

Handbook on the Committee on the Elimination of All Forms of Discrimination Against Women (CEDAW) & The General Recommendation on Indigenous Women and Girls



What is the Committee on the Elimination of All Forms of Discrimination Against Women (CEDAW)?

The CEDAW Committee plays a significant role as a mechanism to stimulate States to advance in the elimination of all the forms of discrimination. It does it both directly and indirectly:



- **Directly:** through making States aware of the extent of their commitment and incentivising public policies



- **Indirectly:** by providing civil society with the tools to put pressure on public authorities to fulfil their obligations and push for normative and policy reform.

The CEDAW is one of the 9 United Nations bodies, it is the Committee in charge of the periodic review of National reports submitted by State parties on the protection of the rights of women. The article 24 establishes:

"States Parties undertake to adopt all necessary measures at the national level aimed at achieving the full realization of the rights recognized in the present Convention."

The Committee is composed by 23 Experts elected by States Parties by secret ballot. They are nominated by their Governments and elected by the States parties as individuals "of high moral standing and competence". **Committee members serve in their personal capacities and not as representatives of the State parties.**

The officers of the Committee consist of a Chairperson, three Vice-Chairpersons and a Rapporteur. Office-bearers serve for two-year terms and are eligible for re-election "provided that the principle of rotation is upheld". Currently, the officers are:

- Ms. Gladys Acosta Vargas, Peru, Chairperson
- Ms. Ana Pelaez Narvaez, Spain, Vice-Chairperson
- Ms. Elgun Safarov, Azerbaijan, Vice-Chairperson
- Ms. Nahla Haidar, Lebanon, Vice Chairperson
- Ms. Aruna Devi Narain, Mauritius, Rapporteur



Membership of the Committee on the Elimination of Discrimination against Women, as of 1 January 2021 and up to 31 December 2024:

Region	Name of Member and Nationality	Term expires on 31 December
Americas	Ms. Gladys Acosta Vargas, Peru, Chairperson	31.12.2022
	Ms. Leticia Bonifaz Alfonzo, Mexico	31.12.2024
	Ms. Rhoda Reddock, Trinidad and Tobago	31.12.2022
	Ms. Marion Bethel, Bahamas	31.12.2024
Africa	Ms. Aruna Devi Narain, Mauritius, Rapporteur	31.12.2022
	Ms. Hilary Gbedemah, Ghana	31.12.2024
	Ms. Franceline Toe Bouda, Burkina Faso	31.12.2022
Asia	Ms. Hirolo Akizuki, Japan	31.12.2022
	Ms. Rosario Manalo, Philippines	31.12.2024
	Ms. Jie Xia, China	31.12.2024
	Ms. Bandana Rana, Nepal	31.12.2024
Pacific	Ms. Natasha Stott Despoja, Australia	31.12.2024
Europe/ Central Asia	Ms. Ana Pelaez Narvaez, Spain, Vice-Chairperson	31.12.2022
	Ms. Elgun Safarov, Azerbaijan, Vice-Chairperson	31.12.2024
	Ms. Nicole Ameline, France	31.12.2024
	Ms. Corinne Dettmeijer-Vermeulen, The Netherlands	31.12.2024
	Ms. Dalia Leinarte, Lithuania	31.12.2024
	Ms. Genoveva Tisheva, Bulgaria	31.12.2022
Middle East / North Africa	Ms. Lia Nadaraia, Georgia	31.12.2022
	Ms. Nahla Haidar, Lebanon, Vice Chairperson	31.12.2022
	Ms. Louiza Chalal, Algeria	31.12.2022
	Ms. Naéla Gabr, Egypt	31.12.2022
	Ms. Tamader Al-Rammah, Saudi Arabia	31.12.2022



What is the Convention on the Elimination of All forms of Discrimination against Women?

Adopted by the United Nations' General Assembly in 1979, the Convention on the Elimination of All Forms of Discrimination Against Women is one of the most broadly endorsed human rights treaties, it is considered as a bill of rights for women. It entered into force on 3 September 1980.

CEDAW has a preamble and 30 articles divided in 6 parts. Articles 1 to 16 outline measures and actions governments must take to end discrimination against women and girls. It also lists specific areas where discrimination against women and girls must end, like laws, marriage, education, health, care and employment.

When a State ratifies the treaty, it can emit reservations. This means that the State can derogate from certain clauses of the treaty, so it is not bound to particular elements. However, the reservations shall not affect the spirit, the object and the purpose of the Convention. Furthermore, as it is the Governments who are responsible for the implementation agenda, reservations are meant to be temporary so that a State party can take steps to remove obstacles to the implementation of the articles it has placed reserves on.

By 09 February 2021, there are

189

State Party
(ratified),

2

Signatory
(the United
States and
Palau)

6

countries have taken
no action (the Islamic
Republic of Iran, Niue,
Holy See, Somalia,
Sudan and Tonga)

Additionally, the **Optional Protocol to the Convention** foresees procedures that are optional and only available where the State concerned has accepted them. It entered into force on 22 December 2000.

These optional procedures are the following:

- Individuals or groups of individuals are allowed to submit claims and violations of rights protected under the Convention to the Committee.
- To initiate inquiries into situations of grave or systematic violations of women's rights.

The Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women by 09 February 2021:

114

State Party
(ratified),

11

Signatory

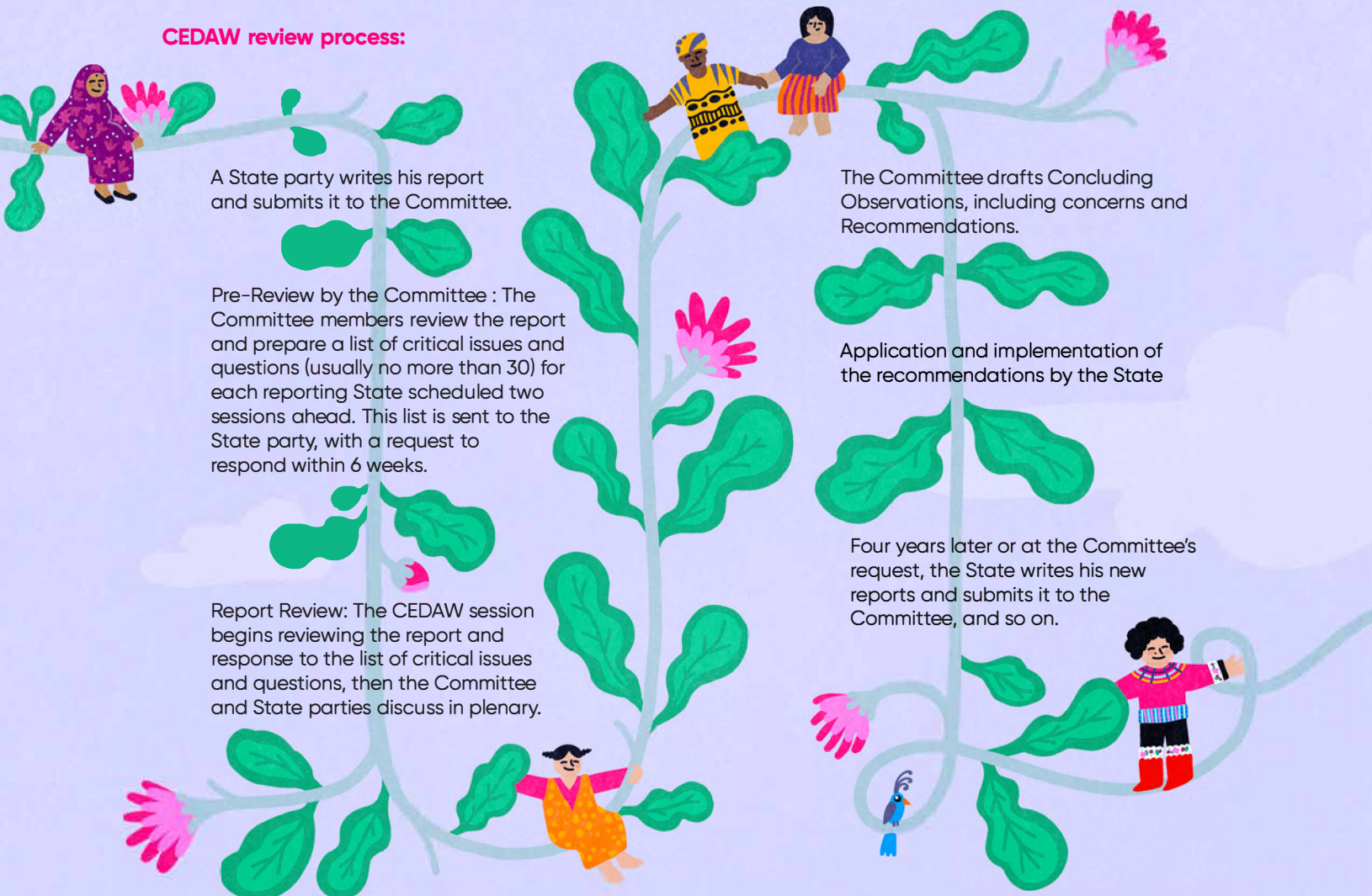
72

countries have taken
no action, among
which the United
States and China

How does it work?

Countries who have become party to the Convention (States parties) must submit regular reports to the Committee, on a four-year cycle basis or at the Committee's request, on how the rights of the Convention are implemented. During its sessions the Committee considers the reports and addresses its concerns and recommendations to the State party in the form of **concluding observations**. Then, the State has to apply and implement the Committee's recommendations, until its next review.

CEDAW review process:



Because the Convention does not provide for all particular situations, article 21 enables the Committee to formulate General Recommendations (hereafter GR) to deepen and gather information regarding an article, a specific question or theme of the Convention. By this way, it addresses crosscutting issues and develops the interpretation of the Convention's standards and the binding obligations arising therefrom. It also provides authoritative guidance to State parties to exercise due diligence to protect women and girls' rights.

To date, there are 38 General Recommendations under CEDAW Convention (as of December 2020). The GR34 about Rural Women is particularly relevant because it is the first time that a binding treaty recognizes the right of rural women to Free, Prior and Informed Consent for development projects on their land. It also addresses many aspects of rural women's right to access land, and explicitly mention Indigenous Women. Other relevant GR are GR19 on gender-based violence against women, GR26 on women migrant workers, and GR27 on older women.

Why a General Recommendation on Indigenous Women and Girls and why is it important Indigenous Women participate in this process?

When State parties submit their periodic reports, detailing progress on confronting discrimination against women, they must include information mandated by CEDAW. But the treaty does not specifically mention Indigenous Women and Girls nor it does refer to their individual and collective rights, and it does not offer adequate protection against the discrimination they face. The adoption of a General Recommendation on Indigenous Women and Girls is thus necessary to fill this gap.

Through the process of a GR, Indigenous Women can infuse their perspectives into the development of jurisprudence within the international human rights system and raise their priorities and issues to the national and international agenda. Indeed, from the recommendations suggested by Indigenous Women organizations, the Committee can develop a GR, establishing a working group to draft it and hold a one-day consultation for interested parties, to which NGOs can send and provide information and inputs in the discussion. The contributions and active participation of Indigenous Women in the process are, hence, of utmost importance.



The journey led by Indigenous Women and allies to push the recommendation?

Jointly with MADRE, FIMI has launched a campaign called CEDAW for Indigenous Women and Girls. Our goal is to call for a general recommendation that clearly defines the collective and individual rights of Indigenous women and girls in CEDAW and serves as a legally binding tool for the Indigenous movement. We started in 2004, and we are still working on it!

Actions taken:

2004

The Permanent Forum adopts a specific recommendation for CEDAW to pay special attention to Indigenous Women's issues, as a result of Indigenous Women's advocacy during the session.

2013

International meeting for the analysis and deepening of CEDAW, where the initiative of a General Recommendation for Indigenous Women was validated.

2015

FIMI did a consultation, and submitted a political statement and formal letter to CEDAW expert's members.

2018

Dissemination during the International Political, Cultural and Sports Meeting of Women in Struggle, in Chiapas, Mexico by IXPOP

2018

Dissemination during Regional Meetings in Asia and Africa (logo AIWN y AIWO)

2017

IXPOP submitted a formal request for the promotion of the General Recommendation to the CEDAW Committee

2019

The Permanent Forum recommends CEDAW elaborate a specific GR on Indigenous Women.

2019

Expert Meeting on Indigenous Women Rights by Center for Social Justice, MADRE, FIMI, the Center for Women's Global Leadership (C WGL), HRI.





2019

MADRE organized informative sessions and workshops on CEDAW with the Indigenous Issues Working Group (IIWG) in Nicaragua, Nepal, and Guatemala.

2019

AIWO organized a virtual meeting: "Africa Indigenous Women and CEDAW"



2019/20

MADRE led informal consultations with 60 Indigenous women and girls.



2020

Dissemination during Regional Meeting in the Americas and ECMA led regional consultations to gather the priorities of Indigenous Women of the Americas.

2020

FIMI and MADRE launched the CEDAW Campaign, including the diffusion of a digital petition to support a CEDAW GR on Indigenous Women and Girls: you can sign it [here!](#)

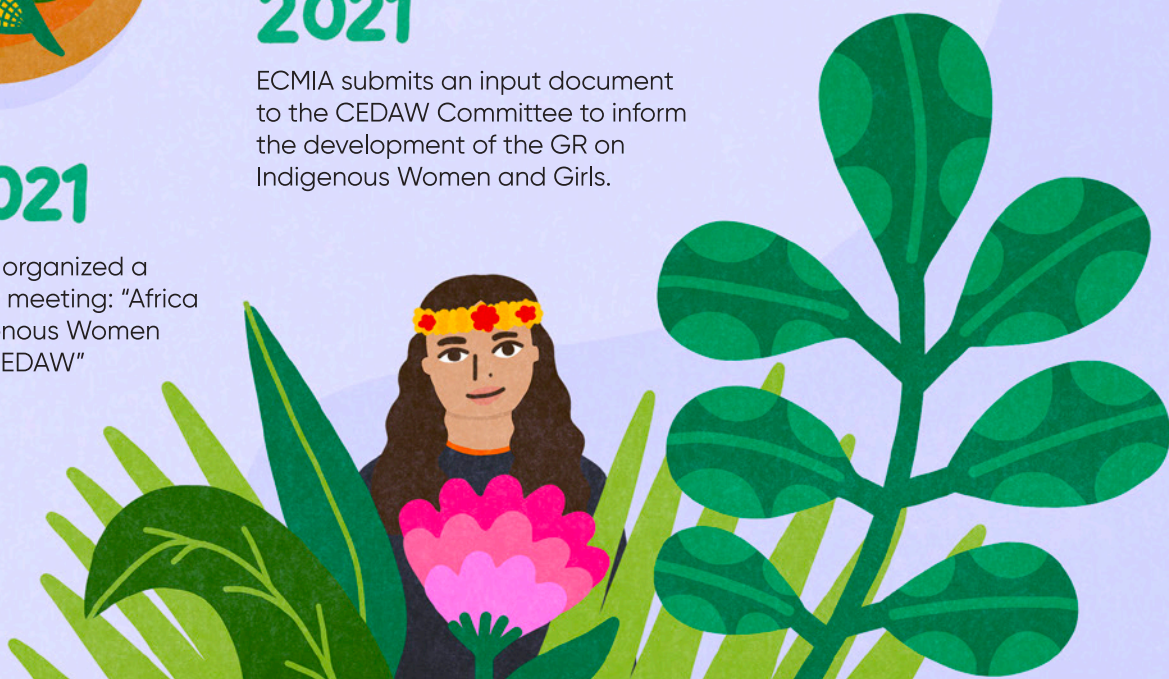


2021

ECMA submits an input document to the CEDAW Committee to inform the development of the GR on Indigenous Women and Girls.

2021

AIWO organized a virtual meeting: "Africa Indigenous Women and CEDAW"



FIMI, MADRE, UNDESA/Indigenous Peoples and Development Branch-Secretariat of the Permanent Forum on Indigenous Issues (UNDESA/IPDB-SPFII) and Rosa Luxemburg Stiftung NYC-Office co-hosted a side event on **“Walking Together on the Path of Change.”** This event is a strategic opportunity to create awareness about the existing gaps in the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) particularly around the individual and collective rights of Indigenous women and girls.

FIMI and MADRE were invited as co-host to an event with Africa Indigenous Women Organisation (AIWO) on CEDAW to raise awareness on the CEDAW process and review the campaign.

FIMI, MADRE and regional Networks (ECMIA, AIWO, AIWN, AMICAM, NATSIWA) submits a written submission regarding the Elaboration of CEDAW General Recommendation No. 39 on the Rights of Indigenous Women and Girls accompanied with legal narratives.

Advocacy for a GR on Indigenous Women and Girls in different international spaces, such as the Commission on the Status of Women and the Generation Equality Forum.



How civil society can raise voices through CEDAW processes

Non-Governmental Organizations (NGOs) and civil society organizations are invited to play a significant role in monitoring and implementing the CEDAW review process, providing country specific information. They can do it by three ways:



Submit reports or country specific information on particular issues they would like the CEDAW Committee to include in the list of issues and questions formulated by the pre-sessional working group.



Attend pre-session or session working groups and provide information orally in plenary. Such interventions must be concise and coordination between NGOs from the same country is encouraged.



Submit alternative reports for the CEDAW session. They can take two forms: a. A shadow report: critical evaluation of an official report submitted by a state party; b. An independent report: when a State party has not shared its report prior to the session.

Information can be submitted as a shadow report up until one month before the pre-session meeting to cedaw@ohchr.org or through IWRAW AP (International Women's Right Action Watch Asia Pacific), an NGO that is accredited with the CEDAW Secretariat to submit NGO reports.

Besides, NGOs and civil society organizations can contribute in different ways in the implementation and promotion of the Convention:

- Working with their Governments on the implementation of CEDAW
- Providing technical assistance to Governments
- Writing the Government's Periodic Report to CEDAW (even partially)
- Voting for the composition of the CEDAW Committee through lobbying their governments.

How to use the CEDAW General Recommendations for advocacy?

Once the GR is adopted, all State parties will have to provide information to the Committee regarding Indigenous women and girls individual and collective rights. It's going to be a strong tool for advocacy, as NGOs and civil society organizations will be able to share information about their issues with the CEDAW Committee, even in countries where there is a lack of official data and/or information.

It will be a historic win that supports the local organizing of women and girls' groups to implement CEDAW's protections at the local and national levels to strengthen and safeguard the rights of Indigenous Women and Girls.

Useful links:

[CEDAW for Indigenous Women and Girls \(MADRE\)](#)

[UN Treaty Body Database \(with concluding observations by State\)](#)

[Ratification status by country or by treaty](#)

[OHCHR FactSheets #7 Rev.2 : Individual Complaint Procedures under the United Nations Human Rights Treaties](#)

[International Women's Rights Action Watch Asia Pacific \(IWRAP-AP\) for NGOs](#)

[CEDAW reporting process and guidelines for writing a shadow or alternative report \(IWRAP-AP\)](#)

[Shadow reports guidelines \(IWRAP-AP\)](#)

[CEDAW recommendations \(EN\)](#)

[FIMI Global Study \(EN\)](#)

Illustrations by [@nelasnow](#)



