

[INFORMAL DOCUMENT]

CEDAW/C/2018/III/CRP

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

**Seventy-first session
(22 October – 9 November 2018)**

Chapter I

Matters brought to the attention of States parties

Decisions

Decision 71/1

Inter-sessional statements

On 22 October 2018, the Committee adopted a decision to join statements issued during the Committee's inter-sessional period, by Special procedure mandate holders on thematic issues related to women and girls that the Committee has an agreed position. The Committee entrusted the bureau with the task of deciding which statements the Committee should join but that the bureau shall in the exercise of this role not join statements on specific country situations.

Decision 71/2

Intimidation or reprisals

On 25 October 2018, the Committee decided to transmit the cases of reprisals received, with respect to women human rights defenders in Saudi Arabia to the Assistant Secretary General on reprisals, Andrew Gilmour and the United Nations Special Rapporteur on the situation of human rights defenders, Michel Forst, for their consideration. The Committee also decided to transmit a response to Saudi Arabia informing the State party to provide the Committee with updates on the cases in question.

Decision 71/3

Exceptional report on Myanmar

On 25 October 2018, the Committee adopted a decision to send a final reminder to the Government of Myanmar, due in May 2018, failing which the Committee shall proceed to consider the situation of Rohingya women and girls in Northern Rakhine State in the absence of a report at its seventy-second session in February 2019.

Decision 71/4

Simplified reporting procedure

On 30 October 2018, the Committee, further to decision 69/5, adopted a decision to defer to its seventy-second session in February 2019 the adoption of a formal decision to clarify the criteria for States parties to avail themselves of the simplified reporting procedure with regard to the time for counting the 5 year period for common core documents.

Decision 71/5

Press release on the decision by the Spanish Supreme Court in respect of the Committee's Views in the case of Angela Gonzalez Carreno

On 8 November 2018, the Committee issued a press release, which welcomed the decision of the Supreme Court of Spain that decided that the Views of the Committee are binding on the State party (<https://bit.ly/2Dh3b1z>).

Decision 71/6

Statement on women human rights defenders

The Committee decided to join a statement on women human rights defenders to be issued together with the Working Group on the issue of discrimination against women in law and in practice on the occasion of the International Day of Women Human Rights Defenders on 29 November 2018 (<https://bit.ly/2zdn7im>).

Decision 71/7

Engagement with civil society organisations

On 6 November 2018, the Committee decided to continue to consider innovative ways and means to promote the engagement of non-government organisations in relation to their submission of reports on broader issues under the Convention considering the limited scope of issues currently covered by them. In this regard, the Committee decided to explore ways of seeking the assistance of United Nations Country Teams to encourage reporting on broader issues under the Convention and improving the presentation of information on the Committee's webpage on how non-governmental organisations can engage with the Committee effectively.

Decision 71/8

General discussion on trafficking in women and girls in the context of global migration

On 6 November 2018, the Committee decided to hold a half-day of general discussion on trafficking in women and girls in the context of global migration at its 72nd session in February/March 2019.

Decision 71/9

Amendment of the rules of procedure

On 9 November 2018, the Committee amended rule 64 paragraph 2 of the rules of procedure by deleting the word "all" and replacing it with the words "a majority of" as follows: "A working group may also declare that a communication is admissible under the Optional Protocol, provided that ~~all~~ *a majority of* members eligible to participate so decide".

Decision 71/10

Revised standard paragraph on Sustainable Development Goals

Amending decision 62/2 and 70/5, the Committee decided to revise the standard paragraph on the "2030 Agenda for Sustainable Development" as follows:

"The Committee welcomes the international support for the Sustainable Development Goals and calls for the realization of de jure (legal) and de facto (substantive) gender equality, in accordance with the provisions of the Convention, throughout the process of implementing the 2030 Agenda for Sustainable Development. The Committee recalls the importance of Goal 5 and of the mainstreaming of the principles of equality and non-discrimination throughout all 17 Goals. It urges the State party to recognize women as the driving force of the sustainable development of the State party and to adopt relevant policies and strategies to that effect."

Decision 71/11

Framework of cooperation with the Special Rapporteur on violence against women

On 7 November 2018, the Committee endorsed a framework of cooperation with the Special Rapporteur on violence against women, its causes and consequences (<https://bit.ly/2zM3Q7O>).

Decision 71/12

Side event during the Commission on the Status of Women

The Committee decided to consider holding a side event during the 63rd session of the Commission on the Status of Women (11-22 March 2019) in order to reaffirm the interactive links between the Committee and UN entities under the title "The CEDAW Convention and the 2030 Agenda for Sustainable Development". The side event shall be one of the series in the lead up to the commemoration of the 40th anniversary of the Convention.

Decision 71/13

Rationalisation of Working Groups of the Committee

The Committee decided to rationalise existing working groups of the Committee during its seventy-second session in February 2019.

Decision 71/14

Appointment of Ad hoc members for the Working Groups on communications and inquiries

The Committee decided to appoint Nahla Haidar and Rosario Manalo as ad hoc members to attend the forty-third and twelfth sessions of the Working Groups on communications and inquiries, respectively. The Committee also decided to appoint Nicole Ameline as an ad hoc member to attend the forty-third session of the Working Group on communications.

Decision 71/15

Pre-Sessional Working Group

The Committee confirmed the members of the pre-sessional working group for the seventy-fourth session, Nicole Ameline, Marion Bethel, Nahla Haidar, Dalia Leinarte and Aruna Narain.

Decision 71/16

Questions relating to articles 10, 11 and 12 during the consideration of State party reports

The Committee decided that questions relating to articles 10, 11 and 12 shall be posed separately and time shall be given to the delegation to respond to the questions under each of these articles separately.

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

As at 9 November 2018, the closing date of the seventy-first session of the Committee on the Elimination of Discrimination against Women, there were 189 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, 76 Contracting States had accepted the amendment to article 20, paragraph 1, of the Convention, concerning the Committee's meeting time. A total of 126 States parties to the Convention are currently required to accept the amendment in order to bring it into force, in accordance with its provisions.

At the same date, there were 109 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.

Updated information on the status of the Convention, the amendment to the Convention and its Optional Protocol, as well as lists of States signatories and parties and the texts of declarations, reservations, objections and other relevant information are available from the website of the United Nations Treaty Collection (<http://treaties.un.org>).

B. Opening of the session

The Committee held its seventy-first session at the United Nations Office at Geneva from 22 October to 9 November 2018. The Committee held 22 plenary meetings, and also held 21

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 Chair of the Committee, Dalia Leinarte, at its 1629th meeting on 22 October 2018.

C. Adoption of the agenda and organization of work

The Committee adopted the provisional agenda (CEDAW/C/71/1) at its 1629th meeting.

D. Report of the pre-session working group

The report of the pre-session working group (CEDAW/PSWG/71/1), which met from 12 to 16 March 2018, was introduced by Patricia Schulz at the 1629th meeting.

E. Organization of work

On 22 and 29 October 2018, 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 22 and 29 October 2018, 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 seventieth session.

On 26 October, the Working Group on discrimination against women in law and in practice briefed the Committee on its activities. The Committee and the Working Group also discussed ways to intensify collaboration and engagement, including the issuance of joint statements on thematic issues and exchange of programmes of work. On 5 November, the Special Rapporteur on violence against women, its causes and consequences, Dubravka Simonovic briefed the Committee on her mandate and work in addressing violence against women and girls. The Committee and the Special Rapporteur agreed to adopt a framework of cooperation.

On 8 November, the Committee held an informal meeting with States parties to discuss the Committee's engagement with relevant United Nations agencies on gender-related indicators to the Sustainable Development Goals, and the implementation of the Convention and Optional Protocol in the context of General Assembly resolution 68/268 on treaty body strengthening. The meeting also discussed the Committee's recent General Recommendations Nos. 35, 36 and 37 on gender-based violence against women, education, and disaster risk reduction in the context of climate change; including the Committee's work to elaborate a General Recommendation on trafficking in women and girls in the context of global migration. Furthermore, the meeting discussed the financial and human resource challenges that continue to hamper the work of the Committee with respect to individual communications and inquiries. Despite these challenges, the meeting also discussed some of the achievements made by the Committee, including with regard to the judgment of the Supreme Court of Spain, which held that the Views of the Committee are binding on the State party.

F. Membership of the Committee

Attendance of the seventy-first session

All members attended the seventy-first session. The following members did not attend the session on the indicated dates: Ismat Jahan on 22 and 23 October; Feride Acar on 23 (half day), 24 and 25 (half-day) October; Ruth Halperin-Kaddari on 26 October and 9 November; Patricia Schulz, 30 October (half day), 1 and 2 November; Aruna Narain, on 2 November; Nicole Ameline on 2 and 5 November; and Marion Bethel on 8 November. 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 seventieth and the seventy-first sessions of the Committee

At the 1629th meeting, the Chairperson, Dalia Leinarte, presented her report on the activities she had undertaken since the seventieth session of the Committee.

Chapter IV

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

At its seventy-first session, the Committee considered the reports of eight States parties submitted under article 18 of the Convention: the sixth periodic report of Nepal; the seventh periodic report of the Republic of the Congo; the sixth periodic report of The Bahamas; the sixth periodic report of Samoa; the eighth periodic report of Mauritius; the sixth periodic report of Tajikistan; the sixth periodic report of The former Yugoslav Republic of Macedonia; and the combined eighth and ninth periodic reports of Lao People's Democratic Republic.

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:

Lao People's Democratic Republic (CEDAW/C/LAO/8-9)

Mauritius (CEDAW/C/MUS/CO/8)

Tajikistan (CEDAW/C/TJK/CO/6)

Nepal (CEDAW/C/NPL/CO/6)

Republic of the Congo (CEDAW/C/COG/CO/7)

Samoa (CEDAW/C/WSM/CO/6)

The Bahamas (CEDAW/C/BHS/CO/6)

The former Yugoslav Republic of Macedonia (CEDAW/C/MKD/CO/6)

B. Follow-up procedures relating to concluding observations

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

- 1) Azerbaijan (CEDAW/C/AZE/CO/5/Add.1)
- 2) France (CEDAW/C/FRA/CO/7-8/Add.1)
- 3) Gabon (CEDAW/C/GAB/CO/6/Add.1)
- 4) Japan (CEDAW/C/JPN/CO/7-8/Add.1)
- 5) Mongolia (CEDAW/C/MNG/CO/8-9/Add.1)
- 6) The Russian Federation (CEDAW/C/RUS/CO/8/Add.1)
- 7) Turkey (CEDAW/C/TUR/CO/7/Add.1)
- 8) Vanuatu (CEDAW/C/VUT/CO/4-5/Add.1)

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

- 1) Albania
- 2) Mali
- 3) Myanmar
- 4) United Republic of Tanzania

- 5) Trinidad and Tobago
- 6) Uruguay
- 7) Haiti

The Rapporteur on follow-up met with a representative of Lebanon and the Alternate Rapporteur on follow-up met with representatives of Ghana, whose follow-up reports were overdue.

The Committee decided to change the duration of delay in the submission of information by State parties to include a reference in follow-up letters to States parties which expresses regret of the delay, if the delay is 12 months or more.

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 29 October 2018. It endorsed the report of the Working Group on Communications under the Optional Protocol regarding its forty-second session (see annex 1).

The Committee examined two individual communications submitted under article 2 of the Optional Protocol. It adopted two final decisions, declaring inadmissible communications Nos. 81/2015 and 101/2016 both concerning Denmark (non-refoulement cases). It also discontinued its consideration of 3 communications, Nos. 73/2014 v Denmark, 83/2015 v Ecuador and 112/2017 v Austria, (non-refoulement cases). The text of the final decisions of the Committee will be available through the Official Document System of the United Nations (<http://documents.un.org/>) once they have been finalized and sent to the respective parties, through the website of the Office of the High Commissioner for Human Rights under the link to the relevant session of the Committee, or through the juris database of the Office of the High Commissioner for Human Rights (<http://juris.ohchr.org/>).

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

The Committee was informed that the Working Group, during its forty-second session, had discussed the follow-up situation in each case where the follow-up dialogue was ongoing and that it had agreed on the action to be taken. The Committee decided to put the follow-up dialogue to a close in relation to Communications No. 36/2012, De Blok et al v the Netherlands, with partially satisfactory resolution of the Committee's recommendations, and 45/2012, Belousova v Kazakhstan, with unsatisfactory resolution of the Committee's recommendations. Of the 11 cases under follow-up examination, two relate to the Russian Federation and one each relates to Finland, Georgia, Mexico, Moldova, Peru, Slovakia, Spain, Tanzania and Timor-Leste. The Working Group met with a representative from Moldova to the United Nations Office at Geneva and discussed follow up matters. The Committee considered possibilities to increase the visibility of the follow up procedure and further improve its follow-up working methods. The Committee requested the Secretariat to arrange for meetings with representatives of the Permanent Missions of Georgia and Spain to discuss follow-up to views on individual communications.

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

The Committee discussed activities under article 8 of the Optional Protocol on 6 November 2018. It endorsed the report of the Working Group on Inquiries under the Optional Protocol regarding its eleventh session (see annex 2).

The Committee approved amendments to the standard operating procedures proposed by the Working Group on Inquiries.

The Committee also endorsed the following decisions of the Working Group on Inquiries:

(a) To defer to its twelfth session in February 2019, the elaboration of procedures on follow up to the Committee's recommendations under the inquiry procedure;

(b) In relation to inquiry Nos. 2014/1 and 2011/2 concerning Kyrgyzstan and the United Kingdom of Great Britain and Northern Ireland, to defer to its twelfth session in February 2019 the decision to invite Kyrgyzstan and the United Kingdom of Great Britain and Northern Ireland to submit information under follow up to the Committee's recommendations contained in respective inquiry reports;

(c) In relation to inquiry No. 2010/1 concerning the Philippines, to defer to its twelfth session in February 2019 the assessment of information submitted by the State party under the follow up procedure to inquiries; and

(c) In relation to inquiry No. 2011/1 concerning Canada, to request the Secretariat to transmit a reminder to the State party to submit its interim report under the follow up procedure to inquiries.

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.

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 seventy-first and seventy-second sessions:

Seventy-second Session (Geneva)

Forty-third session of the Working Group on Communications under the Optional Protocol:
12 to 15 February 2019

Twelfth session of the Working Group on Inquiries under the Optional Protocol:
14 and 15 February 2019

Seventy-second session: 18 February to 8 March 2019

Pre-session working group for the seventy-fourth session: 11 to 15 March 2019

Seventy-third Session (Geneva)

Forty-fourth session of the Working Group on Communications under the Optional Protocol:
26 to 28 June 2019

Thirteenth session of the Working Group on Inquiries under the Optional Protocol: 27 and 28 June 2019

Seventy-third session: 1 to 19 July 2019

Pre-session working group for the seventy-fifth session: 22 to 26 July 2019

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 seventy-second and seventy-third sessions:

Seventy-second session:

- 1) Angola
- 2) Antigua and Barbuda
- 3) Botswana
- 4) Bulgaria (under the simplified reporting procedure)
- 5) Colombia
- 6) Ethiopia
- 7) Serbia
- 8) United Kingdom of Great Britain and Northern Ireland

Seventy-third session:

- 1) Austria
- 2) Bahrain
- 3) Cabo Verde
- 4) Côte d'Ivoire
- 5) Democratic Republic of Congo
- 6) Guyana
- 7) Mozambique
- 8) Qatar

Chapter VII

Implementation of article 21 of the Convention

A. Action taken by the Committee under agenda item 6

Working Group on working methods

The Working Group met twice during the session. The Working Group discussed the possibility of changing the sequencing of articles 15 and 16 so that questions relating to these articles may be raised after articles 1 and 2 during the dialogue, especially when there are plural legal systems in the State party or when the State party has entered reservations to article 16. The Working Group was of the view that the change in the sequencing of the articles could be taken in consultation with the country rapporteur and communicated to the State party prior to the dialogue. The Working Group also discussed the possibility that articles 10, 11 and 12 be separated from one another during the dialogue such that time shall be given to the delegation to respond to the questions under each of these articles.

Working Group on the Inter-Parliamentary Union

The working group met with the representative of the Inter-Parliamentary Union (IPU) during the session who informed the working group that IPU will organize two workshops on gender equality for male and female parliamentarians respectively in Djibouti from 27 to 29 November 2018 or 11- 13 December 2018, and in Turkey on 1 and 2 December 2018. The workshop in Djibouti will be held under the title “Building the capacity of Parliamentarians in their actions for gender equality”. The IPU representative extended an invitation to Committee members to attend the workshops. The working group and the IPU representative agreed to prepare for the next session of the Committee a joint declaration on leadership,

parity and governance in politics on the occasion of the fortieth anniversary of the Convention, with a view to increasing women's representation in political processes for the achievement of Sustainable Development Goal 5, target 5.5 ("Ensure women's full and effective participation and equal opportunities for leadership at all levels of decision making in political, economic and public life").

CEDAW-UN Women/SDGs Working Group

The Working Group met twice during the session to finalize the draft revision of treaty-specific reporting guidelines on the form and content of initial and periodic reports to be submitted to the Committee, taking into account the gender-related goals and targets of the 2030 Agenda for Sustainable Development, in particular Sustainable Development Goal 5, target 5.1 and indicator 5.1.1. The document aims to provide guidance to States parties in linking SDG implementation with their obligations under the Convention. On 6 November, the Committee adopted the revised reporting guidelines, which will be shortened before transmission to States parties.

The Working Group agreed to invite the OHCHR SDG Indicators Team to brief the Committee during the next session on its work in developing the conceptual and methodological framework for several SDG indicators. It also agreed to consider inviting IWRAW AP to brief the Working Group on its guide on CEDAW and the SDGs.

The Working group agreed to hold a side event at the sixty-third session of the Commission on the Status of Women (11-22 March 2019), under the theme "The CEDAW Convention and the 2030 Agenda for Sustainable Development", to reaffirm the interactive links between the Committee and UN entities. The proposed side event would focus on taking a holistic approach to ensuring a convergence between the SDGs and national strategies of the Convention and also to commemorate the fortieth anniversary of the Committee.

The Working Group also agreed to institutionalize the Committee's relationship with UN Women by creating a joint working group on the CEDAW Convention on the SDGs. This working group would ensure a more permanent and dedicated interaction with the UN Women liaison office in Geneva, in addition to the input regularly provided by UN Women. The Working Group also decided to hold an annual side event on the margins of the Conference on the Status of Women to assess ongoing work in this area and to convey regional and global perspectives, based on the information collected from the Committee's reviews of State party reports.

Working group on cooperation with national human rights institutions

The Working Group met twice during the session. At its first meeting, Nahla Haidar briefed the members of the working group on the recent meeting organized by the GANHRI in Marrakech, Morocco. The meeting, which brought together a large number of NHRIs from all over the world, had been the occasion to meet and brief 25 NHRIs on the purpose and objective of the working group and to seek input regarding ways in which the Committee's engagement with NHRIs could be strengthened. At its second meeting, which was attended by Mr. Vladen Stefanov, Chief, National Institutions and Regional Mechanisms Section, OHCHR and Ms. Katharina Rose, GANHRI Geneva representative, the members were briefed on the outcome of the consultation with NHRIs and on how the interaction with the Committee and its Secretariat can be strengthened. The Working Group agreed that the input would serve to inform the second stage of the work of the working group, which will now commence, i.e. the drafting of a guidance notes for all relevant stakeholders related to NHRIs interaction with the Committee.

Taskforce on women in conflict prevention, conflict and post-conflict situations

The Working Group met and the Chair briefed the members of the task force on UNSCR 2436 on United Nations peacekeeping operations, the commitments made by the Secretary General at the Security Council Open Debate on Women, Peace and Security and the content of the Policy Brief by the Global Network on Women Peacebuilders, which focuses on the strengthening of synergies between CEDAW and Women, Peace and Security. The task force further discussed preparations for holding a panel discussion on women, peace and security

during the seventy-second session of the Committee in February 2019 and examined the Committee's references to women, peace and security in its concluding observations and lists of issues.

Working Group on trafficking in women and girls in the context of global migration

The Working Group met twice during the session. At its first meeting, the Chair of the Working Group, Dalia Leinarte, introduced the draft concept note on General Recommendation on Trafficking in Women and Girls in Context of Global Migration and opened discussion on its content. The Working Group members were informed that UN Women will fund a stakeholder consultation meeting with Special Rapporteurs and UN agencies in December 2019 and that additional funding shall be sought for, inter alia, the organization of regional stakeholder consultations. At its second meeting, the Working Group discussed the content of the concept note and the timeline for the development of the draft General Recommendation. On 8 November 2018, the working group presented a concept note to the Committee. The Committee endorsed the concept note and decided to hold a half-day of general discussion on trafficking in women and girls in the context of global migration at its 72nd session in February/March 2019.

Chapter VIII

Provisional agenda for the seventy-second session

On 9 November 2018, the Committee considered and approved the following provisional agenda for its seventy-second session:

1. Opening of the session.
2. Adoption of the agenda and organization of work.
3. Report of the Chair on activities undertaken between the seventieth and seventy-first 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 on 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. Ways and means of expediting the work of the Committee.
8. Activities of the Committee under the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.
9. Provisional agenda for the seventy-second session of the Committee.
10. Adoption of the report of the Committee on its seventy-second session.

Chapter IX

A. Adoption of the report

The Committee considered the draft report on its seventy-first session and addenda on 9 November 2018 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]