



AN OVERVIEW OF THE CEDAW COMMITTEE

Feb 2018

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CEDAW Cttee Member

CEDAW COMMITTEE (Art 17, CEDAW)

- ▶ 23 experts of high moral standing and competence in field covered by CEDAW (22 women/1 man) – mix of diplomats ,politicians ,academics, lawyers, activists
- ▶ Purpose: consider progress in implementation of CEDAW
- ▶ Elected by St. P from among nationals
- ▶ Serve in personal capacity (Independent experts)
- ▶ Regional groups
- ▶ Casual vacancies by filled by St P of elected member
- ▶ PP (2003 – 2017). Resignation
ADN (nominated until Dec 2018)
- ▶ Task Forces/Rapporteurs
- ▶ Working Groups
- ▶ Very proactive/progressive e.g. eco empowerment, fiscal transparency



PERIODIC REPORTS (Article 18, CEDAW)

- Report on legislative, judicial, administrative or other measures adopted to give effect to CEDAW + progress
 - Every 4 years
 - Simplified Report Procedure (SRP): Mauritius 2018
 - Articles in chronological order (v/s CRC)
 - COBs to be disseminated
 - Consultation esp with civil society, incl. legal profession
 - NGOs/Civil society present in Geneva for briefings (TF/plenary) (Norway Bar Association)
- Taken v seriously**
- Shadow report
 - Funding from UN through UNDP?

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GENERAL RECOMMENDATIONS

(Article 21, CEDAW)

- ❑ Committee may make suggestions and general recommendations based on examination of reports and information received from States Parties
- ❑ 35 so far issued
- ❑ States Parties usually asked in COBs to publicise
- ❑ Work of committee (e.g reporting guidelines, statistics, reservations)
- ❑ Interesting thematic ones e.g female circumcision, women with AIDS, equal remuneration for work of equal value, disabled women, etc.
- ❑ N.B. GR No. 21 (1994) (Equality in marriage and family relations) and **33 (2015) (Women's access to justice)** – (training for judges/lawyers)
- ❑ Right now working on Gender Equality in context of Climate Change and Natural Disasters and Girls/Women's Right to Education

GR No 35

- ▶ Last session (2017) – GR No. 35 – on Gender – Based Violence against Women (updating GR No. 19 of 1992):
- ▶ Social problem/ Customary IL
- ▶ New forms of violence-technology
- ▶ Violation of sexual and reproductive health and rights of women =form of GBV that may amount to torture, cruel, inhuman or degrading treatment. (forced sterilization, forced abortion, forced pregnancy, criminalization of abortion, denial or delay of safe abortion, etc.)
- ▶ Pervasive gender stereotypes enable violence to continue with impunity. Responsibility with the legislative, executive, judiciary, lawyers and law enforcement officers, health care professionals, social and welfare personnel, the educational system at all levels, mass media, etc.
- ▶ Underscores the agency of women survivors/victims of GBV and the need to associate them to all measures to fight this phenomenon and repair it as far as possible.



OPTIONAL PROTOCOL

- Communications
- WG (representative from each regional group)
- Admissibility conditions+ exhaustion of domestic remedies
- Merits
- Views/recommendations
- Vertido (Phil) – gender – stereotyping (rape)
- Hungary (victims of DV/shelters)



INQUIRIES

(Article 8, Optional Protocol)

- New (CAT – CEDAW – Others)
- Serious, Grave or Systematic violation of Convention
- Abductions/rapes in Mexico (K)
- Confidentiality



CONCLUSION

- Scope for legal profession to get better acquainted with CEDAW and work of CEDAW Committee
- Domestic enforcement of rights set out in CEDAW
- Applying General Recommendations
- Participation in reporting process-Shadow Reports/briefings
- Communications under Optional Protocol
- Inquiries
- Need for sustained training and sensitization of profession and Judiciary

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