



CONCEPT NOTE

PUBLIC PRESENTATION OF CANDIDATES TO THE UN COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

**Online Event with the aim of enhancing
transparency in nominations and elections to
UN Human Rights Treaty Bodies**

Tuesday 21 May 2024

Geneva, 1.30pm – 3.00pm
New York, 7.30am – 9.00am

On 7 June 2024, State parties to the **Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)** will meet in New York to elect 11 members of this body composed of 23 independent experts. Nominations had to be submitted to the Secretary-General by 8 March.

This online event shall provide an opportunity to the nominated candidates to present themselves in an informal venue open to State representatives and civil society, addressing their candidacy in view of the requirements set out for membership by the treaty and relevant official documents. The event will also allow them to reply to questions shared beforehand by civil society representatives.

The aim of this online event is to enhance transparency in the nomination and election process of Treaty Body Members. This online event complements the civil society initiative by the NGO Network on UN Treaty Bodies (TB-Net) and the International Women's Rights Action Watch Asia Pacific (IWRAP AP) that invited all the candidates to the CEDAW Committee to respond to the TB-Net / IWRAP-AP questionnaire, which includes relevant questions on their qualifications and interest on becoming CEDAW Committee members.

- Access the candidates' responses [here](#).

In accordance with General Assembly resolution 68/268, when nominating independent experts for committee elections, States are encouraged to give due consideration to:

- equitable geographical distribution;
- the representation of different forms of civilization and the principal legal systems;
- balanced gender representation;
- the participation of experts with disabilities.

The resolution also reaffirms the importance of the independence and impartiality of members of the human rights treaty bodies [para 35]. All elected members serve in their personal capacity.¹ Underlining the need for independence and impartiality, but also qualification of members, in June 2012, the Chairs of the treaty bodies discussed and endorsed the [Addis Ababa Guidelines](#) on the independence and impartiality of members of the human rights treaty bodies (UNTBs).

¹ <https://www.ohchr.org/en/treaty-bodies/electing-treaty-body-members>

Moderation

Felix Kirchmeier, Executive Director, Geneva Human Rights Platform

Vashti , Programme Officer IWRAW-AP

Invited speakers (3-5 min each)

List of candidates as submitted by the States parties within the deadline of 8 March 2024

Name	State	Participation at the Event
Hamida AL-SHUKAIRI English العربية	Oman	Pending
Erika SCHLÄPPI English Français Español	Switzerland	Confirmed
Nahla HAIDAR EL ADDAL	Lebanon	Pending
Corinne DETTMEIJER-VERMEULEN	The Netherlands	Pending
Jelena PIA-COMELLA English Français Español	Andorra	Confirmed
Natasha STOTT DESPOJA العربية 中文 English Français Español Portuguese	Australia	Confirmed
Bandana RANA	Nepal	Pending
Lia NADARAIA	Georgia	Confirmed
Patsilí TOLEDO VÁSQUEZ English Français Español	Chile	Confirmed
Violet EUDINE BARRITEAU	Barbados	Pending
Madina JARBUSSYNOVA	Kazakhstan	Confirmed
Mu HONG 中文 English	China	Pending
Eunice NJOVANA	Zimbabwe	Pending
Donatienne GIRUKWISHAKA	Burundi	Pending
Thérèse NGOLUMA MALONGUE épse ATANGANA AMOUGOU	Cameroon	Confirmed
Ângela MELO	Mozambique	Confirmed
Neda CHALOVSKA DIMOVSKA	North Macedonia	Confirmed
Diana GONZÁLEZ PERRETT English Español	Uruguay	Confirmed
Shazia CHOUDHRY	United Kingdom of Great Britain and Northern Ireland	Confirmed
Abide KPEMSI épse KOMBATE	Togo	Confirmed

Impartiality and independence in the Committee on the Elimination of All Forms of Discrimination Against Women

The UN Committee on the Elimination of All Forms of Discrimination Against Women (CEDAW) is the treaty body monitoring compliance with the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). Its main functions entail receiving State reports on the implementation of the rights enshrined in the Convention, making recommendations to States parties, issuing general recommendation on specific aspects covered in the Convention to assist states parties in fulfilling their obligations, initiating inquiries, and treating individual communications, i.e. complaints, concerning States parties to the Optional Protocol to the CEDAW.

The CEDAW Committee's composition is addressed in the CEDAW, which establishes that it shall consist of twenty three members who are nationals of the States parties.² Other relevant criteria that have to be satisfied are as follows:

- High moral standing,³
- Recognized competence and experience in the field of the rights of women,⁴
- Serving in a personal capacity,⁵
- Equitable geographical distribution of members;⁶
- Representation of different forms of civilization and the principal legal systems; and⁷
- participation of experts with disabilities.⁸

CEDAW Committee members must be independent and impartial in line with the **Addis Ababa Guidelines** on the independence and impartiality of the members of the human rights treaty bodies ("the Addis Ababa guidelines"), which are endorsed and integrated by their solemn declaration to the Convention vested in Rule 15 of the CEDAW Committee's Rules of Procedure⁹.

Impartiality and independence imply that a member of the CEDAW shall not participate in the consideration of the **state report**, or the discussion and adoption of the related concluding observations, concerning his or her state of nationality.¹⁰ This rule is prescribed on the Rules of procedure and further developed in the Addis Ababa Guidelines.

The Addis Ababa Guidelines establish that a member of a treaty body should not participate in or influence the consideration of a state party's report if he or she has, or can be perceived as having, a conflict of interest with regard to it.¹¹ This conflict can arise from place of residence, past employment, affiliation with an organization, family and social ties, but one of the key factors giving rise to it is the nationality of the member.¹²

The Guidelines highlight that in case of a real or perceived conflict of interest, the member should refrain from participating in any of the phases of committee's work on a state report,

² CEDAW, article 17(1) .

³ Ibid .

⁴ ibid

⁵ Ibid.

⁶ Ibid

⁷ ibid

⁸General Assembly Resolution 68/268, para 13

⁹ See CEDAW Committee, Rules of Procedure,Part of HRI/GEN/3/Rev.3, Rule 15

¹⁰ Ibid, Rule 43, Inability of a member to take part in the examination of a report.

¹¹ A/67/222, para. 8

¹² Ibid, para. 3

among which the dialogues, discussions, non-public consultations, deliberations, drafting and adoption of the concluding observations.¹³

To operationalize the Addis Ababa guidelines on the independence and impartiality of CEDAW Members, the Committee decided that its draft concluding observations shall no longer be shared with members of the Committee who are nationals of the State party concerned and that confidential submissions by United Nations country teams, non-governmental organizations and other sources of information shall not be posted on the confidential extranet for the members of the Committee if the source of information so requests¹⁴.

Rules of procedure tackle also the impartiality and independence requirements regarding **individual communications**. They prescribe that a member shall not take part in the examination of a communication by the Committee if:

- (a) The member has any personal interest in the case;
- (b) The member has participated in the making of any decision on the case covered by the communication in any capacity other than under the procedures established under the Optional Protocol;
- (c) The member is a national of the State party against which the communication is directed."¹⁵

The Addis Ababa Guidelines reiterate the rule contained in the Rules of Procedure concerning the participation in the examination of individual complaints: they specify that the member should not participate or influence the procedure either at the admissibility or the merits stage, be the conflict of interest real or perceived.¹⁶ Moreover, they extend that rule also to the participation in the preparation or conduct of or follow-up to a country visit or inquiry.¹⁷

The Addis Ababa Guidelines generally establish that treaty body members are accountable to the treaty body and their conscience, and they should not submit to any kind of influence, direction, pressure, or instructions by the State of their nationality or any other State.¹⁸ They should not only be free from any real conflict of interest, but must be perceived as such by any reasonable observer.¹⁹ The conflict of interest, real or perceived, cannot stem from a member's race, ethnicity, religion, gender, disability, color, descent or any other basis for discrimination as defined in the core international human rights treaties.²⁰

They further prescribe that committee members must conduct their functions in a way that doesn't grant favorable treatment to their State of nationality or that is not perceived as granting such treatment.²¹ They must avoid any action that might be seen as leading to bias in favor or against a State.²² They shall not be politically affiliated with the government of their State of nationality, which entails that they cannot cover functions and conduct activities that are incompatible with their responsibilities as independent experts on a committee.²³

¹³ Ibid, para. 9

¹⁴ CEDAW/C/2024/I/CRP Decision 87/7

¹⁵ See CEDAW Committee, Rules of Procedure, Part of HRI/GEN/3/Rev.3, Rule 60

¹⁶ A/67/222, para. 10

¹⁷ Ibid, para. 11

¹⁸ Ibid, para. 5

¹⁹ Ibid, para. 2

²⁰ Ibid, para. 3

²¹ Ibid, para. 6

²² Ibid, para. 7

²³ Ibid, para. 12