

**CEDAW, A/61/38 (2006)**

...

**Part One**

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**Chapter I Matters brought to the attention of States parties**

**Decisions**

**Decision 34/I**

The Committee considered the question of treaty body reform. It is of the view that no decision should be taken at the present time on the question of a possible transfer of the Committee and its secretariat. Instead, the Committee recommends strongly that further reflection take place once the details of the reform proposals are available, and that its own inputs be taken into consideration in the decision-making process.

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**Chapter VI Ways and means of expediting the work of the Committee**

353. The Committee considered agenda item 6, ways and means of expediting the work of the Committee, at its 702nd and 719th meetings, on 16 January and 3 February 2006.

**Action taken by the Committee under agenda item 6**

**Members of the pre-session working group for the thirty-fifth through thirty-eighth sessions**

354. In the light of the authorization by the General Assembly, in its resolution 60/230 of 23 December 2005, of the extension of the meeting time of the Committee in 2006 and 2007, the Committee decided to convene the pre-session working group for the thirty-fifth and thirty-sixth sessions immediately after the closure of the thirty-fourth session in order to ensure that sufficient time is available to States parties to submit their written replies to the lists of issues and questions, as well as to ensure their timely translation. The Committee also decided, for the same reason, that the pre-session working groups for the thirty-seventh and thirty-eighth sessions would convene immediately prior to the thirty-sixth session.

355. The Committee decided that the members of the pre-session working groups for the thirty-fifth and thirty-sixth sessions would be:

Meriem Belmihoub-Zerdani

Naéla Gabr  
Silvia Pimentel  
Fumiko Saiga  
Glenda Simms  
Dubravka Šimonović  
Maria Regina Tavares da Silva  
Xiaoqiao Zou

**Dates of the thirty-fifth to thirty-eighth sessions, the pre-session working groups for the thirty-fifth through thirty-eighth sessions and the eighth session of the Working Group on Communications under the Optional Protocol to the Convention**

356. In accordance with the draft calendar of conferences and meetings for 2006 and 2007, future sessions of the Committee will take place as follows:

- (a) Thirty-fifth session: 15 May to 2 June 2006;
- (b) Thirty-sixth session: 7 to 25 August 2006;
- (c) Thirty-seventh session: 15 January to 2 February 2007;
- (d) Thirty-eighth session: 14 May to 1 June 2007;
- (e) Thirty-ninth session: 23 July to 10 August 2007.

357. The pre-session working group for the thirty-fifth and thirty-sixth sessions will be held from 6 to 10 February 2006; the pre-session working groups for the thirty-seventh and thirty-eighth sessions will be held from 31 July to 4 August 2006; and the pre-session working group for the thirty-ninth session will be held from 5 to 9 February 2007. The eighth session of the Working Group on Communications under the Optional Protocol will be held from 2 to 4 August 2006 and the ninth session from 5 to 9 February 2007.

**Reports to be considered at future sessions of the Committee**

358. The Committee confirmed that it would consider the following reports at its thirty-fifth session:

- (a) Initial reports:

Bosnia and Herzegovina  
Malaysia  
Saint Lucia  
Turkmenistan

- (b) Periodic reports:

Cyprus  
Guatemala  
Malawi  
Romania

359. The Committee decided to consider the following reports at its thirty-sixth session:

(a) Initial report:

Cape Verde

(b) Periodic reports:

China  
Chile  
Cuba  
Czech Republic  
Democratic Republic of the Congo  
Denmark  
Georgia  
Ghana  
Jamaica  
Mauritius  
Mexico  
Philippines  
Republic of Moldova  
Uzbekistan

360. The Committee decided to consider the following reports at its thirty-seventh session:

(a) Initial report:

Tajikistan

(b) Periodic reports:

Austria  
Azerbaijan  
Colombia  
Greece  
India  
Kazakhstan  
Maldives  
Namibia  
Netherlands  
Nicaragua  
Peru  
Poland  
Singapore  
Suriname

361. The Committee decided to consider the following reports at its thirty-eighth session (preliminary list, to be completed):

Mauritania  
Mozambique  
Niger  
Pakistan  
Syria  
Vanuatu

## **United Nations meetings to be attended by the Chairperson or members of the Committee in 2006**

362. The Committee recommended that the Chairperson or an alternate attend the following meetings in 2006:

- (a) The fiftieth session of the Commission on the Status of Women;
- (b) The sixty-second session of the Commission on Human Rights and/or the inaugural session of the Human Rights Council, as applicable;
- (c) The eighteenth meeting of persons chairing human rights treaty bodies;
- (d) The fifth Inter-Committee Meeting, together with two other members of the Committee;
- (e) The sixty-first session of the General Assembly (Third Committee).

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

### **Summary records of the Committee**

363. The Committee took note with appreciation of the issuance of the summary records of its thirtieth to thirty-third sessions and their availability on the website of the Division for the Advancement of Women (<http://www.un.org/womenwatch/daw/cedaw>). It noted the intention of the relevant offices of the United Nations to see to their timely issuance in the future.

364. The Committee took note that summary records dating back to 1998 are available in the original language in which they were drafted and that many are also available in other official languages of the United Nations. The Committee approved the non-simultaneous release of all outstanding and available summary records. It requested that these be made widely available, especially through the website of the Division for the Advancement of Women.

### **Summary of the introductory statements of States parties**

365. The Committee decided to dispense with the inclusion of summaries of the introductory statements of reporting States in its annual report, thus reducing its overall length. The Committee noted that this decision is in response to the efforts of the General Assembly to limit the length of documentation. The Committee highlighted that 30-minute introductory statements of States parties presenting their reports are now routinely made available on the website of the Division for the Advancement of Women and are also reflected in the summary records.

## **Informal meeting in May 2006**

366. The Committee received an invitation from the Government of Germany to hold an informal meeting in 2006 in Berlin to mark the Committee's twenty-fifth anniversary. The Committee expressed its sincere appreciation to the Government for this generous invitation and it was agreed that the meeting would take place from 2 to 4 May 2006. This informal meeting would provide the Committee with an opportunity to consider the question of its working methods, especially in connection with its consideration of periodic reports of States parties in parallel working groups for its thirty-sixth and future sessions when the Committee will be meeting in parallel working groups for the purpose of considering periodic reports. The Committee also intends to cover aspects in conjunction with the reform of the human rights treaty bodies and to discuss a number of draft general recommendations. The Committee entrusted its Chairperson, in cooperation with the Bureau and its secretariat, to prepare a detailed agenda for the meeting, as well as the necessary background documentation in order to facilitate the Committee's deliberations.

## **Country task forces**

367. The Committee continued to use country task forces for consideration of four periodic reports, and agreed to use them for consideration of four periodic reports at its thirty-fifth session.

## **Working methods for parallel working groups**

368. The Committee held a preliminary discussion on the methods of work pertaining to its meetings in parallel working groups for consideration of periodic reports at its thirty-sixth session, in August 2006. The Committee will take up this question at its informal meeting in Berlin, in early May 2006. The Secretariat was requested to prepare a background note for that meeting that should address the issues raised by experts, as well as provide information about the procedures and experience of the Committee on the Rights of the Child in the use of two chambers.

## **Follow-up to the recommendations of the fourth inter-committee meeting and the seventeenth meeting of chairpersons of the human rights treaty bodies**

369. At its thirty-third session, the Committee had designated Ms. Hanna Beate Schöpp-Schilling as a member of a technical working group of seven members, one from each committee, to finalize the draft harmonized guidelines (HRI/MC/2005/3) for consideration and eventual adoption by each of the human rights treaty bodies. Ms. Schöpp-Schilling participated in the meeting, which took place on 8 and 9 December 2005 at the Office of the United Nations High Commissioner for Human Rights (OHCHR), and was elected Chairperson of the meeting. As the technical working group was unable to complete its work, an additional meeting has been scheduled to take place in February 2006. The Committee expressed its appreciation to Ms. Schöpp-Schilling for continuing to take part in the technical working group, expressed its appreciation for her efforts thus far and confirmed her as its representative at the meetings of the technical working group.

### **Interaction with national human rights institutions**

370. The Committee took note of the information provided by its secretariat on the current modalities of interaction between human rights treaty bodies and national human rights institutions (CEDAW/C/2006/I/4 and CEDAW/C/2005/4). It reiterated its interest in establishing such interaction with national human rights institutions. It confirmed its commitment to developing the modalities for such interaction in coordination with other human rights treaty bodies. To that end, the Committee prepared its position in preparation for the fifth inter-committee meeting in 2006, when this question will be taken up.

### **Interaction with the specialized agencies and other bodies of the United Nations system**

371. The Committee adopted the new guidelines for submission of reports by the specialized agencies and other bodies of the United Nations system (see annex II to part one of the report).

### **Website of the Division for the Advancement of Women**

372. The Committee noted the continuing updating of the website of the Division for the Advancement of Women, including the posting of documents from past sessions. It requested the secretariat to provide, at a future session, an estimate of resources required to store electronically and make available on the Division's website the documentation relating to the early years of the Committee's work. The estimate will be prepared for a future session of the Committee.

### **Letter from the Permanent Mission of Israel to the United Nations, addressed to the Chairperson of the Committee**

373. The Committee responded to a letter from the Deputy Permanent Representative of Israel to the United Nations, addressed to its Chairperson, pertaining to the examination of Israel's third periodic report at the thirty-third session (see annex III to part one of the report).

### **Plan of Action of the Office of the United Nations High Commissioner for Human Rights**

374. At the invitation of the Committee, the United Nations High Commissioner for Human Rights, Ms. Louise Arbour, addressed the Committee on 27 January 2006 in closed meeting and held a discussion with experts on matters pertaining to the proposed reforms of the human rights treaty bodies.

375. The Committee agreed to continue its discussion of these proposals at its informal meeting in Berlin, on the basis of the concept paper that the High

Commissioner is expected to issue shortly. The Committee intends to provide further comments to the High Commissioner after the issuance of that paper.

376. The Committee sent letters to the Secretary-General of the United Nations and to the High Commissioner for Human Rights on the question of treaty body reform (see annex IV to part one of the report; see also decision 34/1 above).

### **Special Rapporteur on violence against women, its causes and consequences**

377. The Committee extended an invitation to the Special Rapporteur on violence against Women, its causes and consequences, to meet with the Committee at its thirty-fifth session to discuss issues of mutual interest and concern.

### **Special Rapporteur on the right to adequate housing**

378. The Committee held an exchange of views with the Special Rapporteur on the right to adequate housing, Miloon Kothari.

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## **Annex II**

### **Guidelines for submission of reports by United Nations specialized agencies and other bodies**

1. The Committee notes that article 22 of the Convention on the Elimination of All Forms of Discrimination against Women provides an opportunity for specialized agencies of the United Nations to contribute to the work of the Committee. The Committee underlines that the contributions of specialized agencies, as well as those of United Nations funds, programmes and other entities are critical in the full implementation of the Convention at the national level.

2. The present guidelines refer to two aspects of the work of the United Nations specialized agencies and other bodies. One relates to the country-specific information that the agencies and bodies can provide to the Committee; and the other to the work of these agencies and bodies in contributing to the implementation of the Convention.

3. Country-specific information and reports provided by the entities of the United Nations system to the Committee, as well as the dialogue between the Committee and representatives of those entities contribute significantly to the Committee's work of monitoring the implementation of the Convention in States parties. At its twenty-fifth session (suggestion 25/2), the Committee adopted guidelines for the reports of United Nations bodies and specialized agencies. In the light of the experience gained since that session, the

Committee has revised its guidelines to further clarify the content of reports it encourages the specialized agencies and other bodies of the United Nations system to submit to the Committee, as well as their format and presentation to the Committee so as to enhance cooperation between the Committee and such entities. The Committee underlines the usefulness of country-specific information from the United Nations system for its constructive dialogue with reporting States.

4. The Committee requests United Nations specialized agencies and other bodies to continue to contribute to the efforts of Governments and non-governmental organizations at the national level towards implementation of the Convention, and encourages entities that so far have not, or only sporadically, contributed to the Committee's work, to increase their involvement.

5. In this context, it recommends that United Nations reports contain the following information.

#### **A.Content of information provided**

6. The Committee underlines the importance of receiving information, wherever possible and applicable, from the country-based offices of the entities concerned and that the information provided should reflect the entity's own knowledge and expertise.

(a) Country-specific information on the situation of women in regard to relevant articles of the Convention and their implementation in the State party, within the scope of work of the reporting entity;

(b) Country-specific information about the State party's implementation of the Convention and follow-up to the Committee's concluding comments in areas falling within the scope of work of the reporting entity;

(c) Information about the efforts made by the concerned United Nations agency or body to promote implementation of the provisions of the Convention and the Committee's concluding comments through its own policies and programmes. This information should indicate the manner in which the entity concerned uses the Convention and the Committee's concluding comments in its policies and programming activities;

(d) As applicable, information about ongoing efforts towards supporting the ratification of the Optional Protocol, and acceptance of the amendment to article 20, paragraph 1, of the Convention concerning the Committee's meeting time in the State party concerned, or efforts to give publicity to the procedures available under the Optional Protocol.

#### **B.Format of information and presentation to the Committee**

7. The Committee finds it most beneficial to be given succinct, country-specific written reports. This information should, to the extent possible, be made available already to the pre-session working group of the Committee that



prepares the list of issues and questions for the country concerned. This information should be updated, as appropriate, and presented to the Committee during the closed meetings which the Committee convenes at each session with representatives of the United Nations system. The Committee underlines that during the oral presentation, only highlights of the written submission should be flagged. The focus of the oral presentation, for which only limited time is available, should be on the most critical issues that have an impact on women's enjoyment of human rights and implementation of the Convention in the State party.

8. The Committee recommends that the oral presentation be made by a designated representative of the United Nations specialized agency or body who is fully familiar with the situation and is equipped to respond to the questions and comments that may be raised by members of the Committee.

### **C. Other matters**

9. The Committee further emphasizes that it would welcome, from time to time, holding a dialogue and exchange of views with heads, or senior officials, of specialized agencies, funds, programmes and other entities that contribute to the implementation of the Convention.

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### **Annex IV**

#### **Letters from the Chairperson of the Committee addressed to the Secretary-General and to the United Nations High Commissioner for Human Rights**

##### **Letter dated 3 February 2006 from the Chairperson to the Secretary-General**

On behalf of the Committee on the Elimination of Discrimination against Women, I wish to express our sincere appreciation for the prominence given to the promotion and protection of human rights in the current reform efforts of the United Nations. The Committee takes a keen interest in the ongoing discussions concerning the reform of the United Nations human rights treaty bodies.

The Committee strongly supports reform efforts that will lead to the strengthened implementation of human rights treaty obligations and the better and more effective enjoyment of human rights and fundamental freedoms at the national level.

The Committee was very pleased with the opportunity to hold a discussion at its current session with the United Nations High Commissioner for Human Rights, who shared with us her vision and objectives in pursuing the current

reforms. The Committee nevertheless is of the view that the information at its disposal at the moment is insufficient to assess all implications for women's human rights of the proposed unified treaty body, or unified treaty body system. No clear and coherent understanding for the future of women's human rights within the human rights system of the United Nations has emerged. The Committee intends to continue to discuss all related aspects contained, inter alia, in the forthcoming concept paper of the High Commissioner, with a view to transmitting the Committee's position to her at its thirty-fifth session in May/June 2006.

The Committee therefore is of the view that no decision should be taken at the present time on the question of a possible transfer of the Committee and its secretariat. Instead, the Committee strongly recommends that further reflection take place once the details of the reform proposals are available, and that its own inputs be taken into consideration in the decision-making process.

The Committee stands ready to consider all options that take into consideration the specificity of discrimination against women addressed under the Convention, and which remains widespread all over the world, as well as the need for ensuring full and targeted attention to the protection and promotion of women's human rights. A copy of my letter addressed to the High Commissioner is attached (see below).

*(Signed)* Rosario G. **Manalo**  
Chairperson

Committee on the Elimination of Discrimination against Women

**Letter dated 3 February 2006 from the Chairperson to the United Nations High Commissioner for Human Rights**

On behalf of the Committee on the Elimination of Discrimination against Women, I wish to express our deep appreciation for our meeting on 27 January which provided Committee members with a much welcome opportunity to hear firsthand from you your vision and objectives in pursuing the proposals for reform of the United Nations human rights system in general and in particular the proposed reform of the human rights treaty bodies.

The Committee strongly supports reform efforts of the human rights treaty body system that will lead to strengthened implementation of treaty obligations by States parties and thereby enhanced enjoyment by women of their human rights at the national level. The human rights treaty bodies have a critical role in monitoring compliance with these obligations. During the past 25 years of its work, the Committee on the Elimination of Discrimination against Women has consistently placed highest priority on supporting the implementation of the Convention and practical realization of the principle of equality of women and men in the 180 States that are now party to the Convention.

The Committee wishes to thank you for the discussion on issues of treaty body reform. Experts have carefully considered your comments, and we very much welcome the centrality which you intend to place on women's human rights within the proposed new human rights machinery. While the question of the institutional location of the Committee on the Elimination of Discrimination against Women and its servicing within your reform proposals formed part of the discussion, no clear and coherent understanding for the future of women's human rights within the human rights system of the United Nations has emerged. In this regard, the Committee wishes to reiterate the specificity of discrimination against women addressed under the Convention, which remains widespread all over the world, as well as the need for ensuring full and targeted attention to the promotion and protection of women's human rights.

Following our discussion, the Committee is of the view that the information at our disposal at the moment is insufficient to assess all implications for women's human rights of the proposed unified treaty body, or unified treaty body system, and thus for the implementation of the mandate of the Committee on the Elimination of Discrimination against Women. We have taken note that your concept paper on these matters is expected to become available well before the Committee's informal meeting in Berlin in early May. We will take into account the additional information it will provide in developing our position in regard to your proposals, including their feasibility from a legal point of view.

The Committee considers that its primary responsibility is the continuing effective discharge of its mandate under the Convention on the Elimination of All Forms of Discrimination against Women for the benefit of the full enjoyment of human rights by women worldwide. It therefore urges that no decision be taken on the question of a possible transfer of the Committee and its secretariat at the present time. Instead, the Committee strongly recommends that we reflect further on the proposals already on the table, as well as the further details that will become available soon. The Committee would also welcome an opportunity for further direct discussion with you once we have had a chance to study your concept paper.

*(Signed)* Rosario G. **Manalo**  
Chairperson

Committee on the Elimination of Discrimination against Women

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## **Part Two**

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### **Chapter I**

#### **Matters brought to the attention of States parties**

## **Decisions**

### **Decision 35/I**

The Committee adopted its working methods pertaining to its meetings in parallel chambers (see paras. 364-369).

### **Decision 35/II**

The Committee adopted a statement, “Towards a harmonized and integrated human rights treaty bodies system”, as its contribution to the reform discussion concerning the treaty bodies. It decided to bring the statement to the attention of the fifth Inter-Committee Meeting for discussion and support (see annex I to part two of the present report).

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## **Chapter VI Ways and means of expediting the work of the Committee**

359. The Committee considered agenda item 6, ways and means of expediting the work of the Committee, at its 720th and 737th meetings, on 15 May and 2 June 2006.

### **Action taken by the Committee under agenda item 6**

#### **Members of the pre-session working group for the thirty-seventh and thirty-eighth sessions**

360. The Committee decided that the members of the pre-session working group for the thirty-seventh and thirty-eighth sessions would be:

Silvia Pimentel  
Glenda Simms  
Dubravka Šimonović  
Tiziana Maiolo  
Mary Shanthi Dairiam  
Rosario Manalo  
Huguette Bokpe-Gnacadjia  
Dorcas Coker-Appiah

#### **Dates of the thirty-sixth session, the pre-session working group for the thirty-seventh and thirty-eighth sessions and the eighth session of the Working Group on Communications under the Optional Protocol to the Convention**

361. In accordance with the calendar of conferences and meetings for 2006, the thirty-sixth session of the Committee will be held from 7 to 25 August 2006. The pre-session working group for the thirty-seventh and thirty-eighth sessions will be held from 31 July to 4 August 2006. The eighth session of the Working Group on Communications under the Optional Protocol will be held from 2 to 4 August 2006.

## **Reports to be considered at future sessions of the Committee**

362. The Committee confirmed that it will consider the following reports at its thirty-sixth to thirty-eighth sessions:

(a) **Thirty-sixth session**

*Initial reports*

Cape Verde

*Periodic reports*

China

Chile

Cuba

Czech Republic

Democratic Republic of the Congo

Denmark

Georgia

Ghana

Jamaica

Mauritius

Mexico

Philippines

Republic of Moldova

Uzbekistan

(b) **Thirty-seventh session**

*Initial reports*

Tajikistan

*Periodic reports*

Austria

Azerbaijan

Colombia

Greece

India

Kazakhstan

Maldives

Namibia

Netherlands

Nicaragua

Peru  
Poland  
Suriname  
Viet Nam

(c) **Thirty-eighth session** (preliminary list to be completed)

Mauritania  
Mozambique  
Niger  
Pakistan  
Syrian Arab Republic  
Vanuatu

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

**Action on the agreements reached at the informal meeting of the Committee held in Berlin from 2 to 4 May 2006 at the invitation of the Government of Germany**

363. The Committee adopted the following measures (see paras. 364-376 below) concerning its working methods in parallel chambers, effective as of the Committee's thirty-sixth session. The Committee also adopted other measures pertaining to its working methods.

**Working methods of the Committee in regard to parallel chambers**

*Terminology*

364. The Committee agreed to use the term "parallel chambers" rather than "parallel working groups". This terminology is consistent with that of the Committee on the Rights of the Child and thus contributes to ensuring overall consistency of terminology used by human rights treaty bodies in their work.

*Procedure for establishing parallel chambers, including their membership*

365. The Committee agreed on the necessity for clear, transparent and fair guidelines for determining the membership in parallel chambers. While noting the experience of the Committee on the Rights of the Child of drawing lots to randomly assign experts to chambers, the Committee noted that other options are also available for determining membership in parallel chambers.

366. The Committee agreed on the need for basic and consistent criteria for determining membership in chambers while recognizing the need for some flexibility to make adjustments in the composition of the two chambers as may

be necessary. These criteria include fair geographical balance of experts between the two chambers; length of experience of experts on the Committee; assignment of experts who are nationals of a reporting State to the chamber that is not considering the report from that State party; assignment of office holders of the Committee to each chamber; and geographical balance, to the extent possible, of States whose reports are to be taken up in each chamber. Taking into account these criteria, the Committee agreed to decide on the membership in chambers based on a proposal to be submitted by its Bureau for action by the Committee in advance of each session.

367. The Committee decided to establish, at its thirty-fifth session, the composition of the parallel chambers for the thirty-sixth session (August) only. The membership for the thirty-seventh session (January) will be determined at the thirty-sixth session, subsequent to the fourteenth meeting of States parties, scheduled to take place on 23 June 2006, when elections for 12 experts of the Committee will be held.

#### *Officers of the Committee in relation to parallel chambers*

368. The Committee agreed that there was no need for any adjustment in regard to the number of office holders of the Committee. It noted that there was no need to have the function of rapporteur in each of the chambers. The Committee agreed that all its office holders could contribute to chairing the sessions of the two chambers. Efforts will be made to ensure that office holders are assigned to each chamber in a balanced manner.

369. The Committee emphasized the critical role of the Bureau in ensuring that all possible issues that might arise from either of the chambers will be adequately addressed and brought to the attention of the Committee as a whole.

#### *Role of the country rapporteur and preparation of concluding comments*

370. The Committee agreed to further strengthen and enhance the role of the country rapporteur in regard to the consideration of States parties' reports, including preparation of a list of issues and questions, identification of issues and priorities to be raised during the constructive dialogue and drafting of the concluding comments. The country rapporteur will be responsible for facilitating inputs from all Committee experts to this process.

371. In advance of the session, country rapporteurs will prepare short written briefing notes on priority issues to be raised in the constructive dialogue with the State party. These briefing notes are intended to enable experts who serve in the parallel chamber to provide to country rapporteurs any particular questions, issues or concerns they would wish to have raised during a particular constructive dialogue in a chamber in which they are not members. This process is intended to ensure that all critical issues are covered in the constructive dialogue.

372. The Committee agreed that country rapporteurs will provide an oral briefing to the respective chamber in advance of consideration of a State party. The Committee emphasized that this briefing will not be used to provide a summary of the content of the report but rather to give background information and highlight the issues that warrant discussion.

373. The Committee agreed that the experience gained with country task forces was very useful as preparation for the parallel chambers, in particular as regards coordination among experts to ensure that all critical issues are covered adequately in the constructive dialogue. Consequently, the Committee agreed that similar coordination among experts will need to be undertaken on issues and priorities to be raised in the constructive dialogues in parallel chambers. Country rapporteurs will take a leading role in coordinating this effort.

374. After the constructive dialogue with a State party (in chambers for periodic reports and in plenary for initial reports), the country rapporteur, in closed meeting, will summarize the positive aspects as well as principal areas of concern and recommendations proposed for inclusion in the concluding comments. The country rapporteur will also prepare the first draft of the concluding comments and will coordinate further comments and inputs by Committee experts before finalization of the draft.

375. The Committee confirmed that as is its current practice, only issues and concerns raised during the constructive dialogue may be included in the concluding comments.

#### *Modalities for consideration of reports in parallel chambers*

376. The Committee will use flexible working methods for consideration of reports in parallel chambers, and will continue to apply effective time management. Each expert will be limited to making two interventions per State party, of not more than five minutes each. Experts will also have the opportunity to pose follow-up questions as time permits. Chambers will use and benefit from the experience gained with country task forces when preparing the constructive dialogue with each State party.

#### *Documentation*

377. The Committee agreed that all experts will be provided with the complete documentation of each session.

#### *Prioritization of issues to be included in concluding comments*

378. The Committee agreed that the country rapporteur has a lead responsibility in identifying specific and priority issues for inclusion in the concluding comments. The Committee will continue its efforts of focusing concluding comments and agreed to further review the format of concluding comments at its thirty-fifth session.



### *Adoption of concluding comments*

379. The Committee agreed that all concluding comments would be adopted in plenary meeting.

### *Work of the Committee in relation to the Optional Protocol*

380. The Committee agreed that it will be essential to continue to allocate appropriate time at each session for consideration of and action on matters pertaining to the Optional Protocol procedures.

## **Other aspects of the Committee's working methods**

### **Pre-session working group**

381. The Committee agreed to keep under review the working methods of the pre-session working group, and in particular the format and content of the preparatory work undertaken by its Secretariat. The Committee underlined the importance of the pre-session working group assessing progress made in Convention implementation since consideration of the previous report as well as of follow-up action to the Committee's previous concluding comments. References to developments, or lack thereof, from earlier reports should be highlighted by the pre-session working group.

### **Follow-up to concluding comments**

382. The Committee agreed to place emphasis on further enhancing the quality of its concluding comments, including their specificity. It agreed that the development of a follow-up mechanism should be discussed within the framework of the Inter-Committee Meeting and be based on evidence of results achieved by other treaty bodies that have already used this procedure.

### **Reform proposals pertaining to the human rights treaty bodies**

383. The Committee considered the concept paper of the United Nations High Commissioner for Human Rights concerning a standing unified treaty body (HRI/MC/2006/2). The Committee agreed on the importance of enhancing the treaty body system as well as on the desirability to consider other options beyond the one proposed by the High Commissioner. To that end, the Committee agreed to prepare an alternative proposal on strengthening the human rights treaty body system and to submit it for discussion to the fifth Inter-Committee Meeting (19-21 June 2006).

### **Harmonized reporting guidelines and standardization of terminology**

384. The Committee took note with appreciation of the work accomplished by the technical working group consisting of one representative of each of the seven human rights treaty bodies on harmonized guidelines on reporting under international human rights treaties, including guidelines on a common core

document and treaty-specific documents (HRI/MC/2006/3). The Committee endorsed the harmonized guidelines on reporting and agreed to recommend their adoption by the Inter-Committee Meeting based on authorization by all treaty bodies. It recommends that the inter-committee meeting determine a date as to when the harmonized guidelines on reporting should become applicable to States parties. The Committee further recommends that future Chairpersons and inter-committee meetings consider reviewing the implementation of the harmonized reporting guidelines after one or two years, in the light of the experience gained by then and in the light of further work on statistical indicators. The Committee also recommends that the inter-committee meeting consider the establishment of a mechanism within the treaty bodies to ensure their continuous involvement in the analysis of linkages between treaty provisions and the information that should be included in the common core document.

385. The Committee further agreed to review, in due course, its own guidelines for reporting under the Convention in the light of the new harmonized guidelines on reporting. It agreed to compile proposals for amendment and further improvement of the guidelines in the future.

386. The Committee considered the proposals for the harmonization of inconsistent terminology used by the treaty bodies (see HRI/MC/2005/2, annex). It agreed on proposals to be presented by its Chairperson at the fifth inter-committee meeting, whereby the Committee also authorized its Chairperson to show flexibility so as to ensure that consensus could be found among all treaty bodies on the matter.

### **Follow-up to requests of the Commission on the Status of Women**

387. The Committee noted with appreciation the invitation by the Commission on the Status of Women that the Committee contribute, where appropriate, to the discussion on the priority theme of the Commission on future organization and methods of work of the Commission on the Status of Women. It also noted the Commission's invitation that the Committee provide its views on ways and means that could best complement the work of the existing mechanisms and enhance the Commission's capacity with respect to discriminatory laws (Commission on the Status of Women resolution 50/3, in regard to E/CN.6/2006/8). The Committee considered these invitations and based on views expressed and suggestions made by experts, designated Huguette Bokpe-Gnacadjia and Dubravka Šimonović to prepare a preliminary draft for discussion at the Committee's thirty-sixth session.

### **Guidelines on the role and function of the country rapporteur**

388. The Committee first designated country rapporteurs at its nineteenth session. Since then it has gradually enhanced and strengthened their role and functions (see nineteenth, thirty-first and thirty-fifth sessions). The following guidelines consolidate the tasks assigned to the country rapporteur in regard to three phases of consideration of reports of States parties.

389. In order to further enhance the effectiveness of the consideration of reports of States parties and to continuously improve the quality of the constructive dialogue with reporting States, the Committee designates from among its members a country rapporteur for the report(s) of each State party. Country rapporteurs are designated approximately two sessions in advance of the session when the report(s) of a State party will be considered, and that information will be included in the Committee's annual report.

390. The roles and functions of the country rapporteur pertain to the following three phases of the consideration of reports:

- Preparation of a list of issues and questions for the pre-session working group
- Consideration of the report(s) of the State party, in particular the identification of issues and priorities to be raised during the constructive dialogue
- Preparation and finalization of draft concluding comments.

391. All experts participate in the three stages of the consideration of a report, while the country rapporteur facilitates and coordinates the process. The experience gained by the Committee in using country task forces for consideration of periodic reports will contribute to the effective examination of a given report.

#### *Preparation of a list of issues and questions*

392. The Committee designates a country rapporteur in advance of the meeting of the pre-session working group that is entrusted with the adoption of the list of issues and questions for the State party concerned.

393. Based on the State party's report and assisted by background information (country files) prepared by the Secretariat, the country rapporteur draws up a draft list of issues and questions. The country rapporteur also seeks additional information on the situation of women in the State party under review. The draft list of issues and questions is submitted to the pre-session working group for consideration, further review and revision and adoption before it is sent to the State party for written replies.

394. As far as possible, country rapporteurs are included in the pre-session working group tasked with preparation of the lists of issues and questions with regard to the States parties selected for consideration.

#### *Consideration of reports*

395. In advance of the session at which the report(s) will be considered, the country rapporteur prepares short written briefing notes on priority issues to be raised in the constructive dialogue with the State party. These briefing notes, which will be distributed to all experts, are intended to enable experts who

serve in the parallel chamber to provide to the respective country rapporteur any particular questions, issues or concerns they would wish to have raised during a particular constructive dialogue in a chamber where they are not members. That process is intended to ensure that all critical issues are covered in the constructive dialogue. Such written briefing notes will also be prepared for consideration of reports in plenary meeting.

396. The country rapporteur provides a short oral briefing of 10 to 15 minutes to the Committee - in plenary meeting or the respective chamber, as applicable - in closed meeting in advance of the consideration of the report(s). The briefing highlights the main priorities, challenges and issues for consideration. It will not be used for providing a summary of the content of the report but rather to give background information and highlight the issues that warrant discussion. The country rapporteur also refers to the rationale for the priorities contained in the list of issues and questions.

#### *Preparation and finalization of draft concluding comments*

397. Immediately after the constructive dialogue with a State party (in chambers for periodic reports and in plenary for initial reports), the respective chamber or plenary holds a closed meeting to consider the main issues to be reflected in the concluding comments relating to the report(s) of the State party. Only issues and concerns raised during the constructive dialogue may be included in the concluding comments.

398. In closed meeting, the Committee (in chambers for periodic reports and in plenary for initial reports) agrees on the issues to be included in the concluding comments, starting from the proposals of the country rapporteur of the positive aspects as well as principal areas of concern and recommendations to be reflected in the concluding comments. Concluding comments drafted thereafter reflect the issues retained by the Committee, and do not reflect the views of the individual country rapporteur. The country rapporteur prepares the first draft of the concluding comments with the support of the Secretariat, and coordinates further comments and inputs by Committee experts before finalization of the draft.

399. All concluding comments are adopted by the Committee in plenary meeting.

#### **Interaction with specialized agencies and other bodies of the United Nations system**

400. The Committee noted with appreciation the information presented by UNICEF, UNHCR, UNFPA and ILO, and the statement made by UNIFEM, as well as the quality of the dialogue held with representatives of those entities in its closed meeting on 15 May.

401. The Committee agreed to consider, at its thirty-seventh session, the purpose and terms of reference of Committee focal points vis-à-vis United Nations entities, human rights treaty bodies, and other bodies.

### **United Nations reform**

402. The Committee discussed the ongoing United Nations reform processes as they pertain to the area of gender equality and women's human rights with Rachel Majanya, Special Adviser on Gender Issues and Advancement of Women, and with Carolyn Hannan, Director of the Division for the Advancement of Women. The Committee took a particular interest in the work of the Secretary-General's High-level Panel on United Nations system-wide coherence in the areas of development, humanitarian assistance, and the environment; and the so-called mandates review of the General Assembly. It agreed to continue this consideration at future sessions.

### **Website of the Division for the Advancement of Women**

403. The Committee reiterated its request to the Division for the Advancement of Women to submit to the Committee an estimate of resources required to store electronically and make available on the website the documentation relating to the early years of the work of the Committee.

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## **Annex I**

### **Statement by the Committee on the Elimination of Discrimination against Women**

#### **Towards a harmonized and integrated human rights treaty bodies system**

1. The present statement is the contribution of the Committee on the Elimination of Discrimination against Women to the ongoing reform debate concerning the human rights treaty bodies.

2. The Committee recalls the plan of action of the Office of the United Nations High Commissioner for Human Rights (A/59/2005/Add.3, annex) and the proposals contained therein for the reform of the human rights treaty bodies. The Committee expresses its appreciation for the concept paper by the Office of the United Nations High Commissioner for Human Rights concerning the proposal for a unified standing treaty body (HRI/MC/2006/CRP.1).

3. The Committee notes that the principal objective of the human rights treaty bodies is to contribute to the strengthening of the protection and promotion of human rights at the national level through a constructive dialogue with States parties on their effective implementation of obligations contained in human rights treaties. In this regard the Committee stresses that, over the years, the

treaty bodies have achieved an increasing impact on ensuring the enjoyment of human rights and fundamental freedoms by all rights holders at the national level. The work of the treaty bodies has also contributed to strengthening the international commitment to the protection and promotion of human rights.

4. The Committee acknowledges that the existing treaty bodies are facing serious challenges, which have been described in the concept paper of the Office of the United Nations High Commissioner for Human Rights. However, the Committee is of the view that the proposal to create a unified standing treaty body does not respond to such challenges and implies a serious risk of undermining the differentiation and specificity of human rights as enshrined in the seven major international human rights treaties.

5. The Committee believes that it is imperative for the existing treaty bodies to work as much as possible as a harmonized and integrated system so as to enhance the visibility, accessibility and effectiveness of the treaty bodies. The Committee also believes that such efforts should build on the progressive interpretation of the different treaties by the treaty bodies, as relevant.

6. The Committee furthermore emphasizes the importance of the newly established Human Rights Council and the need for developing effective cooperation between the Council and the treaty bodies.

7. The Committee therefore proposes that the treaty bodies intensify their efforts to enhance the long-term efficiency of the treaty body system in the coming years and increase their efforts to further harmonize, coordinate and integrate the various aspects of their mandates without losing the specificity of their different roles. In order to give substance to harmonization, coordination and integration efforts, the Committee proposes that the treaty bodies take procedural and substantive steps, including the following:

(a) Further harmonization, where appropriate, of the working methods of the treaty bodies;

(b) Harmonization of the rules of procedure and working methods of the treaty bodies on individual communications and enquiry procedures, where applicable;

(c) Efforts to ensure that the States parties use the new harmonized guidelines on reporting under the international human rights treaties;

(d) The recommendation of an increase in the number of meetings of Chairpersons from one to two per year, to coincide with the sessions of the Human Rights Council;

(e) Efforts to create an effective joint relationship with the Human Rights Council;

(f) Efforts to ensure that the Chairperson of the meeting of chairpersons of human rights treaty bodies addresses the Human Rights Council during its annual session on behalf of and on matters pertaining to all treaty bodies;

(g) Efforts to ensure that the Chairperson of each treaty body addresses the Council during its annual session on matters that are specific to that treaty body.

8. The Committee calls upon States parties and urges the Office of the United Nations High Commissioner for Human Rights and the Division for the Advancement of Women to ensure adequate secretarial and financial support for the long-term efficiency of the activities of the treaty bodies. It also urges the Office and the Division to strengthen the visibility of the work of the treaty bodies as elements of a harmonized, well-coordinated and integrated treaty bodies system within an invigorated framework of human rights protection and promotion.

9. The Committee on the Elimination of Discrimination against Women invites the fifth Inter-Committee Meeting, scheduled to be held from 19 to 21 June 2006 in Geneva, to consider the present statement. It encourages the treaty bodies established under the International Convention on the Elimination of All Forms of Racial Discrimination; the International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Rights of the Child; and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families to lend their support to the present statement.

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## **Part Three**

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### **Chapter I**

#### **Matters brought to the attention of States parties**

#### **Decisions**

##### **Decision 36/I**

The Committee is grateful to the General Assembly for the extension of its meeting time in 2006 and 2007. It met for the first time in parallel chambers at its thirty-sixth session, where it considered the reports of fourteen States parties, whose delegations participated in a very active manner in the constructive dialogue. Having undertaken an assessment of this first experience, the Committee is of the view that the parallel chambers allowed for a more in-depth and careful consideration of the status of implementation of, and compliance with the Convention in the reporting States. The Committee is also satisfied with the working methods in the parallel chambers, and confirms that their flexible use enhanced the constructive dialogue. The Committee intends to further build on the experience gained and to improve the working methods in parallel chambers at future sessions, including its time management, so as to further enhance the quality of the constructive dialogue.

The extension of its meeting time in 2006 and 2007 allows the Committee to reduce significantly the backlog of reports awaiting consideration. At the same time, the Committee anticipates that effective and timely implementation of all its responsibilities beyond the biennium 2006/07 will require that it be provided with extended meeting time in 2008 and beyond. The Committee therefore intends to submit a further proposal for extended meeting time to the General Assembly at its sixty-second session. That proposal will be based on a thorough assessment of current requirements, including the number of reports awaiting consideration, experience gained and progress made in implementation of all its responsibilities under the Convention and its Optional Protocol.

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## **Chapter VI**

### **Ways and means of expediting the work of the Committee**

628. The Committee considered agenda item 6, ways and means of expediting the work of the Committee, at its 738th and 755th meetings, on 7 and 25 August 2006.

#### **Action taken by the Committee under agenda item 6**

##### **Dates of future sessions of the Committee**

629. In accordance with the calendar of conferences and meetings for 2007, the following schedule was confirmed:

- Thirty-seventh session: 15 January to 2 February 2007
- Thirty-eighth session: 14 May to 1 June 2007
- Thirty-ninth session: 23 July to 10 August 2007
- Pre-session working group for the thirty-ninth session: 5 to 9 February 2007
- Pre-session working group for the fortieth session: 16 to 20 July 2007
- Ninth session of the Working Group on Communications under the Optional Protocol: 5 to 9 February 2007
- Tenth session of the Working Group on Communications under the Optional Protocol: 16 to 20 July 2007

##### **Reports to be considered at future sessions of the Committee**

630. The Committee confirmed that it would consider the following reports at its thirty-seventh to thirty-ninth sessions:

(a) **Thirty-seventh session**

*Initial reports*



Tajikistan

*Periodic reports*

Austria

Azerbaijan

Colombia

Greece

India

Kazakhstan

Maldives

Namibia

Netherlands

Nicaragua

Peru

Poland

Suriname

Viet Nam

(b) **Thirty-eighth session**

Mauritania

Mozambique

Niger

Pakistan

Serbia

Syrian Arab Republic

Vanuatu

(c) **Thirty-ninth session**

Belize

Bolivia

Brazil

Cook Islands

Estonia

Guinea

Honduras

Hungary

Indonesia

Jordan

Kenya

Liechtenstein

New Zealand

Republic of Korea

Singapore

**Composition of parallel chambers at the thirty-seventh session**

631. The Committee decided on the following composition of its parallel chambers for the thirty-seventh session:

<i>Chamber A</i>	<i>Chamber B</i>
Dorcas Coker-Appiah	Magalys Arocha
Shanthi Dairiam	Ferdous Ara Begum
Cees Flinterman	Meriem Belmihoub-Zerdani
Naela Gabr	Saisuree Chutikul
Ruth Halperin-Kaddari	Françoise Gaspard
Violeta Neubauer	Tiziana Maiolo
Silvia Pimentel	Pramila Patten
Fumiko Saiga	Hazel Shelton
Hanna Beate Schöpp-Schilling	Dubravka Šimonović
Heisoo Shin	Anamah Tan
Glenda Simms	Maria Regina Tavares da Silva
	Zou Xiaoqiao

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

### **Working methods in parallel chambers**

632. The Committee assessed its experience with the parallel chambers and drew a number of lessons. These pertained in particular to the briefing notes prepared by country rapporteurs, coordination and cooperation among members of the chambers and between chambers respectively, time management, the role of the Chairperson in guiding the constructive dialogue, background information prepared by the Secretariat, the work of the pre-session working group and of the country rapporteur. The Committee also stressed the importance of having information from other sources, such as in particular non-governmental organization shadow reports, reach the Committee as early as possible, preferably already at the time of the meeting of the pre-session working group.

633. The Committee agreed to consider further the format of the constructive dialogue, and in particular the clustering of questions in accordance with the four parts of the Convention.

### **Interaction with specialized agencies and other bodies of the United Nations system**

634. The Committee noted with appreciation that United Nations country teams submitted information in regard to five States parties whose reports were considered at this session, namely Cape Verde, Chile, Mauritius, Mexico and Philippines. It encourages the entities of the United Nations system, through country teams, to expand this practice and, in particular, consider making such information available to the Committee's pre-session working group tasked with preparing lists of issues and questions for reporting States. The Committee suggests that such information should be kept relatively short and succinct. The Committee also encourages the United Nations country teams to undertake follow-up activities on the basis of the Committee's

concluding comments and to support States parties in their implementation of the concluding comments at the country level, and to submit further information at the time the respective State party reports the next time.

### **Follow-up to the recommendations of the fifth inter-committee meeting and the eighteenth meeting of chairpersons of the human rights treaty bodies**

635. The Committee held a preliminary discussion on the report of the fifth inter-committee meeting and the eighteenth meeting of chairpersons of the human rights treaty bodies and of the recommendations and points of agreement contained therein (A/61/385), and took action on a number of matters (see below). It agreed to continue discussion at its thirty-seventh session, with a view to taking further action, as may be necessary.

#### **Harmonized guidelines on reporting**

636. The Committee took note of the acceptance, by the inter-committee meeting, of the revised harmonized reporting guidelines under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (HRI/GEN/2006/3). It agreed to establish an intersessional working group consisting of Shanthi Dairiam, Naela Mohamed Gabr, and Hanna Beate Schöpp-Schilling, to consider possible revisions to the Committee's own reporting guidelines in the light of the harmonized reporting guidelines. It requested the working group to work intersessionally via electronic correspondence and to submit proposals for the Committee's consideration at its thirty-seventh session.

#### **Working group on reservations**

637. In reference to the recommendations of the fifth inter-committee meeting that the working group on reservations reconvene and submit a fuller report on the question of reservations to international human rights instruments (see A/61/385), the Committee confirmed Mr. Flinterman as its representative in the group. It also confirmed Ms. Patten as alternate representative.

#### **Working group on harmonization of working methods**

638. In reference to the recommendation of the fifth inter-committee meeting that a working group be established, as soon as possible, consisting of seven members, one designated by each Committee to discuss the various proposals to harmonize the working methods of the treaty bodies, including those of the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child, and to report its deliberations to the sixth inter-committee meeting in 2007, the Committee designated Hanna Beate Schöpp-Schilling to represent the Committee in this group. It also designated Shanthi Dairiam as alternate representative.

#### **Other matters**

#### **Interaction with the Inter-Parliamentary Union**

639. The Committee notes the important role of Parliamentarians in the implementation of the Convention and follow-up to concluding comments. In this regard, the Committee encourages the Inter-Parliamentary Union to submit country-specific information pertaining to the implementation of the Convention in States parties. The Committee suggests that the IPU avail itself of the Committee's Guidelines for submission of reports by United Nations specialized agencies and other bodies.

### **Follow-up to requests of the Commission on the Status of Women**

640. Following its preliminary discussion at its thirty-fifth session (see part II above), the Committee submits the following proposals to the Commission on the Status of Women.

#### *Input to the Commission on the Status of Women in regard to priority themes*

641. The Commission on the Status of Women has invited the Committee on the Elimination of Discrimination against Women to contribute, where appropriate, to the discussion on the priority themes the Commission will take up in 2007-2008.

642. The Committee welcomes this invitation and suggests that with regard to the thematic discussions of the Commission it could contribute an analysis of its consideration of the theme concerned, which would in particular draw from the concluding comments of the Committee in that regard. The Committee's overall experiences and findings could be conveyed to the Commission. Experts of the Committee could participate in any panel discussion organized in conjunction with the consideration of the theme in the Commission on the Status of Women to highlight the views of the Committee on the topic concerned.

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## **Annex IX**

### **Report of the Working Group on Communications under the Optional Protocol to the Convention on its seventh session**

1. The Working Group on Communications under the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women held its seventh session from 11 to 13 January 2006. All members of the Working Group attended.

2. The Working Group adopted its agenda (see annex).

3. The Working Group discussed correspondence that had been received by the secretariat since the Working Group's sixth session. It confirmed that the notes by the secretariat should include information on any routing of

correspondence to and from the petitions team of the Office of the United Nations High Commissioner for Human Rights.

4. The Working Group continued to review its working methods in respect of aspects of processing communications under the Optional Protocol, including applications for interim measures and registration of communications between sessions.

5. The Working Group considered the background note prepared by the secretariat on “ordinary” and “extraordinary” domestic remedies in the context of the admissibility requirements of the Optional Protocol to the Convention.

6. The Working Group considered draft recommendations relating to four communications prepared by the respective case rapporteurs and reviewed the status of four other communications, including one that had been registered intersessionally.

7. The Working Group discussed the issue of follow-up to views on communications. It agreed to keep under review the question of follow-up to views.

8. The Working Group took the following actions:

(a) The Working Group registered communication 11/2006;

(b) The Working Group requested the secretariat to prepare, for its eighth session, a compilation of those rules of procedure which may require amendments in the light of practice and experience gained so far, as well as a compilation of aspects of its working methods;

(c) The Working Group requested the secretariat to expand the background note on ordinary and extraordinary domestic remedies in the context of the admissibility requirements of the Optional Protocol to the Convention by incorporating information about “unreasonably prolonged” remedies. The Working Group decided to consider the background note further at its next session with a view to bringing it to the attention of the Committee;

(d) The Working Group requested the secretariat to provide, at its eighth session, information about norms and case law on extradition, expulsion and deportation on grounds of gender-based persecution;

(e) The Working Group requested the secretariat to update its background note on the practice of other human rights treaty bodies concerning interim measures (CEDAW/C/2004/I/WGCOP/WP.2) and include information about the practice of other relevant bodies;

(f) The Working Group decided that its eighth session would be held from 2 to 4 August 2006;

(g) The Working Group recommends to the Committee that it include in its model communication form an additional question to authors as follows: “Do you consent to the disclosure of your name(s) to the State party should your

communication be registered by the Committee in accordance with article 6, paragraph 1, of the Optional Protocol and rule 69, paragraph 1 of the Committee's rules of procedure?";

(h) The Working Group recommends to the Committee that it appoint two of its members as rapporteurs on follow-up to the views on communication No. 2/2003, *Ms. A. T. v. Hungary*.

## **Appendix**

### **Agenda of the seventh session**

1. Adoption of the agenda and organization of work.
2. Review of steps and activities undertaken since the last session.
3. Review and discussion of working methods.
4. Update of communications.
5. Any other matters.
6. Adoption of the provisional agenda for the eighth session, including the dates and duration, and of the report of the Working Group.

## **Annex X**

### **Report of the Working Group on Communications under the Optional Protocol to the Convention on its eighth session**

1. The Working Group on Communications under the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women held its eighth session from 2 to 4 August 2006. Cornelis Flinterman, Pramila Patten and Anamah Tan attended the session. Krisztina Morvai and Magalys Arocha Dominguez did not attend.
2. The Working Group adopted its agenda (see annex).
3. The Working Group discussed correspondence that had been received by the secretariat since the Working Group's seventh session.
4. The Working Group continued to review its working methods. In particular, it discussed ways to ensure a smooth transition to the future Working Group, which will be designated for a two-year term by the Committee at its thirty-seventh session, in 2007. It considered ways for an effective continuation of

the work of case rapporteurs whose terms as members of the Committee and/or the Working Group will end on 31 December 2006.

5. The Working Group considered the background notes prepared by the secretariat on gender-related persecution under refugee law and international human rights law and on the notion of “unreasonably prolonged” remedies in the exhaustion of domestic remedies, as well as an update on the background note on the practice of other human rights treaty bodies concerning interim measures (CEDAW/C/2004/I/WGCOP/WP.2).

6. The Working Group considered a draft recommendation relating to a communication prepared by the case rapporteur and reviewed the status of five other communications.

7. The Working Group discussed the first ad hoc mechanism established by the Committee in the area of follow-up to views, namely the designation of two rapporteurs on follow-up to the Committee’s views on *A. T. v. Hungary* - communication No. 2/2003.

8. The Working Group took the following action:

The Working Group decided that its ninth session would be held from 5 to 7 February 2007.

9. The following recommendations for action were submitted to the Committee on matters addressed in paragraphs 1, 4 and 7 above:

(a) Expressing its grave concern about the late issuance of a visa for Ms. Arocha, which prevented her from attending the Working Group’s eighth session and seriously undermined its work, the Working Group recommends that the Committee ascertain the facts, with a view to taking appropriate action;

(b) Having considered its working methods, the Working Group recommends that the Committee take into account the criteria of continuity, legal expertise and geographical diversity when designating the members of the future Working Group;

(c) Having considered the first ad hoc procedure for follow-up to the views of the Committee on individual communications, the Working Group recommends that the Committee:

(i) Refrain from setting up a permanent follow-up mechanism for the time being and instead, in conformity with rule 73 of the Committee’s rules of procedure, continue to undertake follow-up on an ad hoc basis;

(ii) Entrust the Working Group with follow-up activities for the time being;

(iii) Continue to appoint two rapporteurs on follow-up to views, preferably the case rapporteur, when feasible, and a member of the Working Group;

- (iv) Once it has deemed that satisfactory follow-up information has been received from the State party concerned, and in accordance with article 7, paragraph 5, of the Optional Protocol, invite that State party to submit further information about any measures taken in its subsequent reports under article 18 of the Convention; relieve the follow-up rapporteurs of their duties; and reflect such action in its annual report.

10. The Working Group also recommends, in regard to matters addressed in paragraph 4 above, that:

- (a) Future case rapporteurs consult their predecessors in order to ensure a smooth and efficient transfer of responsibility on pending cases, as applicable;
- (b) The Working Group to be designated by the Committee at its thirty-seventh session continue to identify rules of procedure that, in the light of evolving experience, may require amendment, and take up, as a matter of priority, rule 60 on the inability of a member to take part in the examination of a communication, with a view to recommending any necessary amendments to the Committee.

## **Appendix**

### **Agenda of the eighth session**

1. Adoption of the agenda and organization of work.
2. Review of steps and activities undertaken since the last session.
3. Review and discussion of working methods.
4. Update of communications.
5. Any other matters.
6. Adoption of the provisional agenda for the ninth session, including the dates and duration, and of the report of the Working Group.