

Rt Hon Maria Miller MP
Chair, Women and Equalities Select
Committee

Date: 5 December 2018

Dear Chair,

Subject: follow-up to oral evidence session

Thank you for the opportunity to provide oral evidence on the UK's implementation of the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) on 14 November. As requested, we are writing to follow up a few of the points raised during the session.

The CEDAW process that took place in the UK, as briefly discussed, can be summarised as follows:

- GEO worked with devolved governments to hold roundtables with women's rights NGOs in June and July 2017. EHRC attended as an NHRI observer. Five NGOs were present at the London event, six in Cardiff and five in Edinburgh. There was no consultation in Northern Ireland. Participants were invited to share their views on "progress made since 2011 and where more work needs to be done"
- The subsequent report from the UK Government was published in November 2017. It included an annex which briefly summarised the topics raised at these roundtable meetings
- In December 2017 – July 2018, EHRC funded NGOs in England, Wales and Scotland to conduct stakeholder consultations and raise awareness of CEDAW. As a result, over 200 organisations were reached across Great Britain, many of whom gave permission for their evidence to be published in the public domain, and over 100 co-signed the GB NGO reports submitted to the CEDAW Committee
- This evidence was also shared with EHRC and used to inform our own submission to the CEDAW Committee, which was developed in parallel with civil society's
- Throughout this period, we met regularly with GEO officials to update

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them on our activities and encourage them to remain engaged with the rest of the process

We are concerned that the UK Government's consultation with civil society was not sufficient to provide them with a thorough understanding of how women's rights are experienced and the ways in which they could be better protected under CEDAW. We would like to see GEO undertake planned, comprehensive and meaningful engagement with civil society in developing the state report and throughout the CEDAW process. Other UK Government departments, such as the Department of Education, have previously shared draft state reports with stakeholders for comment prior to submission to the UN, which we would welcome.

While the state reports covered the majority of the issues raised at the roundtables, our concern is that the UK Government has not provided an appropriate level of evidence or analysis. Its reports – including the state response to the list of issues, published very recently – focus largely on listing developments in policy and legislation rather than information on specific outcomes and impact. This overlooks the large amount of available evidence, hinders the CEDAW Committee's ability to properly assess the state of gender equality and raises broader questions over the UK Government's commitment to this process.

During the evidence session, we also discussed the lack of a coordinated mechanism at government level for reviewing and implementing UN recommendations.

The UN High Commissioner for Human Rights¹ and UN human rights treaty bodies have repeatedly called for the establishment of national mechanisms for implementation, reporting and follow-up (NMIRFs) in order to allow for a coordinated approach to reporting to, and engaging with, international and regional human rights mechanisms, and to implementing the UK's human rights obligations. There is no 'one size fits all' approach to such mechanisms, but they should be a permanent body and include the departments responsible for specific policy areas. They could also include representatives from other relevant public bodies, parliament and the judiciary, as well as engaging

¹ <https://lib.ohchr.org/HRBodies/UPR/Documents/Session27/GB/UKHCLetter.pdf>. For further information see: https://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_Study.pdf and https://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf.

national human rights institutions and civil society.

During the evidence session on CEDAW, we highlighted the international best practice being developed in other countries with regards to such mechanisms:

- In Belgium there is a team based within the Ministry of Foreign Affairs that coordinates treaty reporting and provides oversight on follow-up to recommendations, which are clustered thematically. It brings together human rights focal points in all government departments and throughout devolved administrations. The Group meets every six months
- In Portugal, there is an inter-ministerial National Human Rights Committee with the aim of taking an integrated approach to designing human rights policies and implementing UN human rights obligations
- Other states, such as Germany, have recently committed to setting up a NMIRF
- In November 2018, the Scottish Parliament's Equality and Human Rights Committee recommended, as an immediate priority, the establishment of a 'Scottish mechanism for implementation, reporting and follow up, modelled on the NMIRF's recommended by the UN'²

In the absence of an NMIRF in the UK, it is highly likely that some of the UN's recommendations will not be acted upon. There is also the risk of conflicting or piecemeal approaches, particularly where recommendations involve issues that cut across departments, when one body does not have oversight.

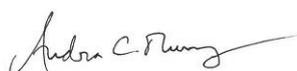
The Commission currently convenes a quarterly Treaty Monitoring Working Group with the representatives from all departments with responsibility for coordinating treaty reporting activity. Whilst this provides a forum to share information on reporting activity, it is not a substitute for a government owned mechanism. The Commission is also developing an online database that will collate all of the UN's recommendations to the UK and include information on progress of implementation. This tool will help make the UK's human rights recommendations more accessible, transparent and help track progress. This tool could be used by NMIRF as a means of monitoring and updating on progress.

We thank you once again for scrutinising the UK's implementation of this important area of international human rights law. We very much hope that you

² Scottish Parliament (2018) Equalities and Human Rights Committee. Getting Rights Right: Human Rights and the Scottish Parliament

will share your unique perspective with the UN CEDAW Committee, and that you will consider raising these timely and pertinent questions, on civil society engagement and on implementation and follow-up, to government directly. We remain concerned that there is insufficient government commitment to engagement with CEDAW, and a lack of an overall government strategy for international treaty processes.

Yours sincerely,



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