



I. Introduction

1. The present report transmits to the Committee on the Elimination of Discrimination against Women the decisions made at the seminar of the Committee held at the Raoul Wallenberg Institute of Human Rights and Humanitarian Law in Lund, Sweden from 22 to 24 April 2002 for review and adoption by the Committee. It also contains information on issues discussed, but not agreed, at the seminar which was attended by 19 members of the Committee, the Director of the Division for the Advancement of Women, three staff members of the Division and a member of the staff of the Office of the High Commissioner for Human Rights. The decisions adopted, and the issues discussed are contained in annex I.
2. The seminar requested the secretariat to prepare draft revised reporting guidelines for the consideration of the Committee at its twenty-seventh session. The draft revised reporting guidelines are contained in annex II.
3. Information is also provided to the Committee on relevant resolutions and decisions taken at the Commissions on the Status of Women and Human Rights. Notes prepared by one of the members of the Committee on the implications of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the World Assembly on Ageing are contained in annexes VIII and IX respectively.
4. Chapter II of the present report provides information on reports to be considered by the Committee at future sessions

II. Reports to be considered at future sessions of the Committee

5. At its twenty-sixth session, the Committee drew up the list of States parties whose reports would be considered at future sessions. With the exception of Costa Rica, all those States parties nominated by the Committee to be considered at its twenty-seventh session have been able to present their reports at that session. Suriname has also agreed to present its initial report. All States parties invited to present their reports during the Committee's exceptional session in August 2002 have also been able to report during that session.
6. With respect to its twenty-eighth session in January 2003, the Committee decided to invite Suriname to present its initial report; the Libyan Arab Jamahiriya, Morocco and Slovenia to present their second periodic reports; El Salvador, Israel and Kenya to present their third periodic reports; and Norway to present its fifth and sixth periodic reports. Suriname will present its initial report during the Committee's twenty-seventh session, while Israel, the Libyan Arab Jamahiriya, Morocco and Slovenia will be unable to present their reports. Luxembourg has agreed to present its third periodic report at that session, and Canada has agreed to present its fifth periodic report. In finalizing the list of States parties to be considered at its twenty-eighth session, the Committee may wish to take account of the fact that the initial report of Costa Rica and the combined first and second report of Switzerland have not yet been considered.

7. With respect to its twenty-ninth session in July 2003, the Committee had decided to invite France to present its combined third and fourth periodic report and Japan to present its fourth periodic report. In finalizing the list of States parties to be considered at this session, and drawing up the list for future sessions, the Committee may wish to take account of the fact that the combined fourth and fifth periodic report of Ecuador has been submitted.

III. Commissions on the Status of Women and Human Rights

A. Commission on the Status of Women

8. The forty-sixth session of the Commission on the Status of Women took place from 4 to 15 March and on 25 March 2002. Agreed conclusions were adopted on two thematic issues, “eradicating poverty, including through the empowerment of women throughout their life cycle in a globalizing world” and “environmental management and mitigation of natural disasters: a gender perspective.” Fivers: smmit7.2653rrch and7t mitigatiw of Womegin

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- resolution 2002/30 on human rights and extreme poverty calls on the Committee to take into account extreme poverty and human rights when considering the reports of States parties;
- resolution 2002/31 on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health calls on the special rapporteur on the right to health to take into account inter alia general recommendation 24 of the Committee in her or his work;
- resolution 2002/49 on women's equal ownership, control over and access to land and equal rights to own property encourages the Committee to integrate the content of this resolution into its work;
- resolution 2002/50 on integrating the human rights of women throughout the United Nations system welcomes the proposal in the joint work plan of the Office of the Special Adviser on Gender

- resolution 2002/84 on human rights and thematic procedures requests the continuation of close co-operation among these procedures and treaty bodies, and encourages the High Commissioner to further strengthen co-operation with a view to promoting greater efficiency and effectiveness through better co-ordination of the various bodies, taking into account the need to avoid unnecessary duplication and overlapping of their mandates and tasks;
- resolution 2002/85 on the effective implementation of international instruments on human rights, includes comprehensive recommendations with regard to ratification, limitation and withdrawal of reservations and fulfilment of reporting obligations under international instruments on human rights;
- decision 2002/111 on Sub-Commission resolution 2001/17 on reservations to human rights treaties, the Commission reaffirmed its decision 2001/113 of 25 April 2001, and in this regard requested the Sub-Commission to continue to keep in mind the work on reservations underway in the International Law Commission.

Annex I

Decisions made during the seminar on working methods of the committee on the Elimination of Discrimination against Women

Reporting by States parties

It was decided that as part of a strategy to encourage States parties to report in accordance with article 18 of the Convention:

1. The Secretariat would provide a profile of non-reporting States parties, including their reporting history with respect to all human rights treaty bodies, for analysis by the Committee. The Committee would:
 - a) determine priority non-reporting States parties, for example, long-term non-reporting States parties, followed by short-term non-reporting States parties;
 - b) analyse reasons for non-reporting, for example, lack of resources, political will, capacity etc.
 2. Decision 23/II allowing for consolidation of all outstanding reporting obligations would be reiterated;
 3. Incremental measures to encourage reporting by States parties would be adopted:
 - a) Non-reporting States parties would receive reminders on a systematic basis; for example, States parties which reports which were five years or more overdue would receive notes verbales drawing attention to the Committee's decision 23/II, and the availability, on their request, of technical assistance;
 - b) High-level secretariat encouragement of reporting, including through bilateral and multilateral contacts should be intensified;
 - c) The issue of non-reporting would be included on the agenda of the meeting of chairpersons of human rights treaty bodies with a view to the adoption of a co-ordinated approach to non-reporting;
 - e) Closed meeting of 4391 cTj 3.75 representatives of non-reporting States parties, including on a
 - d) Informal meetings of Committee members, bureau of the Committee or Chairperson of the
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 - f) Provision of technical assistance at the request of
- opportunity for State party to explain barriers to reporting
of Women, other United Nations entities or bodies, including

h) Reporting obligations of States parties under the Convention should be included in the agenda of the twelfth meeting of States parties to the Convention to be held in August 2002.

Consideration of reports by the Committee and constructive dialogue with States parties

a) The Committee's decision that its Chairperson extends courtesies to reporting States parties on behalf of the Committee was reiterated;

b) In cases where a member of the Committee is a national of a State party which is presenting its report, the Committee's decision 18/II on the non-participation of that member in any part of the consideration of the State party's report should be explained by the Chairperson, and the contribution of that member to the work of the Committee acknowledged;

c) In the consideration of periodic reports, it was agreed that, on an experimental basis to be reviewed after the twenty-seventh session, questions by experts would be clustered in accordance with the headings relating to the four substantive parts of the Convention. After experts had posed questions with respect to each

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encouraged to submit a list of issues and questions on the report of the State party to the relevant pre-session working group;

Concluding comments of the Committee

The Committee's basic format for concluding comments outlined in A/53/38/Rev.1, para. 397 would be retained.

1. The "Introduction" would :
 - a) Indicate whether the report complied with the Committee's reporting guidelines;
 - b) Refer to any reservations to the Convention entered by the State party;
 - c) Note the level of the delegation, and the quality of the dialogue with the State party;
 - d) Indicate whether the report mentions implementation of the Beijing Declaration and Platform for Action and/or the twenty-third special session of the General Assembly on Beijing+5.
2. Include a section on "Positive aspects", but the Committee should consider objective guidelines for the formulation of this section.
3. Include a section on "Factors and difficulties affecting implementation of the Convention" which would be used consistently and include only any overarching external factor impeding implementation, such as armed conflict, natural disaster or economic disaster; the persistence of stereotypical attitudes should not be included as "Factors and difficulties."
4. Include a section on "principal areas of concern and recommendations" which would be organized, on an experimental basis, by sub-headings. Recommendations would appear in emboldened type.

Revision of the reporting guidelines of the Committee

5. The seminar agreed that draft revised reporting guidelines, including requirements to report on implementation of the Beijing Platform for Action, the outcome of the twenty-third session of the General Assembly on "Women 2000: gender equality, development and peace for the twenty-first century", the Durban Declaration and Programme of Action of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and the Madrid Declaration and Programme of Action of the Second World Assembly on Ageing, and in the case of periodic reports, the concluding comments of the Committee on the previous report of the State party, should be provided by the secretariat to the Committee at its twenty-seventh session. The seminar agreed that these guidelines should indicate that States parties should provide concise reports, and include guidance as to format of reports, including length.

Meeting with States parties

6. The seminar requested the secretariat to arrange for an informal closed meeting between the Committee and States parties to the Convention during its twenty-seventh session in June 2002.

Any other business

7. The seminar requested its Chairperson to liaise with the Chairpersons of the Human Rights Committee and the Committee on the Rights of the Child on the issue of General Assembly in its resolution 56/272 of 27 March 2002 on the honorarium payable to those treaty bodies, and the Committee on the Elimination of Discrimination against Women.

Issues discussed, but not agreed

8. In the context of non-reporting States parties, the seminar discussed the option of the Committee formulating lists of issues and questions for non-reporting States parties on the basis of information available

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Annex II

The draft revised reporting guidelines

A. Introduction

A.1. These guidelines replace all earlier reporting guidelines issued by the Committee on the Elimination of Discrimination against Women, (CEDAW/C/7/Rev.3) which may now be disregarded. The present guidelines do not affect the Committee's procedure in relation to any exceptional reports which may be requested which are governed by the Rule 48. 5 of the Committee's Rules of Procedure and its Decision 21/I on exceptional reports.

A.2. These guidelines will be effective for all reports to be prepared after 31 December 2002.

A.3. The guidelines should be followed by States parties in the preparation of initial and all subsequent periodic reports.

A.4. Compliance with these guidelines will reduce the need for the Committee to request further information when it proceeds to consider a report; it will also help the Committee to consider the situation regarding

D.2. Contents of the report

- D.2.1. A State party should deal specifically with every article in Parts I, II, III and IV of the Convention; legal norms should be described, but that is not sufficient: the factual situation and the practical availability, effect and implementation of remedies for violation of provisions of the Convention should be explained and exemplified.
- D.2.2. The report should explain:
- How article 2 of the Covenant is applied, setting out the principal legal measures which the State party has taken to give effect to Covenant rights; and the range of remedies available to persons whose rights may have been violated;
- Whether the Convention is incorporated into domestic law in such a manner as to be directly applicable;
- If not, whether its provisions can be invoked before and given effect to by courts, tribunals and administrative authorities;
- Whether the provisions of the Convention are guaranteed in a Constitution or other laws and to what extent; or
- Whether the provisions of the Convention must be enacted or reflected in domestic law by legislation so as to be enforceable.
- D.2.3. Information should be given about the judicial, administrative and other competent authorities having jurisdiction with respect to the implementation of the provisions of the Convention.
- D.2.4. The report should include information about any national or official institution or machinery which exercises responsibility in implementing the provisions of the Convention provisions or in responding to complaints of violations of those provisions, and give examples of their activities in this respect.
- D.2.5. The report should outline any restrictions or limitations, even of a temporary nature, imposed by law, practice or tradition, or in any other manner on the enjoyment of each provision of the Convention.

- D.2.6. The situation of non-governmental organizations and women's associations and their participation in the implementation of the Convention and the preparation of the report.

D.3. Annexes to the report

- D.3.1. The report should be accompanied by copies of the relevant principal constitutional, legislative and other texts which guarantee and provide remedies in relation to Covenant rights. Such texts will not be copied or translated, but will be available to members of the Committee; it is important that the report itself contains sufficient quotations from or summaries of these texts so as to ensure that the report is clear and comprehensible without reference to the annexes.

E. Subsequent periodic reports

E.1. In general the subsequent periodic reports of States parties should focus on the period between the consideration of their previous report and the presentation of the current reports. There should be two starting points for such reports:

- The concluding comments (particularly "Concerns" and "Recommendations") on the previous report and summary records of the Committee's consideration (insofar as these exist);
- An examination by the State party of the progress made towards and the current implementation of the Convention within its territory or jurisdiction and the enjoyment of its provisions by those within its territory or jurisdiction.

E.2. Periodic reports should be structured so as to follow the articles of the Convention. If there is nothing new to report under any article it should be so stated. Periodic reports should also highlight any remaining obstacle to the participation of women on an equal basis with men in the political, social, economic, and cultural life of the State party.

E.3. The State party should refer again to the guidance on initial reports and on annexes, insofar as these may also apply to periodic reports.

E.4. There may be circumstances where the following matters should be addressed:

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G.3. Information on the implementation of the 2002 Madrid International Plan of Action on Ageing should be provided where appropriate.

H. The Committee's consideration of reports

H.1. General

H.1.1. The Committee intends its consideration of a report to take the form of a constructive discussion with the delegation, the aim of which is to improve the situation pertaining to Covenant rights in the State.

H.2. List of issues and questions with respect to periodic reports

H.2.1. On the basis of all information at its disposal, the Committee will supply in advance a list of issues or questions which will form the basic agenda for consideration of periodic reports. Written answers to the list of issues or questions will be required from the State party several months in advance of the session at which the report will be considered. The delegation should come prepared to address the list of issues and to respond to further questions from members, with such updated information as may be necessary; and to do so within the time allocated for consideration of the report.

H.3. The State party's delegation

H.3.1. The Committee wishes to ensure that it is able effectively to perform its functions under article 18 and that the reporting State party should obtain the maximum benefit from the reporting requirement. The State party's delegation should, therefore, include persons who, through their knowledge of and competence to explain the human rights situation in that State, are able to respond to the Committee's written and oral questions and comments concerning the whole range of the Convention's provisions.

H.4. Concluding comments

- H.4.1. Shortly after the consideration of the report, the Committee will publish its concluding comments on the report and the constructive dialogue with the delegation. These concluding comments will be included in the Committee's annual report to the General Assembly; the Committee expects the State party to disseminate these conclusions, in all appropriate languages, with a view to public information and discussion.

H.5. Extra information

- H.5.1. In the course of the consideration of a report, the Committee may request or the delegation may offer further information; the secretariat will keep a note of such matters which should be dealt with in the next report.

I. Format of the report

- I.1. Reports should be submitted in one of the six languages of the United Nations (Arabic, Chinese, English, French, Spanish or Russian). They should be submitted in hard and electronic form.
- I.2. Reports should be as concise as possible, and should be 100 pages or less.
- I.3. Paragraphs should be sequentially numbered;
- I.4. The document should be on A4-sized paper; and presented in single-spaced format;
- I.5. The document should be printed on one side of each sheet of paper so as to allow for reproduction by photo-offset

Annex III

The Impact of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance on the work of the Committee

1. At its twenty-sixth session, the Committee designated Hanna Beate Schöpp-Schilling, the liaison person to Committee on the Elimination of Racial Discrimination, to analyse the Durban Declaration and the Plan of Action adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance for its impact on the work of the Committee, and provide suggestions in that regard. The Committee had adopted a statement highlighting the multiple and differentiated forms of discrimination women may suffer because of their sex and race, and due to xenophobia and related intolerance at its twenty-fifth session in July 2001.
2. Ms. Schöpp-Schilling reported that the report of the World Conference is divided into three parts (A/CONF.189/12; Part II; Part III).
3. The Declaration and the Plan of Action recognize:
 - the existence of multiple and interrelated forms of discrimination due to the fact that "racism, racial discrimination, xenophobia and related intolerance reveal themselves in a differentiated manner for women and girls";
 - the need to apply a gender perspective, recognizing the multiple forms of discrimination which women can face ... "Gender" is defined in a footnote as referring "to the two sexes, male and female, within the context of society";
 - the need to "develop a more systematic and consistent approach to evaluating and monitoring racial discrimination against women;
 - the need to mainstream gender and race into all "policies, strategies and programs of action against racism, racial discrimination, xenophobia and related intolerance in order to address multiple forms of discrimination";
 - the need to "establish and strengthen effective partnerships with and provide, as appropriate, support to all relevant actors of civil society, including NGOs ... to promote an integrated and holistic approach to the elimination of all forms of discrimination against women and girls."
4. Special emphasis is also given to the situation of girls as victims of racism, racial discrimination, xenophobia and related intolerance, and special measures are being described which are to be enacted to overcome these situations.
5. Indigenous women, women immigrants, women migrants, women exposed to violence in war situations, and women as internally displaced persons also receive special attention and recommendations.

13. It is recommended that the Committee examines the ways in which the Committee on the Elimination of Racial Discrimination amends its guidelines for reporting in reference to the differentiated and multiple forms of discrimination women suffer on the grounds of sex/gender and of race/ethnicity/nationality. The chairpersons' meeting could be an appropriate place to address this issue.

14. The Committee on the Elimination of Discrimination against Women may wish to consider:

a) including in its revised reporting guidelines a request for information on the racial/ethnic/national make-up of a State party's population and for information on the discrimination against women of that population under the relevant articles of the Convention when appropriate including the State party's efforts to combat it;

b) formulating a general recommendation, based on its statement to the Conference, relevant States parties' reports, and the Durban Declaration and Programme of Action, on the differentiated and multiple forms of discrimination women suffer under all the articles of the Convention, due to discrimination on the grounds of sex/gender and race/ethnicity/nationality, including their status as immigrants, migrants, indigenous women, internally displaced women and women in war situations;

c) formulating a concise general recommendation in support of a United Nations Year or Decade against

Annex IV

Report on the Second World Assembly on Ageing April 8-12, 2002, Madrid

1. At its twenty-sixth session, the Committee on the Elimination of Discrimination against Women adopted a statement to be forwarded to the second world Assembly on Ageing and nominated Ms. Hanna Beate Schöpp-Schilling to attend the Second World Assembly on Ageing on behalf of the Committee, subject to the availability of financial resources. Financial resources for Ms. Schöpp-Schilling's attendance were provided by the German Government. Two other members of the Committee, Ms. Hazelle and Ms. Kapalata, also attended the Second World Assembly as representatives of their countries (St. Kitts and Nevis, Tanzania).

2. Ms. Schöpp-Schilling presented the statement, "Ending discrimination against older women through the Convention", adopted by the Committee to the first meeting of the Main Committee of the Assembly. She also participated in a Round Table organized by the Spanish Organizing Committee entitled "Older Persons as Agents for Change and Development: Participation and Rights." Other participants in the panel were drawn from academia, United Nations agency, and NGOs. The keynote speech by Julia Alvarez, one of the key proponents for the Second World Assembly on Ageing was read. Ms. Schöpp-Schilling's presentation concentrated first, on women and second, on the aspect of their human rights, and argued that only when women enjoy their human rights without discrimination, will they be fully enabled to be, or become, agents of change and development when they get older, be it in politics, in economics, as volunteers and mentors, as lobbyists, etc. Examples from States parties' reports were provided.

3. Ms. Schöpp-Schilling reported that speeches to the plenary of the Assembly were full of facts, referred to policies and programmes, planned or implemented, but only approximately 10% made reference to women or to the need for a differentiated approach to gender mainstreaming in ageing policies, thereby starkly contrasting with the reports by States parties to the Committee as to their efforts toward gender mainstreaming. Governments do not seem to apply this concept in practice. Even speakers who were cabinet members with multiple portfolios, including women, did not mention sex and gender aspects when talking about their policies for older people. The human rights dimension of laws, policies and programs for older persons also did not get much consideration in these speeches.

4. Ms. Schöpp-Schilling attended a press meeting organized by HelpAge, an international NGO, administering projects for and with older people, particularly in developing countries, during which she highlighted to the monitoring potential of the human rights treaty bodies, in particular the Committees on Economic, Social and Cultural Rights and the Elimination of Discrimination against Women, and general comment number 6 of the

Committee on Economic, Social and Cultural Rights which addressed the issue of older persons, including women, and the Committee on the Elimination of Discrimination against Women had prepared a statement for the Assembly on older women. The mechanism of shadow reporting by non-governmental organizations was also described to encourage this practice.

5. The final documents of the Assembly contain many references to women and gender differentiation/mainstreaming and acknowledge the fact, that women occupy a special place in this topic both due to their quantity and to their life patterns which are different from those of men and are influenced by multiple discriminations.

6. The Committee on the Elimination of Discrimination against Women may wish to consider the formulation of a general recommendation on the right of older women to non-discrimination under all articles of the Convention, drawing on States parties' reports, its statement to the Second World Assembly on Ageing, Declaration of that Assembly and Madrid Plan of Action. It may also wish to revise its general recommendation number 9 on statistical data concerning the situation of women to take account of these documents. The Committee may also wish to include a request to receive data disaggregated according to sex and age in reports of States parties in its revised guidelines on reporting.