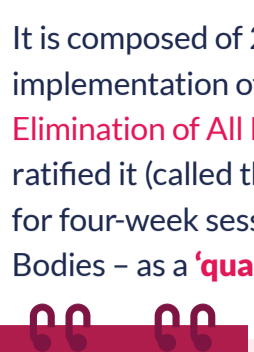


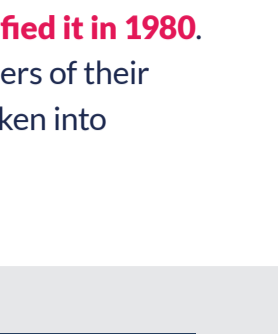
The Committee on the Elimination of Discrimination against Women

A SUMMARY FOR CIVIL SOCIETY GROUPS



The Committee on the Elimination of Discrimination Against Women (CEDAW) is the UN's expert committee dedicated to women's rights, and one of the **ten so-called UN 'Treaty Bodies'** – the guardians of the nine main international human rights treaties –.

It is composed of **23 independent experts** in charge of supervising the implementation of women's rights guaranteed in the 1979 **Convention on the Elimination of All Forms of Discrimination against Women** by the countries that ratified it (called the States Parties). The Committee meets three times a year for four-week sessions in Geneva, and is considered – alongside other Treaty Bodies – as a **'quasi-judicial' body**, as it emanates from a legally-binding treaty.

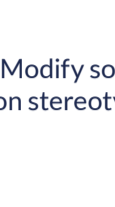


China became a State Party to the Convention after it **ratified it in 1980**. But Hong Kong and Macau are also represented by members of their executive branches, and their specific legal systems are taken into account during the review.

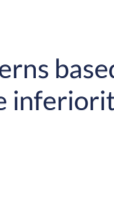
WHAT IS THE CEDAW CONVENTION? WHAT ARE THE MAIN RIGHTS PROTECTED?

Adopted in 1979, and enforced since 1981, the **Convention on the Elimination of All Forms of Discrimination against Women** is the main treaty protecting the rights of all women at the international level.

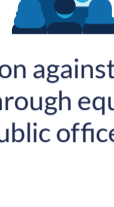
The treaty defines **discrimination against women** as:



Any distinction, exclusion, or restriction



On the basis of sex



With the purpose or effect of impairing women's enjoyment of their human rights on an equal footing with men

To combat discrimination, the treaty requires States to:



Amend laws, customs and practices that discriminate against women



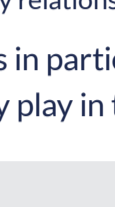
Adopt legislation prohibiting all forms of discrimination against women



Ensure legal protection and effective remedy against discrimination



Take 'affirmative action' – or special temporary measures – to redress inequalities

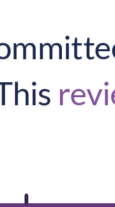


Modify social and cultural patterns based on stereotypes, and ideas of the inferiority of women

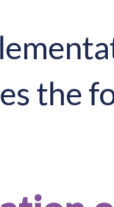


Eliminate discrimination against women in political and public life, including through equal rights to vote and be elected, to hold public office, and to join NGOs

The treaty requests States to take specific measures to ensure equal rights in the fields of:



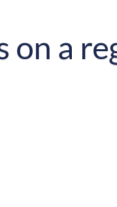
Nationality



Education



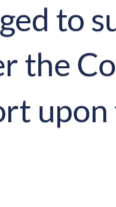
Employment



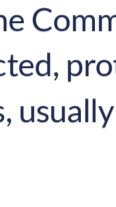
Socio-economic life



Marriage and family relations



Health care and access to health



Equality before the law

The treaty protects in particular the rights of **rural and indigenous women**, underscoring the significant role they play in the economic survival of their families.

WHAT STEPS DOES THE COMMITTEE FOLLOW WHEN IT REVIEWS A COUNTRY?

The Committee reviews the implementation of the CEDAW Convention by countries on a regular basis. This **review process** includes the following steps:



1. Presentation of a State report

All States Parties are obliged to submit regular reports to the Committee on how women's rights under the Convention are being respected, protected and fulfilled. States must report upon the Committee's requests, usually every four years.



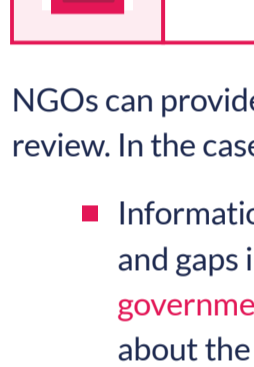
2. Adoption of a List of Issues (or 'LOI')

Once the State report is presented, the Committee prepares a list of questions (known as the 'List of Issues') during a first exchange with the country, at least three sessions before the formal review: this document highlights issues of particular concern to the Committee, which the government answers to in writing.



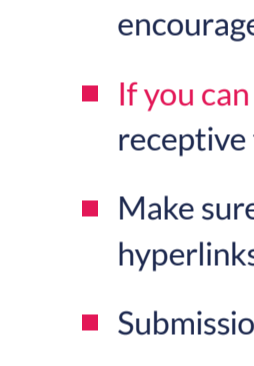
3. Formal review

The Committee meets with the country's delegation representatives for two sessions of three hours each during which the government responds to the Committee's questions. The Committee's inputs are based on the response to the List of Issues, and on reports from and engagement with civil society.



4. Adoption of Concluding Observations

This is the outcome of the review: the Committee issues its findings and recommendations to improve the country's implementation of the Convention. The Committee identifies up to **four priority issues** that require urgent attention by the State, as they constitute an obstacle to the implementation of the Convention; these are also recommendations that can be implemented within two years.



5. Follow-up letter

The government must report on the implementation of priority recommendations **within two years**. After that period, the Committee reviews information from the government and civil society, and issues a letter rating the degree of implementation.

The List of Issues for China, Hong Kong and Macao was adopted in March 2021: the government is now set for formal review during the Committee's upcoming 85th session, on **12 May 2023**.

HOW CAN CIVIL SOCIETY ENGAGE?

Civil society plays a fundamental role in ensuring the **Committee is well-informed** when reviewing States Parties, and that its **recommendations address civil society's main concerns**. Are you a human rights defender? Do you work in an NGO promoting women's rights? This is how you can take part in a review:



Phase 1: Reporting

NGOs can provide **written submissions** to the Committee **up to 4 weeks prior** to the formal review. In the case of China's upcoming formal review, this deadline will be **11 April 2023**.

- Information should look at new developments since the 2021 **List of Issues**, including laws and gaps in implementation. Ideally, it should also take into consideration gaps in the **government's response (and its annex)**, and **assess any progress or continuing concerns** about the Concluding Observations from its **last review in 2014**.
- The Committee is very interested in the impact of **Covid-19** measures on women's rights and gender equality, and gender-responsive Covid-19 recovery plans.
- All necessary reports can be found on the upcoming sessions' **website here** or on the landing UN page of China's reporting status under human rights treaties **here**.
- You should explicitly and clearly **identify priorities and specific recommendations** you think the Committee should make to the government: make sure they stand out!
- Submissions must be made in English, Spanish or French, in Word format. They should not exceed 3'300 words (or 6'600 words for joint submissions): concise submissions are encouraged (as well as executive summaries).
- If you can submit jointly with other NGOs even better!** The Committee will be more receptive to it.
- Make sure you clearly **identify the sources** of your information and data (including hyperlinks, and full details of sources if possible!)
- Submissions can be made to ohchr-cedaw@un.org.

CAUTION

If you think you are **at risk of reprisals** for seeking to cooperate with the UN, you can:

- Partner with an international NGO to submit on your behalf.
- Use safe channels, including encrypted email to communicate with the UN or other partners.
- Ask the Committee not to make your report public on its **dedicated page** (note that if the government finds out about your report, it can still ask for a copy).

You can reach out to ISHR at accreditations.ishr@protonmail.com (note: when using Protonmail, the body of text and attachment of emails are only encrypted if sent from another Protonmail account; email addresses and subject lines are not encrypted).

If you mention individual cases, you need to obtain consent from the person, or their

- legal representative or relative (unless it's a public case).



Phase 2: Joining the review

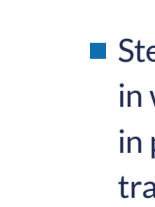
- Follow the review in-person** in Geneva (if it's safe to do so) **or online** (through **UN Web TV**), invite others to follow it, share it in your networks and on social media!

NGOs that have submitted written reports can also take part – virtually or in-person – in two types of informal briefings with Committee members during the week of review:

- Public briefing:** This meeting, scheduled on Monday afternoon, is publicly webcast on **UN Web TV** (with interpretation), and only provides 10 minutes per country to be shared by all NGOs wishing to speak: statements have to be very concise, outlining priority concerns and recommendations.
- Lunch briefing:** A private lunchtime briefing provides more time for NGOs to engage with Task Force and other committee members, and to respond to their questions.

CAUTION

Some of these briefings might be joined by GONGOS (government-affiliated NGOs) who might report back to the authorities: reach out to the Secretariat or to ISHR if you feel at risk to discuss alternatives!



Phase 3: Following up

Disseminating the Concluding Observations

- Make them available in national languages, and share them on social media
- Share them with your civil society peers, diplomats, journalists, academia, and affected communities – **and explain why they are important!**

Engaging with the authorities

- Share the Concluding Observations with relevant authorities, such as:
 - Relevant ministries (foreign affairs, justice, specialized topics)
 - Parliaments – including your local representative (or local governments if you are in exile)

If the authorities do not engage with civil society, or if it's too dangerous or sensitive: share your analysis on the Concluding Observations with diplomats and discuss ways to put pressure on the government in the country and at the UN to implement the recommendations

- Provide them with guidance, and lobby them, to implement the recommendations – starting with the priority ones!
- Encourage them to adopt Action Plans for the implementation of recommendations, possibly jointly with recommendations from other UN human rights bodies (such as from other Treaty Bodies, from Special Rapporteurs and Working Groups, and from the Universal Periodic Review).

Continuing to engage with Committee members

- Invite them for follow-up visits
- Report back to the Committee on the authorities' level of implementation:
 - Submit your assessment four weeks before the session when the Committee will consider the State's follow-up report (3'500 words maximum, in Word format), to ohchr-cedaw@un.org
- Repurpose your reports for reviews by **other Treaty Bodies**

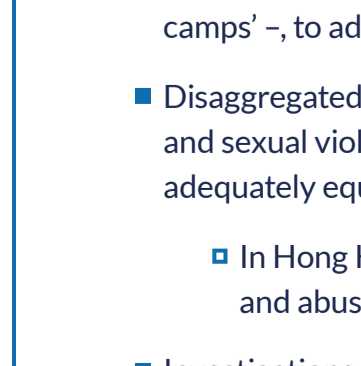
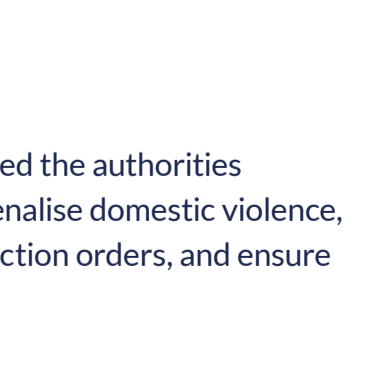
WHAT HAS CEDAW SAID ABOUT CHINA SO FAR?

In its last review in 2014, the Committee asked China to:

- Ensure that women have effective access to justice, and establish independence of the judiciary, including by preventing all forms of political interference
- Accelerate women's full and equal participation in political and public life – such as in villagers' committees –, including through temporary special measures such as quotas, and investigate abuses against those standing for election as independent candidates
- Eliminate the tradition of son preference, address sex-selective and forced abortions and sterilisations
- Effectively investigate, prosecute and punish acts of violence against women, including domestic violence
- Adopt a comprehensive definition of discrimination against women, both direct and indirect, and create appropriate enforcement mechanisms
- Provide free family-planning measures regardless of marital status, and conduct age-appropriate sexual and reproductive health education in schools
- Abolish 'black jails' and uphold the **Bangkok Rules** relating to the conditions of detained women
- Eliminate all barriers restricting women's property rights, access and title to land, in particular in rural areas
- Protect women human rights defenders, in particular those engaging with the Committee, remove travel restrictions, investigate and prevent censorship of submitted NGO reports, and review regulations to allow NGOs to directly register without sponsorship

On **Hong Kong**, the Committee notably asked the government to:

- Ensure the effective combat of all forms of violence, including domestic violence through providing adequate shelters and enforcing protection orders
- Step up efforts to address root causes of trafficking in women and girls, and international cooperation – in particular with Indonesia and the Philippines – to exchange information and prosecute traffickers
- Strengthen mechanisms to protect foreign women regardless of workers from abuse, extend the two-week rule and revise the live-in rule
- Step up efforts to combat discrimination against lesbian and trans women in employment, education, access to health



On **Macao**, the Committee recommended the authorities strengthen legislation to prevent and penalise domestic violence, including to provide for the use of protection orders, and ensure sufficient shelters for victims.

The List of Issues to China adopted in March 2021 built on these asks, requesting detailed information on:

- Risks of reprisals against women human rights defenders engaging with the Committee, in the context of broader, gender-specific repression against civil society and woman human rights defenders
- Gender-responsive Covid-19 recovery efforts, and the impact of lockdown orders
- Absence of a comprehensive definition of discrimination against women in law
- Measures to reduce the number of women in detention – including in 'reeducation camps' –, to address cases of torture, and to respect due process when arrested
- Disaggregated data on the prosecution of cases of violence, including domestic and sexual violence, the number of protection orders requested by courts and of adequately equipped shelters, and the investigation of cases of trafficking
 - In Hong Kong: prosecution of cases of sexual violence, excessive use of force, and abuses in detention, by police officers against women
- Investigations into violence against women independent candidates
- Forced labour of Uyghur women, in particular in textile, apparel and cotton-picking industries
- Restrictions and bans on Uyghur and Tibetan linguistic rights in schools
- Sexual and reproductive health education in schools, free, friendly and confidential family-planning measures, and 'alleged coercive family planning practices' in the Uyghur region
- Steps to combat discrimination against lesbian, bisexual and trans women, in employment, education, and access to health
- Restrictions to rural women's right to land
- Legal provisions to combat sexual harassment at work and maternity-related gender discrimination