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Agenda item 3 (c)

Follow-up to the Fourth World Conference on Women and to the twenty-third special session of the General Assembly, entitled “Women 2000: gender equality, development and peace for the twenty-first century”: gender mainstreaming, situations and programmatic matters

Results of the eighty-second and eighty-third sessions of the Committee on the Elimination of Discrimination against Women

Note by the Secretariat

Summary

The present note reflects the results, including decisions taken, of the eighty-second and eighty-third sessions of the Committee on the Elimination of Discrimination against Women, held in Geneva from 13 June to 1 July 2022 and from 10 to 28 October 2022, respectively.



I. Introduction

1. In its resolution 47/94, the General Assembly recommended that the sessions of the Committee on the Elimination of Discrimination against Women should be scheduled, whenever possible, to allow for the timely transmission of the results of those sessions for information to the Commission on the Status of Women.

2. The Committee held its eighty-second and eighty-third sessions from 13 June to 1 July 2022 and from 10 to 28 October 2022, respectively. At its eighty-second session, the Committee adopted a statement on women's access to safe and legal abortion, containing an urgent call for the United States of America to adhere to the Convention on the Elimination of All Forms of Discrimination against Women (available at www.ohchr.org/en/statements/2022/07/access-safe-and-legal-abortion-urgent-call-united-states-adhere-womens-rights). It also decided to hold a half-day general discussion on the equal and inclusive representation of women in decision-making systems at its eighty-fourth session, in February 2023, with a view to elaborating a general recommendation on the topic.

3. At its eighty-third session, the Committee adopted general recommendation No. 39 (2022) on the rights of Indigenous women and girls (CEDAW/C/GC/39). It decided to establish a working group on equal and inclusive representation of women in decision-making systems and endorsed the concept note for a draft general recommendation on the topic. It also decided to establish a joint task force on the institutionalization of cooperation with the Working Group on discrimination against women and girls.

4. The Committee continued to engage with partners. Prior to the eighty-third session of the Committee, the Chair presented the report of the Committee on its seventy-ninth, eightieth and eighty-first sessions (A/77/38) to the Third Committee in New York on 4 October.

5. At its eighty-second session, the Committee convened an informal briefing for States parties to the Convention, attended by 27 States parties, to brief them on draft general recommendation No. 39. It also held an informal meeting with the Human Rights Committee, hosted by the Geneva Human Rights Platform, to exchange information on the jurisprudence and work of both Committees in relation to the rights of Indigenous women and girls. The Committee on the Elimination of Discrimination against Women further held an informal meeting with then-High Commissioner for Human Rights, Michelle Bachelet, to exchange information on the global women's rights situation. At its eighty-third session, the Committee held an informal meeting with the Working Group on discrimination against women and girls to discuss common priorities and future cooperation between both bodies. It also held an informal public meeting with States parties to the Convention, attended by 55 States parties, to highlight the fortieth anniversary of the Committee and the imminent adoption of draft general recommendation No. 39. Participants at the meeting discussed the work of the Committee in monitoring the situation of women and girls in armed conflict through the State reporting procedure and through specific task forces, and the global push-back against women's rights. They further discussed the application of the simplified reporting procedure as the default procedure for the consideration of State party reports, increased accessibility of the work of the Committee for persons with disabilities and the need for additional resources for the strengthening of treaty bodies, including a predictable eight-year calendar for full reviews of State party reports. The Committee held informal private meetings with the Secretary-General of the Fédération Internationale de Football Association (FIFA), Fatma Samba Diouf Samoura, to discuss the role of women in football, and with the Global Coordinator of the Making Migration Safe for Women programme of

the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), Inkeri von Hase, and the Director of the UN-Women Liaison Office in Geneva, Adriana Quinones, who briefed the Committee on the recommended guidelines on the protection of women human rights defenders at risk in migration contexts.

6. The Committee continued to receive country-specific information from United Nations country teams and entities, specialized agencies of the United Nations system, other intergovernmental organizations, national human rights institutions and non-governmental organizations (NGOs).

7. As at 28 October, the closing date of the eighty-third session of the Committee, there were 189 States parties to the Convention and 115 States parties to the Optional Protocol. A total of 80 States had accepted the amendment to article 20 (1) of the Convention concerning the meeting time of the Committee. To bring the amendment into force, two thirds of the States parties to the Convention (currently 126 States parties) must deposit their instruments of acceptance with the Secretary-General.

II. Results of the eighty-second and eighty-third sessions of the Committee

A. Reports considered by the Committee

8. At its eighty-second session, the Committee considered the reports of eight States parties submitted under article 18 of the Convention and issued its concluding observations thereon: Azerbaijan ([CEDAW/C/AZE/6](#)), Bolivia (Plurinational State of) ([CEDAW/C/BOL/7](#)), Mongolia ([CEDAW/C/MNG/10](#)), Morocco ([CEDAW/C/MAR/5-6](#)), Namibia ([CEDAW/C/NAM/6](#)), Portugal ([CEDAW/C/PRT/10](#)), Türkiye ([CEDAW/C/TUR/8](#)) and United Arab Emirates ([CEDAW/C/ARE/4](#)).

9. At its eighty-third session, the Committee considered the reports of the following States parties: Armenia ([CEDAW/C/ARM/7](#)), Belgium ([CEDAW/C/BEL/8](#)), Finland ([CEDAW/C/FIN/8](#)), Gambia ([CEDAW/C/GMB/6](#)), Honduras ([CEDAW/C/HND/9](#)), Saint Kitts and Nevis ([CEDAW/C/KNA/5-9](#)), Switzerland ([CEDAW/C/CHE/6](#)) and Ukraine ([CEDAW/C/UKR/9](#)).

10. Representatives of United Nations country teams and entities, specialized agencies of the United Nations system, other intergovernmental organizations, national human rights institutions and NGOs attended the sessions in person or remotely. The reports of the States parties, the Committee's lists of issues and questions and the States parties' replies thereto are posted on the website of the Committee under the relevant session, as are the concluding observations of the Committee.

B. Action taken in relation to the implementation of article 21 of the Convention

Working group on the rights of Indigenous women and girls

11. The working group met during the eighty-second and eighty-third sessions. During the eighty-second session, on 28 June, the Committee convened an informal briefing for States parties to the Convention on draft general recommendation No. 39. The meeting was opened by the Vice-Chair of the Committee, Nahla Haidar. The Chief of the Indigenous Peoples and Minorities Section of the Office of the United Nations High Commissioner for Human Rights, Paulo David, delivered introductory

remarks. Fifteen States parties attended the informal briefing and made statements. The vice-chair of the working group, Leticia Bonifaz Alfonzo, introduced the draft general recommendation. The following Indigenous women representatives made presentations: Eleanor Dictaan-Bang-oa and Sara Mux.

12. Statements were then made by the following States parties: Australia, Bolivia (Plurinational State of), Costa Rica, Denmark, Ecuador, France, Guatemala, Guyana, Mexico, Nepal, Paraguay, Peru, Philippines, Spain and Ukraine. The following States parties also attended the briefing: Azerbaijan, Canada, Germany, Finland, Ireland, Japan, Lebanon, New Zealand, Norway, Portugal, Russian Federation and South Africa.

13. The working group considered the comments received on the draft general recommendation during a regional expert meeting for the Americas and the Caribbean held in Tlaxcala, Mexico, in May and during virtual regional expert meetings for Europe, Africa, and Asia and the Pacific. It then endorsed the final draft of the general recommendation. On 29 June, the Committee held a first reading of the draft general recommendation.

14. At the eighty-third session, the working group discussed and incorporated comments made during the first reading of the draft general recommendation. On 26 October, the Committee adopted general recommendation No. 39 by consensus. The general recommendation provides guidance to States parties on implementing their obligations under the Convention with regard to the rights of Indigenous women and girls. In the general recommendation, the Committee acknowledges that Indigenous women and girls face intersecting forms of discrimination and calls upon States parties to prevent, prohibit and punish all forms of gender-based violence against Indigenous women and girls, including environmental, spiritual, political and cultural violence. It also calls upon States parties to promote the meaningful and informed participation of Indigenous women and girls in political and public life, including at decision-making levels.

Working group on working methods

15. The working group met during the eighty-second and eighty-third sessions. At the eighty-second session, it discussed and submitted to the Committee two draft decisions, concerning the implementation of the conclusions of the thirty-fourth annual meeting of the Chairs of the human rights treaty bodies, including by introducing the simplified reporting procedure as the default procedure for the review of State party reports (with an opt-out option for States parties that wish to be reviewed under the traditional procedure), and engagement with national bodies other than national human rights institutions. It also discussed the follow-up to the Committee's decision to consult with the Committee on the Rights of the Child on joint back-to-back reviews of State party reports. At the eighty-third session, it discussed and submitted to the Committee a draft decision concerning the revision of the standard paragraph on the preparation of the next report of the State party in its concluding observations in the light of the Committee's decision to introduce the simplified reporting procedure as the default procedure for the review of State party reports. It also discussed the status of the consultations with the Committee on the Rights of the Child on joint back-to-back reviews of State party reports, and a pilot project to revise the internal working methods of the country task forces preparing the dialogues of the Committee on the Elimination of Discrimination against Women with State party delegations. The revised internal working methods were piloted by the country task force for Switzerland during the eighty-third session and will be assessed by the Committee after two additional pilot dialogues during the eighty-fourth session.

Working group on gender-based violence against women

16. The working group met during both sessions. At the eighty-second session, the working group reviewed the status of the draft guidance note for States parties on the implementation of their obligations and their accountability as set out in general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19. The members of the working group had presented the status of their respective contributions for the draft guidance note between the eighty-first and eighty-second sessions. At the eighty-third session, the working group approved the first two sections of the draft guidance note, on harmful practices, drafted by Aruna Devi Narain, and on conflict-related sexual violence, drafted by Franceline Toé-Bouda and Marion Bethel. Ms. Narain and Ms. Toé-Bouda presented the section on harmful practices to the Committee. The guidance note is conceived as a living document that can be revised and complemented over time. The working group also discussed the participation of the Committee in the Platform of Independent Expert Mechanisms on the Elimination of Discrimination and Violence against Women in 2023.

Task force on Afghanistan

17. The task force met during both sessions. At the eighty-second session, it discussed the outcome of its intersessional activities and recent developments concerning the impact of the evolving political, economic and social situation in Afghanistan on the rights of women and girls. It also held a virtual meeting with former women parliamentarians in Afghanistan. During the session, the chair of the task force, Bandana Rana, and the Special Rapporteur on violence against women and girls, its causes and consequences, Reem Alsalem, met with then-High Commissioner for Human Rights to brief her on their engagement with stakeholders, including women in Afghanistan, during their unofficial joint technical visit to Kabul from 9 to 14 April. At the eighty-third session, the task force discussed the outcome of its intersessional activities, including the participation of the chair of the task force in the enhanced interactive dialogue on the situation of human rights of women and girls in Afghanistan at the fifty-first session of the Human Rights Council. During the session, the chair followed up with relevant actors in Kabul on the request of the Committee for an exceptional report on the situation of women and girls in Afghanistan since 15 August 2021, in accordance with article 18, paragraph 1 (b), of the Convention. The task force also discussed its upcoming activities to monitor the impact of the evolving political, economic and social situation on the rights of women and girls in Afghanistan.

Task force on Ukraine

18. The task force met during both sessions. At the eighty-second session, the task force discussed the outcome of its intersessional activities since its establishment in March 2022 and recent developments concerning the human rights situation of women and girls in Ukraine in the context of the war. The task force also planned activities to continue monitoring the situation of women and girls in Ukraine and met virtually with relevant actors during the session. At the eighty-third session, the task force discussed the outcome of its intersessional engagement and its planned activities to continue monitoring the human rights situation of women and girls in Ukraine in the context of the ongoing hostilities. It also supported the review by the Committee of the ninth periodic report of Ukraine, submitted under the simplified reporting procedure, during the session.

C. Action taken in relation to ways and means of expediting the work of the Committee

Enhancing the Committee's working methods under article 18 of the Convention

19. At its eighty-second session, the Committee welcomed the conclusions of the thirty-fourth annual meeting of the Chairs of the human rights treaty bodies, held in New York from 30 May to 3 June, that serve to operationalize the common position of the Chairs of 2019 and the recommendations of the co-facilitators to the 2020 treaty body review, based on their wide consultations, on a predictable review calendar, harmonization of working methods and improving the digital tools for the work of the treaty bodies. With the aim of strengthening the protection of rights holders and the treaty body system, the Committee decided to implement the conclusions with regard to its own working methods, in particular by establishing a predictable eight-year review cycle for full reviews, with interim follow-up reviews, and by introducing the simplified reporting procedure as the default procedure for the consideration of State party reports (with an opt-out option for States parties that wish to be reviewed under the traditional procedure). It also decided that these changes would be implemented in line with similar changes being made by other treaty bodies.

20. The Committee recalled its methods of work in cooperating with national bodies other than national human rights institutions that have a mandate to work on women's rights and gender equality. It noted that depending on the national human rights protection system of a State party, such bodies may include ombudspersons, gender equality commissions or national women's commissions. The Committee welcomed the contribution of such bodies to its work through written submissions in relation to State party reviews, draft general recommendations, confidential inquiries or individual communications and in any other areas of work of the Committee. The Committee decided that such bodies may also provide oral statements prior to State party reviews and that it would decide on the adequate time allocated to such interventions on a case-by-case basis.

21. An intersessional note verbale was sent to the States parties to the Convention on 12 August, informing them about the change in the working methods of the Committee and inviting them to notify the Secretariat by 20 September should they wish to opt out from the simplified reporting procedure. Similarly, the Committee updated its guidance note for States parties for the preparation of periodic reports under article 18 of the Convention, in the context of the Sustainable Development Goals (CEDAW/C/74/3/Rev.1) to reflect the revision of its working methods.

22. At its eighty-third session, the Committee, in the light of its decision to implement the conclusions of the thirty-fourth annual meeting of the Chairs of the human rights treaty bodies, in particular by establishing a predictable eight-year review cycle for full reviews and by introducing the simplified reporting procedure as the default procedure for the consideration of State party reports, decided to replace its standard paragraph on the preparation of the next report of the State party in its concluding observations with the following paragraph:

The Committee will establish and communicate the due date of the [*ordinal number*] periodic report of the State party in line with a future predictable eight-year review calendar and following the adoption of a list of issues prior to reporting, if applicable, for the State party. The next periodic report should cover the entire period up to the time of its submission.

Follow-up procedure

23. The Committee continued its work under the follow-up procedure at its eighty-second and eighty-third sessions, adopting the reports of the Rapporteur on the follow-up to concluding observations and considering the follow-up reports of Bulgaria, Cambodia, Latvia and Seychelles.

Overdue reports

24. The Committee decided that its secretariat should systematically remind States parties with reports that were overdue by five years or more to submit their reports as soon as possible. As at 28 October, the closing date of the eighty-third session, there were 17 States parties with reports that were overdue by five years or more: Algeria, Belize, Chad, Comoros, Dominica, Equatorial Guinea, Greece, Grenada, Guinea-Bissau, Lesotho, Libya, Malta, Papua New Guinea, Saint Lucia, San Marino, Togo and Zambia. It should be noted, however, that with regard to Greece, the Committee has adopted a list of issues prior to reporting and is awaiting the country's submission of its ninth periodic report under the simplified reporting procedure; that Papua New Guinea decided to avail itself of the simplified reporting procedure for the submission of its combined fourth to sixth periodic reports and is awaiting the Committee's list of issues prior to reporting; and that the combined fifth to eighth periodic reports of Belize were returned to the State party, as they exceeded the word limit. With regard to long-overdue reports, the Committee decided that, as a last resort, and failing receipt of those reports by a specified date, it would proceed with the consideration of the implementation of the Convention in the State party in the absence of a report. States parties have been responsive to the reminders transmitted by the secretariat, as evidenced by the number of reports submitted and scheduled for consideration. The Committee currently has 51 reports pending consideration at future sessions.

Dates of future sessions of the Committee

25. The Committee confirmed the tentative dates of its eighty-fourth and eighty-fifth sessions, as follows:

Eighty-fourth session

- (a) Fifty-fifth session of the Working Group on Communications under the Optional Protocol: 31 January to 3 February 2023;
- (b) Twenty-fourth session of the Working Group on Inquiries under the Optional Protocol: 2 and 3 February 2023;
- (c) Plenary: 6 to 24 February 2023;
- (d) Pre-sessional working group for the eighty-sixth session: 27 February to 3 March 2023;

Eighty-fifth session

- (a) Fifty-sixth session of the Working Group on Communications under the Optional Protocol: 3 to 5 May 2023;
- (b) Twenty-fifth session of the Working Group on Inquiries under the Optional Protocol: 4 and 5 May 2023;
- (c) Plenary: 8 to 26 May 2023;
- (d) Pre-sessional working group for the eighty-seventh session: 30 May to 2 June 2023.

Reports to be considered at future sessions of the Committee

26. The Committee confirmed that it would consider the reports of Bahrain, Costa Rica, Georgia, Hungary, Mauritania, Norway, Slovenia and Tunisia (the latter three under the simplified reporting procedure) at its eighty-fourth session and the reports of China, Germany, Iceland, Malawi, Sao Tomé and Príncipe, Slovakia, Timor-Leste and Venezuela (Bolivarian Republic of) at its eighty-fifth session.

D. Action taken by the Committee in respect of issues arising from article 2 and article 8 of the Optional Protocol

27. At its eighty-second session, the Committee endorsed the report of the Working Group on Communications under the Optional Protocol on its fifty-third session. The Committee adopted views finding violations with regard to communications concerning Italy ([CEDAW/C/82/D/148/2019](#)) and Spain ([CEDAW/C/82/D/149/2019](#)).

28. With regard to inquiries under article 8 of the Optional Protocol, the Committee endorsed the report of the Working Group on Inquiries under the Optional Protocol on its twenty-second session.

29. At its eighty-third session, the Committee endorsed the report of the Working Group on Communications under the Optional Protocol on its fifty-fourth session. It adopted a decision of inadmissibility with regard to a communication concerning Switzerland ([CEDAW/C/83/D/132/2018](#)). It also adopted views finding violations with regard to one communication concerning Mexico ([CEDAW/C/83/D/153/2020](#)).

30. With regard to inquiries under article 8 of the Optional Protocol, the Committee endorsed the report of the Working Group on Inquiries under the Optional Protocol on its twenty-third session, including the following recommendations of the Working Group: in relation to inquiry No. 2013/1, concerning South Africa, the Working Group recommended that the designated members present an assessment of the follow-up report submitted by the State party under article 9, paragraph 2, of the Optional Protocol at the eighty-fourth session; in relation to inquiries No. 2011/2 concerning the United Kingdom of Great Britain and Northern Ireland and No. 2011/1 concerning Canada, the Working Group recommended that each of the States parties be reminded to inform the Committee of the measures taken in response to the inquiry, in accordance with article 9, paragraph 2, of the Optional Protocol; in relation to inquiry No. 2019/1, the Working Group recommended that the member of the Committee designated to conduct the inquiry, whose term as a Committee member continues after 31 December 2022, brief the Committee on the visit to the territory of the State party concerned at the eighty-fourth session of the Committee; in relation to inquiry No. 2017/3, the Working Group recommended that the revised decision of the Committee to conduct an inquiry be sent to the State party concerned; in relation to inquiry No. 2016/1, the Working Group recommended that the State party concerned be requested to finalize the dates for a visit by the designated members to its territory and that it be informed that, otherwise, the Committee would proceed to conduct the inquiry remotely; in relation to submission No. 2022/1, the Working Group recommended that, in the light of a preliminary assessment having been conducted of the information received under article 8, paragraph 1, of the Optional Protocol, an inquiry not be conducted, and that the sources of information be informed accordingly; and in relation to submission No. 2021/1, the Working Group recommended that a second reminder be sent to the State party concerned to submit observations with regard to the information received by the Committee under article 8, paragraph 1, of the Optional Protocol.