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### Commission on the Status of Women

Sixty-sixth session

14–25 March 2022

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 seventy-ninth and eightieth 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 seventy-ninth and eightieth sessions of the Committee on the Elimination of Discrimination against Women, held online from 21 June to 1 July 2021, and in Geneva from 18 October to 12 November 2021, 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 seventy-ninth and eightieth sessions from 21 June to 1 July 2021 and from 18 October to 12 November 2021, respectively. At its seventy-ninth session, the Committee adopted guidelines to address allegations of reprisals and acts of intimidation against individuals and organizations cooperating with the Committee, with a view to operationalizing the Guidelines against Intimidation or Reprisals (“San José Guidelines”), endorsed at the twenty-seventh meeting of chairpersons of the human rights treaty bodies, held in June 2015 ([HRI/MC/2015/6](#)). It also amended its rules of procedure to reflect changes in its working methods resulting from the treaty body strengthening process. It adopted the text of a joint statement on the prevention of conflict-related rape and the protection of and assistance to children born of conflict-related rape and their mothers, subsequently endorsed by the Committee on the Rights of the Child. It also adopted a statement on the withdrawal of Turkey from the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention), which was considered to be a retrogressive step back in the protection of women’s human rights enshrined in the Convention on the Elimination of All Forms of Discrimination against Women. The Committee also decided to request that its eightieth session be extended to a four-week session by converting its pre-session working group for the eighty-second session into an additional week of plenary meeting time in November 2021, subject to staff capacity, with a view to addressing the backlog of State party reports.
3. At its eightieth session, the Committee adopted a position paper on the treaty body strengthening process, including a predictable review cycle, focused reviews of State party reports and a digital uplift. It decided to request an exceptional report on the situation of women and girls in Afghanistan, in accordance with article 18 (1) (b) of the Convention. It also decided to establish a task force to consider the impact of the evolving political, economic and social situation in Afghanistan on the rights of women and girls and to gather information thereon, with a view to advising the Committee in relation to its request for an exceptional report.
4. The Committee continued to engage with partners. Prior to the eightieth session of the Committee, the Chair presented the report of the Committee on its seventy-sixth, seventy-seventh and seventy-eighth sessions ([A/76/38](#)) to the Third Committee of the General Assembly, remotely, on 5 October 2021.
5. At its seventy-ninth session, the Committee held an informal, private meeting remotely with the Special Rapporteur on violence against women, its causes and consequences, Dubravka Šimonović, who briefed the Committee on her report to the Human Rights Council on rape as a grave, systematic and widespread human rights violation, a crime and a manifestation of gender-based violence against women and girls, and its prevention ([A/HRC/47/26](#)) and on her proposed framework for legislation on rape ([A/HRC/47/26/Add.1](#)). It also held a day of general discussion on the rights of indigenous women and girls, remotely, as part of the first phase in the development of a general recommendation on the topic. In addition to five keynote speakers, 14 States parties and 20 civil society organizations, including numerous indigenous representatives, made statements during the general discussion. At its eightieth session, the Committee held an informal, private meeting remotely with the former Vice-President of the National Assembly of Afghanistan, Fawzia Koofi, who briefed the Committee on the situation of women and girls in Afghanistan. It also held informal, private meetings remotely with the Regional Director of the Asia and the

Pacific Regional Office of the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), Mohammad Naciri, to discuss the situation of women and girls in Afghanistan, and with the new Special Rapporteur on violence against women, its causes and consequences, Reem Alsalem, who briefed the Committee on her priorities for her mandate.

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.

7. As at 12 November 2021, the closing date of the eightieth session of the Committee, there were 189 States parties to the Convention and 114 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 seventy-ninth and eightieth sessions of the Committee**

### **A. Reports considered by the Committee**

8. At its seventy-ninth session, the Committee decided to postpone the consideration of the reports of the following States parties submitted under article 18 of the Convention, which had initially been scheduled for consideration at the seventy-ninth session, owing to the coronavirus disease (COVID-19) pandemic: Bahrain ([CEDAW/C/BHR/4](#)), Kyrgyzstan ([CEDAW/C/KGZ/5](#)), Maldives ([CEDAW/C/MDV/6](#)), Nicaragua ([CEDAW/C/NIC/7-10](#)), Russian Federation ([CEDAW/C/RUS/9](#)), South Sudan ([CEDAW/C/SSD/1](#)), Spain ([CEDAW/C/ESP/9](#)) and Yemen ([CEDAW/C/YEM/7-8](#)).

9. At its eightieth session, the Committee considered the reports of the following States parties: Ecuador ([CEDAW/C/ECU/10](#)), Egypt ([CEDAW/C/EGY/8-10](#)), Indonesia ([CEDAW/C/IDN/8](#)), Kyrgyzstan ([CEDAW/C/KGZ/5](#)), Maldives ([CEDAW/C/MDV/6](#)), Russian Federation ([CEDAW/C/RUS/9](#)), South Africa ([CEDAW/C/ZAF/5](#)), South Sudan ([CEDAW/C/SSD/1](#)), Sweden ([CEDAW/C/SWE/10](#)) and Yemen ([CEDAW/C/YEM/7-8](#)).

10. Representatives of United Nations country teams and entities, specialized agencies of the United Nations system, other intergovernmental organizations, national human rights institutions and non-governmental organizations attended the eightieth session and the pre-sessional working group for the eighty-first session of the Committee, held remotely from 5 to 9 July 2021. 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 or pre-sessional working group, 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 seventy-ninth and eightieth sessions. During the seventy-ninth session, on 24 June 2021, the Committee held a day of general discussion on the rights of indigenous women and girls, remotely, as part of the first phase in the development of a general recommendation on the topic. The discussion

was opened by the Chair of the Committee, who introduced the general recommendation. Opening remarks were also delivered by the Chief of the Indigenous Peoples and Minorities Section of the Office of the United Nations High Commissioner for Human Rights, Paulo David.

12. The following five key expert speakers made presentations during the two thematic segments of the day of general discussion, focusing on intersecting forms of discrimination against indigenous women and girls and the political participation of indigenous women: the Special Rapporteur on the rights of indigenous peoples, Francisco Calí Tzay; the Chair of the Expert Mechanism on the Rights of Indigenous Peoples, Laila Vars; the President of the Permanent Forum on Indigenous Issues, Anne Nuorgam; the Executive Director of Indigenous Peoples' International Centre for Policy Research and Education (Tebtebba Foundation), Victoria Tauli-Corpuz; and the President of the International Indigenous Women's Forum and of the Executive Council of the Centro de Culturas Indígenas del Perú, Tarcila Rivera Zea.

13. Statements were then made by the following States parties: Argentina, Armenia, Azerbaijan, Brazil, Denmark, Ecuador, Guatemala, Norway, Peru, Philippines, Spain, Sweden, Ukraine and United Kingdom of Great Britain and Northern Ireland. Statements were also made by a representative of the Americas and the Caribbean Regional Office of UN-Women and by a member of the Committee on the Rights of Persons with Disabilities. Further statements were made by representatives of the Human Rights Council of Greenland, the National Human Rights Commission of India, the Algonquin Anishinaabe-kwe indigenous people and 20 civil society organizations (African Indigenous Women's Organization; Article 19; Asia Indigenous Peoples Pact; Canadian Aboriginal AIDS Network; Canadian Feminist Alliance for International Action; Centre for Reproductive Rights; Colectiva IXPOP; International Indigenous Women's Forum; Grupo Santo Domingo Soriano; Indigenous Girls and Women Collective; Indigenous Terra Madre and Rosa-Luxemburg-Stiftung (joint statement); International Network for Economic, Social and Cultural Rights; Maat for Peace, Development and Human Rights Association; Organización Nacional de Mujeres Indígenas Andinas y Amazónicas del Perú; Right Livelihood Award Foundation and Centro por la Justicia y Derechos Humanos de la Costa Atlántica de Nicaragua (joint statement); National Indigenous Disabled Women Association Nepal; Tebtebba Foundation; and Union of British Columbia Indian Chiefs).

14. At the eightieth session, the working group endorsed the revised initial draft of the general recommendation on the rights of indigenous women and girls and updated its internal work plan and tentative timeline for the elaboration and adoption of the general recommendation. The working group also decided to convene a first regional consultation in Mexico and to reach out to partners for convening consultations in other regions.

#### **Working group on working methods**

15. The working group met during the seventy-ninth and eightieth sessions. At the seventy-ninth session, it discussed and submitted to the Committee three draft decisions concerning amendments to the rules of procedure; the limitation of online sessions to two weeks and of online dialogues to very exceptional circumstances; and ways to reduce the backlog of State party reports. At the eightieth session, it also discussed and submitted to the Committee three draft decisions concerning a predictable reporting cycle, focused reviews and the digital uplift; ways and means to reduce its backlog; and an amendment to the rules of procedure concerning the working languages of the Committee.

### **Working group on gender-based violence against women**

16. The working group met during both sessions. At the seventy-ninth session, the working group members in charge of the different sections 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, informed the other members of the latest developments in relation to their sections. The working group also discussed various issues that should be covered in the guidance note. At the eightieth session, the Chair of the working group presented research and analysis undertaken, and the main recommendations, in relation to several sections of the draft guidance note. The members of the working group provided comments and discussed the next steps in the development of the draft guidance note, as well as the possibility of continuing the working group after the completion of the guidance note.

## **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**

17. At its seventy-ninth session, the Committee decided that any online sessions would be limited to two weeks and that, barring very exceptional circumstances, it would not hold online dialogues for the consideration of State party reports. It also decided that, upon the resumption of in-person sessions, it would, on a temporary basis, reduce the time allocated for dialogues with State party delegations, in order to consider additional State party reports, with a view to reducing the backlog of State party reports. The Committee further decided, in accordance with rule 94 of its rules of procedure, to suspend until 28 June 2023 the following part of amended rule 67 of its rules of procedure:

The Committee, or a working group, shall further ascertain that the communication does not constitute an abuse of the right of submission. An abuse of the right of submission is not, in principle, a basis of a decision of inadmissibility *ratione temporis* on grounds of delay in submission. However, a communication may constitute an abuse of the right of submission, when it is submitted five years after the exhaustion of domestic remedies by the author of the communication, or, where applicable, three years from the conclusion of another procedure of international investigation or settlement, unless there are reasons justifying the delay, taking into account all the circumstances of the communication.

18. At its eightieth session, the Committee adopted a position paper on the treaty body strengthening process, including a predictable review cycle, focused reviews of State party reports and a digital uplift, supporting a predictable schedule of reviews based on a review cycle that would consist of alternating full and focused reviews every five years. Noting that its review cycle had been further disrupted by the COVID-19 pandemic, thereby further increasing its backlog of State party reports pending consideration, the Committee decided to explore innovative ways and means to address the backlog, taking into account available budgeted staff resources and meeting time. The Committee further decided that, for the period from 1 January 2021 to 31 December 2022, Spanish would remain its third official language and Chinese would be the exceptional fourth working language of the Committee.

**Follow-up procedure**

19. The Committee continued its work under the follow-up procedure at its seventy-ninth and eightieth sessions, adopting the reports of the Rapporteur on follow-up to concluding observations and considering the follow-up reports of Angola, Australia, Austria, the Bahamas, Colombia, Ethiopia, Fiji, Liechtenstein, Malaysia, Marshall Islands, Mauritius, Nepal, the Niger, Qatar, Serbia, Suriname, Tajikistan, Turkmenistan and the United Kingdom of Great Britain and Northern Ireland.

**Overdue reports**

20. The Committee decided that its secretariat should systematically remind States parties whose reports were overdue by five years or more to submit their reports as soon as possible. As at 12 November 2021, the closing date of the eightieth session, there were 16 States parties whose reports were overdue by five years or more: Algeria, Belize, Chad, Comoros, Dominica, Equatorial Guinea, Grenada, Guinea-Bissau, Lesotho, Libya, Malta, Papua New Guinea, Saint Lucia, San Marino, Togo and Zambia. 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 54 reports pending consideration at future sessions.

**Dates of future sessions of the Committee**

21. The Committee confirmed the tentative dates of its eighty-first and eighty-second sessions, as follows:

*Eighty-first session*

- (a) Fifty-second session of the Working Group on Communications under the Optional Protocol: 1–4 February 2022;
- (b) Twenty-first session of the Working Group on Inquiries under the Optional Protocol: 3 and 4 February 2022;
- (c) Plenary: 7–25 February 2022;
- (d) Pre-sessional working group for the eighty-third session: 28 February–4 March 2022;

*Eighty-second session*

- (a) Fifty-third session of the Working Group on Communications under the Optional Protocol: 8–10 June 2022;
- (b) Twenty-second session of the Working Group on Inquiries under the Optional Protocol: 9 and 10 June 2022;
- (c) Plenary: 13 June–1 July 2022;
- (d) Pre-sessional working group for the eighty-fourth session: 4–8 July 2022.

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

22. Subject to possible future disruptions to the holding of in-person sessions due to the ongoing COVID-19 pandemic, the Committee confirmed that it would consider

the reports of the Dominican Republic (under the simplified reporting procedure), Gabon, Lebanon, Panama, Peru, Senegal, Uganda and Uzbekistan at its eighty-first session.

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

23. At its seventy-ninth session, the Committee endorsed the report of the Working Group on Communications under the Optional Protocol on its fiftieth session. The Committee adopted a decision of inadmissibility with regard to a communication concerning Georgia ([CEDAW/C/79/D/125/2018](#)). It also adopted views finding no violation with regard to a communication concerning Belarus ([CEDAW/C/79/D/131/2018](#)). It discontinued its consideration of one communication concerning Switzerland ([CEDAW/C/79/D/156/2020](#)).

24. 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 nineteenth session. In relation to inquiry No. 2011/4, concerning Mali, it decided to invite the State party to submit a follow-up report under article 9 (2) of the Optional Protocol. In relation to submission No. 2020/1, having conducted a preliminary assessment of the information received under article 8 (1) of the Optional Protocol and of the observations thereon submitted by the State party concerned, it decided not to conduct an inquiry because the threshold had not been met. The Committee took note of the publication, on 14 May 2021, of its report regarding inquiry No. 2013/1, concerning South Africa ([CEDAW/C/ZAF/IR/1](#)), following the lapse of the six-month period under article 8 (4) of the Optional Protocol for the State party to submit its observations to the Committee.

25. At its eightieth session, the Committee endorsed the report of the Working Group on Communications under the Optional Protocol on its fifty-first session. It adopted decisions of inadmissibility with regard to communications concerning Bulgaria ([CEDAW/C/80/D/142/2019](#)) and Switzerland ([CEDAW/C/80/D/145/2019](#)). It also adopted views finding violations with regard to one communication concerning Georgia ([CEDAW/C/80/D/140/2019](#)).

26. 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 twentieth session. In relation to inquiry No. 2013/1, concerning South Africa, it decided to invite the State party to submit a follow-up report under article 9 (2) of the Optional Protocol. It also took note of the submission, on 11 November 2021, of the observations of South Africa ([CEDAW/C/ZAF/OIR/1](#)) on the findings, comments and recommendations of the Committee in relation to inquiry No. 2013/1, in accordance with article 8 (4) of the Optional Protocol. In relation to submission No. 2021/1, having conducted a preliminary assessment of the information received under article 8 (1) of the Optional Protocol, the Committee decided to invite the State party concerned to submit observations with regard to the information received.