. Šimonović).
2. At the beginning of the session, the Working Group adopted its agenda as set out in the annex to the present report.
3. The Working Group then reviewed an update on 16 new pieces of correspondence received since 20 September 2013, as prepared by the Secretariat.
4. The Working Group decided to appoint Ms. Bareiro-Bobadilla as Case Rapporteur for communication No. 61/2013, Ms. Šimonović as Case Rapporteur for communication No. 62/2014, and Ms. Hayashi as Case Rapporteur for communication No. 65/2014; all three communications had been registered inter-sessionally. The Working Group also

decided to register two new communications (Nos. 66/2014 and 67/2014) and to transmit them to the States parties concerned. Mr. Bruun and Ms. Patten were appointed as Case Rapporteurs for communications Nos. 66/2014 and 67/2014, respectively.

5. The Working Group then reviewed all unregistered correspondence received since its last session. It took note of the action taken by the Secretariat so far, and decided on a number of requests for clarification/explanation or for replies to be sent to authors.

6. The Working Group discussed three draft recommendations in relation to communications No. 34/2011 against the Philippines, No. 36/2011 against the Netherlands (both draft Views finding violations) and No. 39/2012 against the Netherlands (draft inadmissibility decision), respectively. All three recommendations were adopted by consensus and will be referred to the Committee for adoption.

7. The Working Group decided to discontinue its consideration of communication No. 41/2012 against Ecuador, as the author of the communication had failed to provide proof of the alleged victim's consent to submit the communication.

8. The Working Group members proceeded to an inventory of all case files for the communications for which they had been appointed Case Rapporteurs. The Working Group then reviewed the status of all pending cases registered and had a discussion on each of them.

9. The Working Group further decided to grant the requests of the States parties concerned to consider the admissibility of the communication separately from the merits (split requests) in relation to four communications (Nos. 51/2013, 59/2013, 62/2013 and 64/2013). The Working Group rejected a split request of the State party concerned in relation to communication No. 52/2013.

10. The Working Group requested the Secretariat to prepare, on a priority basis, draft recommendations for the next session, bearing in mind the above-mentioned discussions. Thus, for its 29th session (25 to 27 June 2014), the Working Group requested the Secretariat to prepare three draft recommendations in relation to communications Nos. 30/2011, 46/2012 and 47/2012.

11. The Working Group discussed the follow-up situation in nine cases where the follow-up dialogue remained on-going, and agreed on the possible action to be taken, for consideration by the Committee. It considered the follow-up dialogue with the States parties to be ongoing in all nine cases under follow-up examination, namely, concerning Belarus (No. 23/2009), Brazil (No. 17/2008), Bulgaria (Nos. 20/2008, 31/2011, 32/2011), Canada (No. 19/2008), Peru (No. 22/2009), the Philippines (No. 18/2008) and Turkey (No. 28/2010).

12. The Working Group decided to request informal meetings during the Committee's fifty-seventh session (10 to 28 February 2014) to discuss follow-up matters with representatives of the Permanent Missions to the United Nations Office at Geneva of Belarus, Brazil, Peru, and the Philippines.

13. The Working Group expressed its appreciation for the logistical as well as substantive services provided to it by the Petitions and Inquiries Section of the Office of the High Commissioner for Human Rights (OHCHR), in particular for the quality of the draft views and decisions on individual communications under the Optional Protocol. In light of the significant increase in the number of cases that are procedurally ready to be drafted, the Working Group expressed concern about the limited capacity of the Secretariat which currently cannot prepare more than three draft recommendations per session, due to its lack of adequate human and financial resources. The Working Group called upon OHCHR to take all necessary measures to enable the Petitions and Inquiries Section to prepare additional draft recommendations for the Committee in order to avoid a deterioration of the existing situation and the accumulation of an excessive backlog, which would undermine the credibility of the Committee as well as that of OHCHR.

Actions taken at the present session:

14. The Working Group decided:
- (a) To refer for adoption to the Committee a recommendation in relation to the draft Views (violation) on communication No. 34/2011 against the Philippines, with all members supporting the recommendation;
 - (b) To refer for adoption to the Committee a recommendation in relation to the draft Views (violation) on communication No. 36/2011 against the Netherlands, with all members supporting the recommendation;
 - (c) To refer for adoption to the Committee a recommendation in relation to the draft decision (inadmissibility) on communication No. 39/2012 against the Netherlands, with all members supporting the recommendation;
 - (d) To discontinue consideration of communication No. 41/2012 against Ecuador, in the absence of the written consent of the alleged victim, despite a specific request by the Working Group for the author to provide such written consent;
 - (e) To request the Secretariat to prepare draft recommendations for the twenty-ninth session of the Working Group regarding communications Nos. 30/2011, 46/2012 and 47/2012;
 - (f) To accede to the requests of the States parties concerned to examine the admissibility of the communication separately from the merits (split request) in relation to communications Nos. 51/2013, 59/2013, 62/2013 and 64/2013;
 - (g) To reject the split request of the State party concerned in relation to communication No. 52/2013;
 - (h) To appoint Ms. Bareiro-Bobadilla as Case Rapporteur for communication No. 61/2013;
 - (i) To appoint Ms. Šimonović as Case Rapporteur for communication No. 62/2013;
 - (j) To appoint Ms. Hayashi as Case Rapporteur for communication No. 65/2014;
 - (k) To register a new communication as case No. 66/2014 and to appoint Mr Bruun as Case Rapporteur;
 - (l) To register a new communication as Case No. 67/2014 and to appoint Ms. Patten as Case Rapporteur;
 - (m) To request the Secretariat to keep uploading on the Optional Protocol Extranet, academic resources that were cited in the Note by the Secretariat and to make available copies of excerpts as requested;
 - (n) To request the Secretariat to arrange meetings with representatives of the Permanent Missions of Belarus, Brazil, Peru and the Philippines to the United Nations Office at Geneva to discuss follow-up on Views on individual communications during the Committee's 57th session; and to arrange a follow-up meeting with the Permanent Mission of Turkey to the United Nations Office at Geneva during the Working Group's 29th session in June 2014.
 - (o) To request the Working Group's Chair to raise the Working Group's concern, as reflected in paragraph 13 supra, at the opening of the Committee's 57th session, on 10 February 2014.
15. The Working Group decided to hold its 29th session in Geneva, from 25 to 27 June 2014.

Annex

Agenda

Working Group on Communications under the Optional Protocol

28th session (Geneva, 4 to 7 February 2014)

Room XXVII, Palais des Nations

1. Adoption of the agenda and organization of work.
2. Review of steps and activities undertaken since the last session.
3. New communications registered and appointment of Case Rapporteurs.
4. Discussion on cases ready for adoption/split requests.
5. Discontinuances.
6. Update on communications (registered cases).
7. Update on follow-up on Views.
8. Discussion regarding cases ready for adoption and prioritization.

Adoption of the report concerning the Working Group's twenty-eight session.
