

Check against delivery



Statement by Ms. Yoko Hayashi

Chairperson of the Committee on the Elimination of Discrimination against Women
at the fifty-ninth session of the Commission on the Status of Women

Chairperson,
Excellencies,
Ladies and gentlemen,

In my capacity as newly elected Chairperson of the Committee on the Elimination of Discrimination against Women, it is my honour to address this forum for the first time today.

This year, the focus of the Commission on the Status of Women is on a review of the progress made in the implementation of the Beijing Declaration and Platform for Action, 20 years after its adoption at the 1995 Fourth World Conference on Women. I like many of my fellow Committee members, attended the Beijing Conference 20 years ago as a young lawyer and women's rights activist, and I felt we were writing history. Today, I am proud to say that the CEDAW Committee has spared no efforts to contribute to the implementation of the Beijing Declaration and Platform for Action.

The Convention on the Elimination of Discrimination of All Forms of Discrimination against Women is the only international legally binding instrument that comprehensively protects women's rights and promotes gender equality. With 188 States parties, it has near universal ratification. The CEDAW Convention therefore constitutes the main legal framework for the implementation of the Beijing Declaration and Platform for Action. This is recognized in the Political Declaration that Members States, will adopt today. The declaration "recognizes that the implementation of the Beijing Declaration and Platform for Action and the fulfilment of the obligations under the Convention on the Elimination of All Forms of

Discrimination against Women are mutually reinforcing in achieving gender equality and the empowerment of women”.

The CEDAW Committee is the treaty body of experts which reviews the implementation by States of their obligations under the Convention. The CEDAW Committee thus assists States parties to better comply with their legal obligations under the Convention. Over the last 20 years, the Committee has also made important contributions to the implementation of the Beijing Declaration and Platform of Action by including the monitoring of State’s implementation of the Platform in its periodic review of States parties’ reports.

The Committee recognizes the difficulties of many States parties to regularly submit periodic reports to numerous human rights treaty bodies. In line with General Assembly resolution 68/268 of 9 April 2014 on strengthening the human rights treaty body system, the Committee has therefore decided to offer a simplified reporting procedure to those States parties that wish to avail themselves of this procedure, under certain conditions. This, as well as the word limits established in the resolution for the length of States parties’ reports, should help to reduce the reporting burden.

Over the last year, the Committee engaged in constructive dialogues with 24 States parties to discuss the progress made in the areas covered by the 16 substantive articles of the Convention. These areas largely converge with the 12 critical areas of concern of the Beijing Platform for Action. In its dialogues with States parties, the Committee was confronted not only with a prevalence of violence against women, including in situations of conflict, but also with forms of discrimination against women as related to poverty, social and cultural stereotypes, and the breakdown of State institutions and infrastructures that accounts for lack of access to justice and

rule of law and impunity for violations of women's human rights. The Committee repeatedly reminded State parties to involve women on an equal basis with men in peace negotiations and appealed to States parties to control arms trade. Mounting religious extremism and stigmatization have been matters of concern for the Committee, as their first impact is often a violation of women's human rights. The Committee, however, also saw encouraging signs, such as a steady reduction in maternal mortality, increased participation of women in political and economic life and the adoption, by some States parties, of social protection floors, including for women working in the informal sector.

The recommendations (“concluding observations”) that the Committee adopts after each dialogue provide important guidance to States not only on how to implement their legal obligations under the Convention, but also the political commitments they agreed to in Beijing. This close nexus is emphasized each time when the Committee routinely calls on States parties to use the Beijing Declaration and Platform for Action in their efforts to implement the provisions of the Convention.

Of course, the Committee is aware that its concluding observations are not always fully implemented or swiftly implemented. The Committee is also aware that, while political will is necessary for implementation, it is not sufficient. Many States are also in need of support. We therefore often call for further efforts by UN agencies, entities and country teams to provide technical assistance to States in this regard.

The Committee also feels that it is important to assess the progress achieved by a State party between reporting cycles. The follow-up procedure is designed to track

progress on two priority issues identified in its concluding observations within a two year period. Among the most frequently asked follow-up items are eliminating violence against women, repealing discriminatory laws, in particular in the fields of marriage and family relations, and strengthening the national machinery for the advancement of women. During the last year, the Committee assessed the follow-up reports of 17 States parties.

Ladies and gentlemen,

General Assembly resolution 68/268 provided for additional meeting time and staff support for the treaty bodies from the regular budget. The Committee welcomes this important initiative. However, at the end of 2014, OHCHR and its Human Rights Treaties Division witnessed a significant cut in extra-budgetary resources. As a result, the treaty bodies are facing a considerable increase in their workload with only a very modest increase in the number of staff servicing them. This situation not only affects the work of the treaty bodies, but also the impact of their work on the ground.

The CEDAW Convention also has an Optional Protocol, ratified by 105 States. Despite the constrained financial environment, this year, in addition to the 24 State reports reviewed, the Committee took action on eight individual complaints under the Optional Protocol. The Committee also completed an inquiry finding grave and systematic violations by a State party of rights set forth in the Convention. It further registered three new inquiry submissions received and continued its work on six pending inquiry proceedings. As these figures indicate, the future work of the Committee under the Optional Protocol is likely to incorporate and increasing load for inquiries.

On 3 November 2014, the Committee adopted Joint General Recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/General Comment No. 18 of the Committee on the Rights of the Child on harmful practices. I wish to emphasize that this is the first ever General Recommendation adopted jointly by two human rights treaty bodies; and, although this was not an easy task it no doubt constitutes a significant step towards the consolidation of a holistic human rights framework. The Joint General Recommendation recalls the obligation of States parties to prevent and eliminate harmful practices inflicted on women and girls, such as female genital mutilation, crimes committed in the name of so-called honour, forced and child marriage, polygamy, virginity testing, widowhood practices and infanticide, and to pay attention to practices such as women and girls undergoing plastic surgery to conform to social norms of beauty.

On 5 November 2014, the CEDAW Committee adopted General Recommendation No. 32 on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women. This General Recommendation stresses that violence against women is one of the major forms of persecution experienced by women in the context of refugee status and asylum. It also notes that women are more likely than men to be exposed to statelessness due to discriminatory family and/or nationality laws. GR 32 underlines that gender-based violence and persecution are recognized as legitimate grounds for international protection in law and in practice and may include the threat of female genital mutilation, other harmful practices, trafficking in women, sexual violence including rape, serious forms of domestic violence, forced sterilization or political or religious persecution for holding feminist or other views. It further notes that States parties have an obligation to protect women by not exposing them to a real, personal and

foreseeable risk of serious forms of discrimination, including gender-based violence, when deciding on their forcible return to their country of origin.

The CEDAW Committee is currently drafting other general recommendations dealing with women's access to justice, rural women, the right to education, and the impact of climate change and natural disasters on women. It will also be embarking on the exercise of updating the landmark General Recommendation No. 19 (1992) of the Committee on violence against women. The thematic areas covered illustrate that General Recommendations are not only important implementation tools, providing guidance to States on their legal obligations, but that they can also be powerful tools for development.

Ladies and gentlemen,

This year, we are at a historical juncture, as the 59th session of the CSW will input into the negotiations towards adopting the post-2015 development agenda at the UN General Assembly Heads of State Summit in September 2015.

Sustainable development cannot be achieved when women are denied equal access to justice, political participation, education and employment and are not protected from discrimination and violations of their rights in all spheres of life, including the family. These are all key areas of concern in ensuring gender equality and women's human rights under the CEDAW Convention. Elimination of discrimination against women and gender equality are also central for the realization of the post-2015 development agenda. Anchoring the post-2015 agenda in human rights norms, in particular the CEDAW Convention, to ensure that development is

not merely a matter of policy choices of States, but is, in fact, a matter of their human rights obligations, is of utmost importance.

The CEDAW Convention provides a legal framework for the realization of the sustainable development goals. It seeks to ensure that women can claim their human rights, including their economic, social and cultural rights, without discrimination. The Convention thus transforms the developmental goals of the post-2015 agenda into actionable legal rights in the same way as it gives legal content to the political commitments in the Beijing Declaration and Platform for Action. Therefore, whatever accountability mechanism will be adopted for the Agenda, the CEDAW Committee will continue to have a critical role in ensuring accountability for gender equality.

Chairperson,

Excellencies,

Ladies and gentlemen,

Before concluding, let me express the Committee's gratitude to all partners, including other treaty bodies and human rights mechanisms, the United Nations and its specialized agencies, Member States, NGOs, national human rights institutions and many other actors. The support and information received from these partners are crucial for the Committee to gain a clear view of the status of women's rights around the globe. In addition to our substantive Secretariat at OHCHR, I would especially like to thank United Nations country teams, particularly those which were represented at the Committee's sessions, as well as the Interagency Group on CEDAW reporting (comprising UNDP, UNFPA, UNICEF, FAO and UN Women).

We are also grateful to UNHCR, ILO, UNESCO and IPU and to civil society organizations, particularly IWRAW-Asia Pacific, for their support.

As we are commemorating Beijing +20 this year, which also marks the seventieth anniversary of the United Nations, I wish to renew the call for all of us to join efforts in ensuring the human rights of women by embracing a full vision of gender equality and empowerment of women, as these are enshrined in the legally binding provisions of the CEDAW Convention and the politically endorsed commitments of Beijing Declaration and Platform for Action. Let us also ensure that the developmental goals of the post-2015 agenda are built on these principles and are implemented to achieve substantive equality of women and men, world-wide.

I thank you for this opportunity.
