

## **Statement by the Committee on the Elimination of Discrimination against Women on its relationship with non-governmental organizations**

### **45<sup>th</sup> session**

1. The Committee on the Elimination of Discrimination against Women (hereinafter “the Committee”) considers that its close cooperation with non-governmental organisations (NGOs)<sup>1</sup> working on women’s human rights is essential for the promotion and implementation of the Convention on the Elimination of All Forms of Discrimination against Women (hereinafter “the Convention”) and its Optional Protocol.
2. The purpose of this statement is to clarify and strengthen the Committee’s relationship with NGOs and to enhance the role of NGOs in the implementation of the Convention by States parties at the national level.
3. NGOs play a strategically important role and contribute to the Committee’s activities before and during the monitoring procedures of the Convention and its Optional Protocol and often have a catalytic role in enhancing implementation of the Convention at the national level. Since 1988, NGOs have submitted alternative/shadow reports for the Committee’s consideration of State party reports. The sixth Meeting of Chairpersons of Human Rights Treaty Bodies in 1995 stressed the central function of NGOs to provide reliable information necessary for the conduct of activities of the treaty bodies. As a result of these developments, the Committee included in its Rules of Procedures as revised in 2001 Rule 47 on NGOs which stipulates: that “*Representatives of non-governmental organizations may be invited by the Committee to make oral or written statements and to provide information or documentation relevant to the Committee’s activities under the Convention to meetings of the Committee or to its pre—sessional working group.*”

### ***Implementation of the Convention***

4. Whenever appropriate and feasible, it is desirable that governments involve NGOs in various aspects of the promotion and implementation of the Convention, General Recommendations, the Committee’s views under the Optional protocol and the Committee’s concluding observations. This should in no way compromise the legal obligation of the State party to be solely accountable for the implementation of the Convention. The Committee recommends that the State party encourage and, to the extent possible, provide sustained funding to NGOs in their activities relating to the promotion and monitoring of the implementation of the Convention, its Optional Protocol and the Committee’s concluding observations. This would enable their participation in the constructive dialogue with the Committee.

### ***Role of NGOs in the CEDAW reporting process***

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<sup>1</sup> For the purpose of this statement, the broad term NGOs also includes representatives of civil society, trade unions, women’s grassroots organizations and others. The term is non-exclusive and does not limit itself to NGOs that have been accredited by ECOSOC.

5. The Committee, through its rules of procedure and its practice of informal meetings with NGOs, has created a space for NGOs to play a constructive role in the reporting process and review by the Committee of the State party's compliance with its obligations under the Convention.
6. Taking note of the fact that consideration of the States parties' reports by the Committee is based on a constructive dialogue with States parties, the Committee considers it necessary that this dialogue is based on information received not only by State parties, UN entities and National Human Rights Institutions, but also from NGOs to ensure a constructive dialogue.
7. NGOs are encouraged to provide alternative or shadow reports on States parties' reports relating to the implementation of some or all the provisions of the Convention or specific themes focusing on gaps in implementation of the Convention or the Committee's concluding observations. NGOs may provide comments and suggestions to the State party's reports in any way they see fit.

#### ***Consultation and inputs into the State party report***

8. The Committee recommends that States parties consult NGOs when they prepare the State report and make this report available to all sectors of civil society. The State party is encouraged to invite NGOs to provide their input. This does not imply that NGOs take over the writing of the report or undertake a joint reporting with the State party. At all times the report has to be the report of the State party. Furthermore, the role played by NGOs in providing information for the report of the State party should not exclude the possibility of submitting an alternative/shadow report. The Committee often raises questions with States parties, asking whether NGOs have been consulted in the writing of the report and whether there has been collaboration and transparency in the reporting process.

#### ***Submission of alternative/shadow reports and presentation of oral information to the Committee's Pre-sessional working group***

9. The Committee stresses that it is highly desirable that alternative/shadow reports of NGOs be received in a timely manner for consideration by the Committee's pre sessional working group (PSWG). It also welcomes participation of NGOs at the PSWG meeting for oral presentations and clarifications with regard to the information provided with the aim of preparing the List of Issues and Questions, composed of some 30 questions. It is particularly valuable to have NGO input at this early stage of the reporting process.

#### ***Alternative/shadow reports and presentation of oral information at the meetings of the Committee***

10. The Committee welcomes written alternative/shadow NGOs reports submitted to the Committee, NGOs oral presentations to the Committee during the session and NGOs presence during the examination of the State party by the Committee as observers. In the past few years, the practice of the Committee has been to

provide a time slot for its public informal meeting with NGOs in its agenda on the first day of the first and second week of each session. During these informal meetings, NGOs make oral presentations of their written reports and respond to additional questions by Committee members. There are additional opportunities for NGOs to provide detailed alternative information to the Committee during informal lunch hour briefings (side-events); these briefings are usually held the day ahead of a review of a State party report.<sup>2</sup>

#### ***Alternative/shadow reports under the Committee's Follow-up procedure***

11. The Committee adopted a follow-up procedure to its concluding observations at its forty-first session and decided on its methodology at its forty-fifth session, whereby a State party is requested to submit information within one or two years on action taken to implement the recommendations selected under the follow up procedure. Usually two recommendations are selected for the procedure. NGOs are encouraged to submit alternative information for the attention of the Committee by the same deadline as the State party. All information received under this procedure is made available on the Committee's website.<sup>3</sup>

#### ***Alternative/shadow reports to exceptional reports***

12. Whenever the Committee requests an exceptional report in line with Article 18 (1) (b) of the Convention and its Rules of Procedure, NGOs are encouraged to submit alternative/shadow reports on situations warranting such exceptional reports.

#### ***Inputs to the elaboration and use of the Committee's General recommendations***

13. The Committee encourages NGOs to provide inputs on general recommendations under elaboration and to make use of the Committee's general recommendations in its advocacy efforts.

#### ***Utilization of the Convention and the procedures under its Optional Protocol***

14. An NGO may provide assistance to alleged individual victims or groups of victims of human rights violations under the Convention by submitting communications to the Committee under its communications procedure on behalf of such individuals or groups of individuals. NGOs may also, in appropriate situations, provide reliable information on grave or systematic violations of women's human rights in relation to the mandate of the Committee to conduct an inquiry under the Optional Protocol<sup>4</sup>.

#### ***Enhancing global reach***

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<sup>2</sup> For details of the procedures to follow, kindly refer to the NGO note for each session, available on the website.

<sup>3</sup> For detailed information about the follow-up procedure, please see the website <http://www2.ohchr.org/english/bodies/cedaw/followup.htm>

<sup>4</sup> Please find specific information about how to submit individual complaints under the Optional Protocol to CEDAW in its [Fact Sheet] adopted at its 44<sup>th</sup> session, [available at...]

15. The Committee welcomes input from national and international NGOs and notes that due to logistical and financial constraints it is not always feasible for NGOs to attend the Committee's sessions in Geneva or New York. The Committee, therefore, welcomes the use of new technology for enhanced representations from all regions during its sessions, such as videoconference links and webcasting.
16. The Committee welcomes enhanced outreach and awareness of the Convention and its Optional Protocol, its concluding observations, general recommendations, views and decisions and recognizes the important role of the NGOs in this process. It further encourages NGOs and other stakeholders to contribute to the process of translation of the Committee documents into local languages, with the aim of enhancing the outreach and awareness of the Convention and its Optional Protocol.

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