

4. THE REPORTING PROCESS

4.1 REPORTING ON THE IMPLEMENTATION OF THE CONVENTION

Once a country has ratified the Convention on the Elimination of All Forms of Discrimination Against Women, it is obliged to work to implement it. In addition, in ratifying it has agreed to report on the progress made in implementation. Article 18 states that the first report should be sent to the United Nations Secretary-General within one year of ratification. Reports are then submitted every four years or when requested by Committee on the Elimination of Discrimination Against Women (CEDAW).

The Report should be of importance not only to CEDAW but also to the Government of the country concerned insofar as it should provide a comprehensive measurement of the progress made to date and act as the starting point from which future policies can be developed. By reporting on time, the Report can serve as a 'rolling reporting system' providing valuable information pertaining to the status of women on a regular basis. It is imperative, therefore, that the Report provide as accurate and as full information as possible.

4.2 THE ROLE OF THE WOMEN'S BUREAU/MINISTRY FOR WOMEN'S AFFAIRS

The Women's Bureau or the Ministry for Women's Affairs should be involved at all stages of the preparation of the Report. In some instances it may be requested to compile the Report, in others this may be done by the Ministry of Foreign Affairs. In either case, the Women's Bureau should serve as a focal point in collecting the necessary information and liaising with various Ministries and Departments. As a first step in cases where the initial report is already overdue, the Women's Bureau should be active in working to get the process under way.

4.3 CO-ORDINATING THE REPORT

The request from the United Nations Secretariat to submit the report will normally be received by the Ministry or Department of Foreign Affairs or the Ministry designated to receive such communications. While the Ministry of Foreign Affairs, or the Women's Bureau may co-ordinate the response, it is important that information be included from all the Ministries involved with issues included in the Convention on the Elimination of All Forms of Discrimination Against Women. While all Ministries may be called upon, input will especially be required from the Ministries of Employment, Health, Education and Social Security.

As a first step the Women's Bureau should identify which Ministries should be involved in responding under each article.

In order to assist Ministries, the Women's Bureau might wish to provide a background paper on the Convention on the Elimination of All Forms of Discrimination Against Women drawing attention to the responsibilities of Ministries with regard to each of the Articles. A meeting of representatives of the various Ministries could then be arranged to discuss the preparation of the Report.

4.4 CONSULTATION WITH OTHER BODIES AND NGOS

As there is likely to be considerable interest in what is said in the Report, particularly among non-governmental organisations (NGOs) it is advantageous to involve the NGOs before the Report is written in order that their comments can be considered and possibly included. By involving the NGOs in the reporting process and informing them as to what issues the various Ministries intend to include in their respective contributions, it is possible to identify areas which the NGOs feel should also be included and areas which should reflect where more needs to be done in order to eliminate discrimination against women. NGOs may also be able to provide Government with information on activities and initiatives contributing to the implementation of the Convention on the Elimination of Discrimination Against Women which are taking place outside the Government structure and which should be included in the Report.

4.5 COLLECTING RELEVANT DATA

In making their Reports, in addition to listing legal instruments, Governments are requested to include information showing how legal instruments are "reflected in the actual, economic, political and social realities and general conditions existing in their countries. Data concerning these realities and conditions should also be supplied with a breakdown of the statistics on the category of sex." (See CEDAW/C/7)

Where such data exists within Government Departments and Ministries, it is comparatively easy to collect and in these cases, it is only necessary to request relevant departments to make it available. Where such data has not been collected, universities and research institutions should be contacted and requested to provide any information which they have available relating to different articles. In other cases where no such data has been collected it may be possible to provide some raw data collected in connection with activities undertaken to implement the Convention on the Elimination of All Forms of Discrimination Against Women as described in Chapter 3 on Implementation.

4.6 WRITING THE REPORT: GENERAL GUIDELINES REGARDING THE FORM AND CONTENTS OF REPORTS RECEIVED FROM STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION

In its "General Guidelines Regarding the Form and Contents of Reports Received from States Parties under Article 18 of the Convention" (CEDAW/C/7) the Committee on the Elimination of Discrimination Against Women has made recommendations with regard to how the Reports should be written. This is to "help ensure that the Reports are presented in a uniform manner so that the Committee and the States Parties can obtain a complete picture of the implementation of the Convention and the progress made therein."

The Report shall be divided into two parts.

"Part I should describe:

(a) As concisely as possible the actual, general, social, economic, political and legal framework within which a State Party approaches the elimination of discrimination against women in all its forms, as defined in the Convention;

(b) Any legal and other measures adopted to implement the Convention or their absence as well as any effects which ratification of the Convention has had on the State Party's actual, general, social, economic, political and legal framework since the entry into force of the Convention for the reporting State;

(c) Whether there are any institutions or authorities which have as their task to ensure that the principle of equality between men and women is complied with in practice, and what remedies are available to women who suffered discrimination;

(d) The means used to promote and ensure the full development and advancement of women for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms in all fields on a basis of equality with men;

(e) Whether the provisions of the Convention can be invoked before, and directly enforced by, the courts, other tribunals or administrative authorities or whether the provisions of the Convention have to be implemented by way of internal laws or administrative regulations in order to be enforced by the authorities concerned."

Part II should provide specific information in relation to each provision of the Convention:

"(a) The constitutional, legislative and administrative provisions or other measures in force;

(b) The developments that have been taking place and the programmes and institutions that have been established since the entry into force of the Convention;

(c) Any restrictions or limitations, even of a temporary nature, imposed by law or practice or in any other manner on the enjoyment of each right;

(d) Any other factors or difficulties affecting the exercise and enjoyment of each right;

(e) Any other information on progress made in the fulfilment of each right."

The Reports should most importantly "reveal obstacles to the participation of women on an equal basis with men in the political, social, economic and cultural life of their countries, and given information on types and frequencies of cases of non-compliance with the principle of equal rights." They should also "pay due attention to the role of women and their full participation in the solution of problems and issues which are referred to in the preamble and which are not covered by the articles of the Convention."

Reports should be submitted in one of the working languages of the United Nations - Arabic, Chinese, English, French, Russian or Spanish, "in as concise a form as possible."

4.7 EXAMINATION OF THE REPORT BY THE COMMITTEE ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW)

The Committee on the Elimination of All Forms of Discrimination against Women (CEDAW) meets each year to examine Reports submitted by States Parties. Reports to be considered are decided at the previous CEDAW meeting, thereby giving Governments adequate time to prepare. At present there is a backlog of Reports awaiting consideration which means that by the time they are considered by the Committee, Reports may be a year or more out-of-date. Governments should, therefore, consider providing additional written information in advance of the meeting at which their Report is being examined.

In examining a Report CEDAW usually devotes time to indepth questioning of the State Party. Time is then allowed for the representatives of the State Party concerned to provide answers to the questions and further information. Governments may therefore wish to include on their delegations for the examination of the Report representatives from the Women's Bureau and those Ministries most involved in its preparation.

While CEDAW is concerned with the progress made to date, the Committee attaches particular importance to the identification of obstacles and impediments which exist within the country and plans to overcome them. In this respect the examination of the Report can be of great assistance in developing strategies for the future. It is important, therefore, to report back to the Women's Bureau, Ministries and others, including non-governmental organisations, on the examination of the Report.