

Statement
by
Ms. Angela E.V. King
Special Adviser on Gender Issues and Advancement of Women
at the
Human Rights Committee at its 78th session

Geneva, 15 July 2003

Distinguished Chairperson and experts of the Human Rights Committee,
Distinguished Guests,
Colleagues,

This is the second time that I will have the pleasure of addressing this Committee, the previous occasion was at your 68th session, in March 2000 when I welcomed the adoption of the Committee's General Comment no. 28, article 3 on equal rights between men and women.

I am pleased to report that there has been much progress on the status of the Convention and its Optional Protocol: As of 13 July 2003, there are 174 States parties to the Convention. The latest States to ratify are: Sao Tomé and Príncipe, the Syrian Arab Republic, Afghanistan and Timor Leste. Also as of 13 July, there are 53 States parties to the Optional Protocol. Most recent ratifications include: Sweden, Timor Leste, Albania, and Luxembourg.

The CEDAW Committee which is currently meeting in New York continues to take a significant interest in the effective and efficient functioning of the human rights treaty system. To that end, it also takes specific interest in the work, and working methods of other human rights treaty bodies. This is reflected in the regular participation of the Chair, and members of the Committee in the meetings of the Chairpersons of human rights treaty bodies, as well as the Inter-committee meeting. Information about other Committees' working methods, their work on general comments/recommendations is also provided regularly to the CEDAW Committee by its Secretariat in a report on ways and means of implementing the Convention.

The Committee is interested in exchanging views and comments with other treaty bodies on issues arising in relation to the implementation of the human rights treaties. In this regard, the CEDAW Committee welcomed the opportunity provided by the Human Rights Committee (HRC) to comment on the HRC's draft of a general comment on article 2 of the Covenant on Civil and Political Rights, and has submitted its comments to the Chair of the Human Rights Committee. The CEDAW Committee in turn, intends to follow a similar approach as it continues its work on general recommendations. At present, the Committee is working on a general comment on article 4.1 of the Convention, temporary special measures aimed at accelerating de facto equality between women and men.

The Committee continues its efforts to ensure effective implementation of all the provisions of the Convention on the Elimination of All Forms of Discrimination against Women, including the reporting obligation. In this regard, the Committee recommends a series of incremental measures to encourage reporting by States parties. For example, the Committee is very concerned that as of May 2003, 29 States parties to the Convention were more than five years overdue in submitting their initial reports. It will therefore hold a closed meeting with States whose initial, or periodic reports are more than five years overdue on 16 July during its current session. It is expected that the Committee will decide on further modalities for implementing its incremental approach at this session. The Committee does not consider as an option, at the present time, consideration of the implementation of the Convention in the absence of a States party report, or in the absence of a delegation, as some other Committees at present do.

The Committee shares the view of other treaty bodies, as also reflected in the recommendations and points of agreement that arose from the recent meetings of the Chairs and of the Inter-Committee meeting, that the proposal that each State should be allowed to produce a single report summarizing its adherence to the full range of international human rights treaties to which it is a party would not adequately meet the overriding concerns and objectives of strengthening the implementation of human rights obligations at the national level. It also concurs that these concerns and objectives could be met more appropriately by requiring States parties to human rights treaties to prepare an expanded core document which would be regularly updated, as well as treaty-specific targeted reports to individual treaty bodies.

Following the entry into force of the Optional Protocol in December 2000, the Committee has begun its work both with regard to the communications procedure, and the inquiry procedure contained in article 8 of the Optional Protocol. At its most recent session from 25-27 June 2003, the working group discussed a number of questions that arise in conjunction with the Optional Protocol on the basis of a research paper prepared for the working group, namely: “same matter” and “under another procedure of international investigation or settlement” (Optional Protocol, article 4 (2) (a)); “the facts that are the subject of the communication occurred prior to the entry into force of the [Optional] Protocol” (Optional Protocol, article 4 (2) (e)); the issue of accountability of States parties for the conduct of non-State actors; and remedies recommended by human rights treaties and implementation of views by States parties (Optional Protocol, articles 7 (3), (4) and (5)). The research paper prepared for the working group also reflected the relevant views of the Human Rights Committee arising from its decisions taken under its Optional Protocol providing for a right to petition.

The Committee commenced work under article 8 of the Optional Protocol, the inquiry procedure, at its 28th session in January 2003, after the Secretary-General, in pursuance of rule 77 of the Committee’s rules of procedure, brought to the attention of the Committee information that had been submitted for the Committee’s consideration under article 8 of the Optional Protocol. This work is continuing at the Committee’s present session.

With your permission Chairperson, I will illustrate some additional aspects of the work of the Division for the Advancement of Women which might be of interest to the Committee. For example:

In the field of violence against women (trafficking), in November 2002, the Division for the Advancement of Women, in collaboration with the United Nations Office on Drugs and Crime, organized an Expert Group Meeting on “Trafficking in Women and Girls” (Glen Cove, United States). The results of the Expert Group Meeting were presented to the forty-seventh session of the Commission on the Status of Women in March 2003 which considered the theme “women’s human rights and the elimination of all forms of discrimination against women as defined in the Beijing Platform for Action and the outcome document of the twenty-third special session of the General Assembly”. They were also presented to the twelfth session of the Commission on Crime Prevention and Criminal Justice in May 2003 in Vienna which held the thematic discussion on “trafficking in human beings, especially women and children”. As a follow-up to the EGM, the Division for the Advancement of Women, in collaboration with the United Nations Office on Drugs and Crime and the United Nations Office of the High Commissioner for Human Rights, is now working at the preparation of a publication on best practices against trafficking in women and girls to be addressed to policy makers and practitioners working on this issue. Moreover, DAW has been invited to join a Working Group on Trafficking and Peacekeeping chaired by the Department of Peacekeeping Operations which includes UN entities (i.e. the Office of the Special Adviser on Gender Issues and Advancement of Women, the Office of the High Commissioner for Human Rights, the United Nations Children’s Fund, the United Nations Development Fund for Women), intergovernmental organizations (i.e. the International Organization for Migration) and non-governmental organizations (i.e. the International Human Rights Law Group).

In the area of violence against women migrant workers which is a longstanding concern for the Division, and reports on this matter are regularly prepared for the General Assembly. The most recent report of this kind will be before the General Assembly at its upcoming session, and includes measures undertaken by Member States, entities of the United Nations system and other intergovernmental organizations to address violence against women migrant workers.

In addition, working towards the elimination of crimes against women committed in the name of honour. The General Assembly has taken up this issue twice, and its most recent resolution on this matter was adopted by consensus. This resolution acknowledges the work done by human rights treaty bodies, including the CEDAW Committee and the Human Rights Committee in relation to these crimes.

I should also mention that as Special Adviser on Gender Issues, I worked with the Division for the Advancement of Women and the Inter-Parliamentary Union to produce a joint UN publication Handbook on the Convention on the Elimination of All Forms of Discrimination against Women for Parliamentarians which I co-launched at the 108th IPU Conference in Santiago. Tomorrow (16 July) in New York there will also be a launch of the publication by the Division for the Advancement of Women and the Inter-Parliamentary Union.

In closing I wish you a very productive session and I am more than ever pleased that we can jointly continue our mainstreaming of gender into human rights and the cross fertilization from your comments into the work of CEDAW.
