

**Commission on the Status of Women
Fifty-fourth session
1 – 12 March 2010**

**Interactive expert panel on
“Commemorating 30 years of CEDAW”**

Friday, 5 March 2010, 3:00 – 6:00 pm

ISSUES PAPER

I. Background

2009 marked the thirtieth anniversary of the Convention on the Elimination of All Forms of Discrimination against Women, which was adopted by the General Assembly in December 1979. The Convention sets out, in legally binding form, a comprehensive framework for women’s equality and establishes a focused, women-specific human rights regime. The Convention provides for women’s equal enjoyment with men of civil, political, economic, social and cultural rights, and requires States parties to eliminate discrimination against women in the public as well as the private sphere, including within the family.

The Committee on the Elimination of Discrimination against Women monitors implementation of the Convention. It reviews reports that all States parties are obligated to present on a regular basis. In its concluding observations, the Committee identifies gaps in implementation and provides country-specific guidance on further steps required to accelerate compliance with the Convention’s provisions. The Committee has examined over 400 reports of States parties and has adopted 26 general recommendations to clarify particular issues under the Convention. The Optional Protocol to the Convention entered into force in 2000 and offers international recourse for violations of women’s human rights under its individual complaints and inquiry procedures.

The Beijing Platform for Action highlights, in twelve critical areas of concern, women’s rights under its strategic objectives, as well as in its detailed recommendations for action. One of its critical areas of concern is specifically devoted to the human rights of women, including through the full implementation of the Convention on the Elimination of All Forms of Discrimination against Women.

II. Critical issues

The Convention on the Elimination of All Forms of Discrimination against Women and work of the Committee on the Elimination of Discrimination against Women have played a vital role in efforts to eliminate discrimination against women and realize women’s human rights. The Convention has been used as a basis for legal and policy reforms to promote

and protect women's human rights. Developments include the strengthening of provisions in Constitutions guaranteeing equality between women and men and providing a constitutional basis for the protection of women's human rights; legislation prohibiting discrimination and/or providing for equal opportunities; and the elimination of discriminatory provisions in civil, penal and personal status codes to bring them into conformity with the Convention. The Convention has been used by courts in developing jurisprudence upholding women's rights in cases dealing with violence against women, inheritance, employment and other areas.

Despite ongoing efforts for the protection and promotion of the human rights of women, women's de jure and de facto equality has not been achieved in any country in the world. Discrimination against women continues in law and in practice, with many women suffering multiple forms of discrimination and limited access to rights, resources and opportunities.

Requirements for the full incorporation of the provisions of the Convention on the Elimination of All Forms of Discrimination against Women into domestic law have not been given adequate attention in many States. The significant number of reservations to the Convention remains problematic, particularly those to articles 2 and 16, which the Committee on the Elimination of Discrimination against Women considers to be incompatible with the object and purpose of the Convention. National action plans and strategies on gender equality often do not reflect the full scope of the Convention on the Elimination of All Forms of Discrimination against Women and the Beijing Platform for Action. The persistence of stereotypical attitudes regarding the roles and responsibilities of women and men in the family and society constitutes a significant challenge to the practical realization of the principle of equality of women and men.

Concerted efforts are needed to ensure the Convention's full implementation at the national level. Discriminatory laws should be repealed and legal reforms should aim at ensuring a consistent and coherent legal framework for the promotion and protection of women's human rights. Laws and policies to promote women's human rights must be effectively implemented, including ensuring an adequate budget, multi-sectoral monitoring mechanisms, and training for all officials involved with implementation. Discriminatory attitudes and gender stereotypes must be addressed, including through the active involvement of men and boys. Effective, affordable and accessible means of recourse and redress for violations of women's rights must be available to all women.

Significant synergies can be found between the Convention and the Platform for Action. Many of the critical areas of concern of the Platform are explicitly covered by the Convention and/or in the Committee's general recommendations. Implementation of actions outlined in the Platform can contribute directly to the promotion and protection of the rights under the Convention. These two instruments are mutually reinforcing in achieving gender equality and the enjoyment by women of all of their human rights. Further opportunities should be pursued towards integrated implementation of both instruments and enhanced accountability for realizing women's human rights.

III. Format of the interactive expert panel

The panel will take the form of an interactive dialogue. Three expert panellists will make introductory presentations of 10-12 minutes. Member States, United Nations system entities and non-governmental organizations will be encouraged to share their experiences and results achieved, as well as discuss specific challenges, and/or respond to the panellists' presentations. Interventions from the floor will be limited to three minutes. A moderator's summary of the dialogue will be prepared and posted on the website of the Division for the Advancement of Women.

IV. Issues for consideration in the interactive dialogue

The dialogue provides an opportunity to share experiences and discuss strategies for enhanced implementation of the Convention on the Elimination of All Forms of Discrimination against Women and realization of women's human rights. It also provides an opportunity to highlight the importance of integrated use and implementation of the Convention and the Platform for Action. The following issues could be considered:

- How have the Convention on the Elimination of All Forms of Discrimination against Women and the Platform for Action been used in an integrated way in the promotion of gender equality and the realization of women's rights, and with what results?
- How have the Convention on the Elimination of All Forms of Discrimination against Women and the Platform for Action been used to enhance accountability of different stakeholders for realizing women's human rights?
- What are examples of good practice for using the Convention on the Elimination of All Forms of Discrimination against Women and the work of the Committee on the Elimination of Discrimination against Women as a basis for legislative and policy development at the national level?
- How have different stakeholders used the Optional Protocol to strengthen implementation of the Convention on the Elimination of All Forms of Discrimination against Women and realization of women's rights?
- What results have been achieved in using the Convention on the Elimination of All Forms of Discrimination against Women in courts to address discrimination against women?