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**Statement by
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CHAIRPERSON

**COMMITTEE ON THE ELIMINATION OF
DISCRIMINATION AGAINST WOMEN**

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**Chairperson,
Distinguished delegates,
Colleagues and friends,**

In my capacity as the Chairperson of the Committee on the Elimination of Discrimination against Women (the CEDAW Committee), which will be celebrating its 30th anniversary next year, I am honoured to address the Third Committee of the General Assembly.

Let me start by stating that as a Brazilian woman and the Chair of the CEDAW Committee, I am very proud that my President, Dilma Rousseff, was the first woman to open the General Assembly's main annual debate in its 66 year history. President Rousseff told world leaders that women are now occupying the place they deserve in the world. She stated that: *"For the first time in the history of the United Nations, a female voice opens the general debate. It is the voice of democracy and equality, reverberating from this, which has the commitment of being the most representative podium in the world. It is with personal humility, but with my justified pride as a woman, that I meet this historic moment."* The CEDAW Committee was also justifiably proud of this momentous occasion.

I would also like to pay tribute to Nobel Laureate Wangari Muta Maathai, a champion in the global environmental and women's rights movement who lost her battle with cancer recently. The Secretary-General called Maathai a globally recognized champion for human rights and women's empowerment and a pioneer in articulating the links between human rights, poverty, environmental protection and security. Her death has left a gaping whole among the ranks of women leaders and her passing is a loss not only for Kenya and Africa, but the entire world.

**Chairperson,
Distinguished delegates,**

Status of the Convention and Optional Protocol

As Chairperson of the CEDAW Committee, which is charged with overseeing the implementation of the Convention on the Elimination of All Forms of

Discrimination against Women, I am also honoured to present the Report of the Secretary-General on the Status of the Convention, pursuant to General Assembly resolution 62/218.

187 States are now party to the Convention, Nauru being the most recent State having acceded to the Convention on 23 June 2011. We are 7 short of universal ratification. In this regard, I would like to call upon those 7 States¹ to undertake the necessary domestic procedures to ratify or accede expeditiously, thereby joining the global consensus that women's rights are human rights. The Convention's Optional Protocol, which mandates the Committee to receive and consider petitions and inquiries into allegations of grave or systematic violations of the Convention, has now been accepted by 102 States parties. Since last year, Cambodia, Ghana and the Seychelles have become party to the Optional Protocol.

The Committee remains grateful to the General Assembly for granting, through its resolution 62/218, an extension of its meeting time to three annual sessions effective from January 2010, pending the entry into force of the Amendment to the Convention. 64 States parties have accepted the Amendment to article 20 to date, of the total 125 States required for it to enter into force. I would like to reaffirm that it is not only the responsibility of States parties to ensure that the Committee has a stable resource base that enables it to fulfil its mandate, but it is also in your interest to do so. I therefore call upon all States parties that have not yet done so to formally accept the Amendment as soon as possible.

Reporting

I would like to note that the Committee has now considered or has scheduled for consideration all long-overdue reports, that is to say, reports that are 10 years or more overdue. The Committee considers, on average, 24 reports annually but has not recently been able to keep pace with the rate of submission. The Committee is aware that timely consideration is a significant incentive for States parties to report in accordance with the terms of the Convention.

¹ Iran, Palau, Somalia, Sudan, South Sudan, Tonga, and United States.

Resources

I also wish to note that the level of funding and staffing for human rights, especially the treaty bodies, is simply not adequate for the Office of the High Commissioner for Human Rights to perform all of its ever-growing mandates and functions. While recognising the quality of support provided by the Secretariat, the Committee is very concerned about the impact that this lack of resources is having in terms of resources available to meet the increased reporting to the Committee. In this context, I would like to draw your attention to the report of the Secretary-General on measures to improve further effectiveness, harmonization and reform of the treaty body system (A/66/344).

**Chairperson,
Distinguished delegates,**

Treaty Body Strengthening/ICM/Meeting of Chairpersons

On behalf of my Committee, I welcome and support the consultation process launched two years ago by the High Commissioner for Human Rights, Ms. Navi Pillay, to strengthen the treaty body system. My Committee has had several opportunities to participate in consultations and make proposals. This initiative of the High Commissioner has given great visibility to the importance of the role of the treaty bodies for the protection of human rights worldwide. It also made clear that the recent growth of the system which has doubled in size since 2006 has not been matched with equivalent financial resources. CEDAW is continuously working to ensure that its working methods are efficient and effective, for which it has established a working group. But is also clear that not all measures that would lead to increased efficiency will necessarily reduce costs. On the contrary, to make our work most usable and visible at the national level where implementation by State parties is to take place, we may have to invest more: more analysis, research, time, as well as possibly the use of new technologies. And while I dare say we are already working at maximum capacity, operating even more efficiently would mean we will need more documents ready at each session, which as you know is the most expensive part of the equation.

We very much look forward to continuing our interaction with the High Commissioner and all stakeholders in this process, including Member States. We also look forward to the report that the High Commissioner will release in the first part of 2012.

Chairperson,
Distinguished delegates,

Partners

The Committee continues to encourage the input and support of non-governmental organizations, the role of national human rights institutions in its work and in follow-up to its recommendations, the role of parliamentarians in implementation of the Convention and other actors, including the United Nations programmes, funds and specialized agencies. The Committee continues to benefit from information submitted on countries under consideration by the United Nations country teams and is especially grateful to the Inter-Agency Group on CEDAW Reporting (comprised of UNDP, UNFPA, UNICEF, FAO and UN Women), as well as UNHCR, IOM and IPU for providing country-specific information.

In my capacity as Chair, of the Committee, I met with the Head of UN Women, Ms. Bachelet, in February to discuss issues of common concern and ways to establish an effective framework for collaboration to increase awareness of the Convention and achieve greater gender equality and further the advancement of women. The Committee also provided input into UN Women's Strategic Plan. Currently, the Committee is collaborating with UN Women on two of its draft general recommendations – human rights of women in situations of conflict and post conflict, and access to justice. It is also working with UN Women to establish a task force to ensure an institutional framework for cooperation between the two entities.

In order to strengthen coordination with special procedures mandate holders, during the past year, the Committee met with Mr. Chaloka Beyani, the Special Rapporteur on the human rights of internally displaced persons, and Ms. Rashida Manjoo, the Special Rapporteur on violence against women, its causes and its consequences. The Committee also had the occasion to meet with the Secretary-General and to update him on its work at the Committee's 49th session in New York. The Committee was very impressed with the Secretary-General's commitment to

women's issues and the advancement of women as evidenced by his recruitment and appointment of women in the United Nations Secretariat, including at high levels. I will also participate in the upcoming session of the Commission on the Status of Women. The Chair of CEDAW addresses the Commission and presents a report on the activities of the Committee annually.

Chairperson,

Distinguished delegates,

General Recommendations and Jurisprudence

To provide clarification and promote understanding of the Convention's substantive content and the specific nature of discrimination against women, the Committee, in addition to the constructive dialogues with the States parties and the resulting concluding observations, also elaborates general recommendations.

To date, 28 general recommendations have been adopted by the Committee, two of which were adopted at its 47th session, one on older women and the protection of their human rights, and the other on the core obligations of States parties under article 2 of the Convention. It continues to elaborate the general recommendation on the economic consequences of marriage, family relations and their dissolution; and on harmful practices in conjunction with the Committee on the Rights of the Child.

The Committee is also in the process of elaborating a general recommendation on the human rights of women in armed and post conflict. In this context, it held a general discussion on this issue with key UN and civil society partners in New York. The Committee has also decided to elaborate a general recommendation on access to justice.

The Committee's general recommendations are a rich resource of legal and policy guidance and have addressed a number of core issues, including the conceptualization of violence against women as a form of discrimination against women, the development under the Convention of the States parties' obligation of due diligence, the elaboration of the notion of non-discrimination and substantive equality that underpins the Convention, and the concept of intersecting forms of discrimination. The elaboration of such general recommendations, a long-standing practice of the treaty bodies, is part of the mandate of the Committee, in accordance with article 21 of the Convention.

The Committee's jurisprudence under the Optional Protocol is an emerging area of importance. Even though the number of cases decided has been modest,² the views of the Committee have been influential in the creation of an international women's human rights jurisprudence, with the Committee's jurisprudence being used increasingly in regional human rights courts, such as the European Court of Human Rights and the Inter-American Court of Human Rights. One recent case has been referred to as the leading decision of the Committee on addressing wrongful gender stereotyping in rape cases. This case as well as others involving violence against women have set a high bar in terms of the level of legislative protection and the practical implementation of the legal standards required, in addition to progress at the domestic level in terms of law, policy and administrative change, and in the development of the follow-up procedures of the Committee.

Chairperson,

Distinguished delegates,

Activities of Committee Members

Committee members have as usual been very active in promoting the Convention and women's issues through speaking at numerous United Nations and non-United Nations fora. These opportunities are vital to raise awareness of the Convention and pressing issues for women. During this year, CEDAW experts took part in numerous events and capacity building initiatives involving the United Nations, regional organizations, governments and civil society partners on the Convention and related substantive topics on women's rights and empowerment. Examples of such engagements include the participation of CEDAW experts in various regional capacity-building activities within the framework of OHCHR and UN Women cooperation, and in the Human Rights Council's annual full day discussion on women's rights in June.

² With respect to the Working Group on Communications under the Optional Protocol to the Convention, which also holds three annual sessions pursuant to General Assembly resolution 62/218, the Working Group, since its inception has registered 34 communications; the Committee has completed the proceedings related to 17 of those communications. The Committee also continued to implement its mandate under article 8 of the Optional Protocol. To date, the Committee has concluded one inquiry under this procedure (Mexico), while two other requests for inquiries have been received.

**Chairperson,
Distinguished delegates,
Colleagues and friends,**

The Committee has worked with competence, dedication, integrity and imagination to assist States parties in complying with and implementing their treaty obligations under the Convention to the fullest extent, both de jure and de facto, and to stimulate legal and policy reform, and provide individual relief for the protection of the human rights of women and their advancement. In all of its work, the Committee has strived to emphasize the specificity of discrimination against women and the need to give high prominence to the promotion and protection of all women's rights. As a result, it has become recognized as a legitimate and internationally respected voice for the human rights of women and girls. Despite significant progress, there remain enormous challenges.

In conclusion, I would like to remark that the potential of the Convention and the Optional Protocol to bring about change at the national level has not been exploited to the fullest largely as a result of their lack of visibility, accessibility, and political will. However, due to the commitment of the Committee and many States parties, as well as of the vibrant civil society organisations and regional and international organisations, both instruments have led to significant changes on the ground. They include improvements in laws, policies and programmes, which have transformed the lives of many women and girls throughout the world. I commend the States parties that have taken concrete measures to implement the recommendations of the Committee and call upon all States parties to do the same.

I thank you, Excellencies, for this opportunity.