

**CONVENTION ON THE ELIMINATION OF ALL FORMS OF
DISCRIMINATION AGAINST WOMEN
TWENTY-FIFTH ANNIVERSARY OF ITS ADOPTION BY THE
GENERAL ASSEMBLY OF THE UNITED NATIONS**

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Nga hau e wha, nga iwi e tau nei, tena koutou

E nga mana, e nga reo, e rau rangatira ma, tena koutou tena koutou tena koutou katoa

Madam Chair

Since the conclusion of my second term, in 2000, as a member of the Committee of CEDAW, I have from time to time, thought back on the experience I gained as an independent expert. I am grateful for the opportunities I had to help draft General Recommendations, to shepherd the Optional Protocol to the Convention through the drafting and adoption process, and to rewrite and explain the new Rules of Procedure. Four years later, sufficient time has passed for me to look at the effectiveness of the Convention, the procedures developed under it and where improvements might be made. This is one person's view. It is not informed by the latest developments in reform of the Human Rights' Treaty Bodies or reforms generally in the United Nations' system. Nor is it necessarily the view of my country.

It is useful to reflect on the reasons for the creation of the Convention on the Elimination of All Forms of Discrimination Against Women. Although the notion that individual human beings had rights which should be accorded respect and protection is hardly a modern one, it was the excessive cruelty and casual neglect of such fundamental issues as the right to life, during the second world war, that led to the groundswell of support for an infrastructure which would monitor and promote the observation by States, of the rights of individuals.

Since then, although in many parts of the world, gross denials of human rights continue periodically, there is a more general acknowledgement that when such rights are observed and promoted and democratic principles

Our understanding of the principles has also evolved. It has led, for example to an acknowledgement that while civil and political rights are important for all people, so too are economic, social and cultural rights. We now more clearly understand, that a male perspective of justice and equality can exclude or limit rights that are of critical importance to women. So in the last 25 years the vast majority of nations has recognised the value of securing human rights for women. With ratification of the Convention on the Elimination of all Forms of Discrimination against Women, usually comes a realisation that women who are burdened by discriminatory practices intended or unintended, will contribute less to the economy, to the community and to good governance.

Sometimes, however, it is obvious that States ratify the Convention simply because they want international approval. Support of its fundamental principles is limited. Often those States will enter reservations to key Articles in the Convention, such as Article 2 which calls on States parties to condemn discrimination against women, and by various means, to promote the principle of equality of men and women. Such hollow ratifications are met increasingly with fierce criticism from the Committee and may eventually be unsustainable as the focus of attention turns more sharply on the practice.

For twenty five years, ratifying States have reported under the Convention with a decidedly mixed level of enthusiasm. So what has it achieved?

First, and foremost, it is close to universal ratification. No matter how lukewarm a State's will to promote women's human rights, gradually they are learning the value of deploying the whole population for the good of the whole country. Secondly, the Convention has set a standard for the promotion and protection of women's human rights that has been valuable for all ratifying States. Its principles have been incorporated into many constitutions and into domestic legislation. It has been a tool in the development of jurisprudence and a means by which States and their people have measured progress over the years.

It is also a Convention that has stood the test of time. The principles are as relevant today as they were 25 years ago. And as knowledge about the advancement of human

their countries to their status in the family has done much to illuminate the application

The proposal for all Human Rights Treaty Bodies to adopt a core report is a good start. But as all Treaty Bodies will emphasise, care must be exercised to ensure that each area of human rights is monitored systematically. A core report could readily degenerate into a shallow summary of a State's obligations under all Treaties ratified by it. There are real dangers for women's human rights. Faced for example, with a widespread denial of civil and political rights, would the report contain enough information to enable a careful review of progress to advance women's rights?

As more reports are submitted for the 4th, 5th or 6th time, the volume of material grows. It may be timely to limit the material in reports – by number of pages, or more strategically, by reference only to those issues which the Committee has asked the State to address. For example in a country where levels of female literacy have always been

