

**REPORT  
OF THE COMMITTEE  
ON THE  
ELIMINATION OF DISCRIMINATION  
AGAINST WOMEN**

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**(Seventh session)**

**GENERAL ASSEMBLY**

OFFICIAL RECORDS: FORTY-THIRD SESSION

SUPPLEMENT No. 38 (A/43/38)



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New York, 1988

**NOTE**

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LETTER OF TRANSMITTAL

I have the honour to refer to article 21, paragraph 1, of the Convention on the Elimination of All Forms of Discrimination against Women, according to which the Committee on the Elimination of Discrimination against Women, established pursuant to the Convention, "shall, through the Economic and Social Council, report annually to the General Assembly of the United Nations on its activities".

The Committee on the Elimination of Discrimination against Women held its seventh session from 16 February to 4 March 1988. It adopted parts of the report of that session at its 130th and 131st meetings held on 4 March 1988. The rest was finalized by the Secretariat, after having received the comments of the members, in close consultation with the Rapporteur, as agreed upon by the Committee at its 131st meeting. The report is herewith submitted to you for transmission to the General Assembly at its forty-third session.

Accept, Sir, the assurances of my highest consideration.

(Signed) Désirée BERNARD  
Chairperson of the  
Committee on the Elimination of  
Discrimination against Women

His Excellency  
Mr. Javier Pérez de Cuéllar  
Secretary-General of the United Nations  
New York

## I. INTRODUCTION

### A. States parties to the Convention

1. On 16 February 1988, the opening date of the seventh session of the Committee on the Elimination of Discrimination against Women, there were 94 States parties to the Convention on the Elimination of All Forms of Discrimination against Women, which was adopted by the General Assembly in its resolution 34/180 of 18 December 1979 and opened for signature, ratification and accession in New York on 1 March 1980. In accordance with article 27, the Convention entered into force on 3 September 1981.

2. A list of States parties to the Convention is contained in annex I to the present report.

### B. Session of the Committee

3. The Committee on the Elimination of Discrimination against Women held its seventh session from 16 February to 4 March 1988 at United Nations Headquarters, New York. The Committee held 28 (104th to 131st) meetings.

4. The seventh session of the Committee was opened by the Chairperson, Ms. Désirée Bernard (Guyana), who welcomed the members. In her address, the Director of the Branch for the Advancement of Women gave a summary of the Committee's main activities during the seven years of its existence. She welcomed Ms. Pudjiwati Sayogyo of Indonesia who would replace the late Ms. Ida Soekaman upon approval of the Committee. As part of the overall plan to increase the efficiency and effectiveness of the United Nations in consequence of the financial crisis and in an effort to concentrate all the units with similar functions in one place, the United Nations Office at Vienna had been designated the focal point for social progress and development questions. The Branch for the Advancement of Women was a part of the Vienna Office. It had therefore been separated from the Department of International Economic and Social Affairs. She also mentioned the concerns expressed by the Advisory Committee on Administrative and Budgetary Questions at the cost of servicing the Committee, which could be reduced if the Committee met at the established headquarters of its substantive unit, which was Vienna. She drew attention to General Assembly resolution 42/60 of 30 November 1987, by which the Assembly had invited the Committee to review the current practice and consider holding future sessions at Vienna and had pointed out that adequate servicing of the Committee was easier at Vienna because the secretariat could draw on the full substantive, technical and secretarial resources of the Branch.

5. The Director informed the Committee of the communications which had been exchanged, following its own suggestions, between its Chairperson and some States parties whose reports did not fully comply with the general guidelines and regretted that some of the additional information requested had not reached the secretariat on time. She also mentioned the useful background information provided by specialized agencies in response to an invitation of the secretariat made pursuant to decision 2 adopted by the Committee at its sixth session. 1/

6. She further mentioned the decision of the General Assembly in its resolution 42/60 that no action be taken on decision 4 adopted by the Committee at its sixth session. 1/

7. The Director underscored the encouraging progress in ratifications of or accessions to the Convention. The States were thus following the continuous impulse given in many resolutions of the Economic and Social Council and the General Assembly, most recently in Council resolution 1987/3 of 26 May 1987 and General Assembly resolution 42/60. Such a positive development had as a corollary the increasing number of reports waiting to be discussed. A rationalization of the Committee's procedures had, consequently, become a necessity. The Director informed the Committee of the invitation expressed by the General Assembly and Economic and Social Council to make appropriate suggestions to that end to its subsequent session, through the Council. By the end of January the secretariat had received 55 initial and 12 second periodic reports. As at the same date, 36 initial and 36 second periodic reports were still outstanding.

8. Following a request expressed by the General Assembly and the Economic and Social Council concerning public information activities relating to the Committee and the Convention, the Director enumerated certain undertakings of the Branch such as the regular dissemination of Committee-related documents in the Branch's computerized bibliographic information system on women, and the dedication to the activities of the Committee of special issues of Women News. She further related publicity activities undertaken by non-governmental organizations and women's groups.

9. Seminars within the framework of the advisory services for the advancement of women were foreseen in the programme budget for 1988-1989 to assist national institutions that needed it in meeting their reporting obligations under the Convention. Two such seminars would be held at the invitation of the Governments of Greece and the Union of Soviet Socialist Republics.

10. At its 112th meeting, the Director-General of the United Nations Office at Vienna addressed the Committee on the Elimination of Discrimination against Women. She regretted not being present at the beginning of the session because of official duties in Vienna as Co-ordinator of the United Nations Drug Control Activities and Secretary-General of the Eighth United Nations Congress on the Prevention of Crime and Treatment of Offenders. She congratulated the Committee on its thoroughness and thoughtfulness and for having developed a favourable atmosphere for overseeing compliance with the Convention.

11. In addition to ensuring greater equality between men and women, the Convention's implementation, she stated, had important implications for international social policy. Social progress could not be realized without the advancement of women to full equality. The Convention was both a pronouncement of global social policy and an international legal instrument. Moreover, it was a milestone of the United Nations Decade for Women; a product of the atmosphere of advocacy that characterized the Decade. It was one of the most extensively ratified international instruments with 94 States having either ratified or acceded to it. The Convention would only achieve its promise, however, if States convert its principles into national policy and procedure.

12. The Committee contributes to the implementation of the Convention by monitoring progress of States parties. It could be said that the Committee engages in the task of safeguard inspection and in so doing promotes policy formulation to advance the status of women. It also helps catalyse efforts of Governments by calling attention to new developments of more general application.

13. The Director-General pointed out that the United Nations Secretariat benefited from the work of the Committee by using the material presented in the national reports of States parties in reviewing experience world wide. Moreover, the Committee's general recommendations were used as a basis for establishing priorities for research and analysis.

14. She noted that there were a number of overdue reports. She also wished that more States could be convinced to ratify the Convention. There were certainly reasons for non-ratification. For some it could be the fear that provisions of the Convention might challenge a national law. For others, international conventions once ratified became part of domestic law. For others, it might be the concern with the precedent which an international review could bear on national practice. She, however, was hopeful that the careful and insightful work of the Committee would convince them there were positive benefits to be derived from ratification. The Director-General concluded that it might not be unimaginable to aspire to accomplishing by the year 2000 what no other international Convention has yet achieved: ratification by all Members of the United Nations.

15. At the 121st meeting, on 26 February 1988, a member suggested that the Co-ordinator on the Improvement of the Status of Women in the Secretariat should be allowed to make a statement in order to brief the experts on the progress made and the measures adopted by the Organization for the advancement of women.

16. At the 125th meeting, the Co-ordinator thanked the experts for the renewed invitation to address the Committee and provided them with an overview of the present situation of women in the Secretariat of the United Nations. She recalled that in 1986 she had briefed the Committee on the plans foreseen and had noted their concern on the implementation of article 8 of the Convention, which addressed the opportunity of women to represent their Government and enter the International Civil Service. Essential and special measures had been proposed and approved by the Secretary-General during the last two years, their implementation however, had lagged behind, owing mainly to the serious financial crisis confronted by the Organization and the subsequent recruitment freeze.

17. Despite the recruitment freeze, concrete progress was achieved in appointing women to senior levels. In the span of two years, from 30 June 1985 to 30 June 1987, the percentage of women appointed to posts subject to geographical distribution rose by 2.6 per cent from 23.1 per cent to 25.7 per cent. During that period, two women were appointed to the Under-Secretary-General level and some improvements were also made in levels P-5 to D-2. Since then there had been additional appointments of women at the D-2 and other senior levels. The rate of promotion of women in the Secretariat had been significantly improved because of the special measures taken by the Secretary-General.

18. In spite of the recruitment freeze and the financial crisis, she declared that she was deeply committed to the General Assembly's target of 30 per cent women representation by 1990 in the posts subject to geographical distribution. No process of change was devoid of controversy, however, even in the midst of the

worst financial crisis that the Organization has ever had, it was noticed that the questions of the status of women had not been excluded, nor overlooked.

19. In this context, special attention seemed to be required during the unavoidable transitional period between plans proposed and action taken to monitor and assess the progressive impact on the status of women in the United Nations Secretariat by the following: retrenchment and reduction in posts and programmes; the vacancy management and redeployment system; and the role of training among others in the emerging structure.

20. The Committee thanked the Co-ordinator for the very lucid briefing she had given the Committee. The problem outlined by her was familiar to many of the experts who, since 1973, had been concerned by the status of women in the United Nations system. It was necessary to continue to share information and to recognize that one of the factors which made the number of women in the Secretariat so low was that decisions on candidates were made by Governments and Secretariat male staff often without considering possible female candidates or informing them.

21. The Committee had examined many reports and it had reflected on how few women ambassadors there were and how seldom satisfactory answers were given for this obvious absence.

22. It was also pointed out that there seemed to be discriminatory provisions in the United Nations regarding the recruitment of women in peace-keeping forces, and the case of women wishing to serve in Cyprus with the Swedish Voluntary Forces was mentioned.

#### C. Attendance

23. At the commencement of the session, 19 members of the Committee were present. Ms. Maria Margarida Salema arrived on 18 February, Ms. Alma Mongenegro de Fletcher on 19 February and Ms. Aida González Martínez on 24 February 1988.

#### D. Filling of a casual vacancy on the Committee

24. At the 104th meeting, on 16 February 1988, the appointment of Ms. Pudjiwati Sayogyo of Indonesia, who had been nominated by her Government to replace the late Ms. Ida Soekaman, was approved by the Committee by acclamation. Thereupon, she made the solemn declaration provided for under rule 10 of the Committee's rules of procedure.

#### E. Agenda

25. The Committee considered the provisional agenda (CEDAW/C/16) at its 104th meeting. The agenda was discussed and adopted as follows:

1. Adoption of the agenda and other organizational matters.
2. Approval of the filling of a casual vacancy on the Committee.

3. Sessions of the Committee.
4. Action taken by the General Assembly at its forty-second session on the annual report submitted by the Committee on the Elimination of Discrimination against Women.
5. Consideration of reports submitted by States parties under article 18 of the Convention.
6. Status of submission of reports by States parties under article 18 of the Convention with regard to the Committee's future work.
7. Ways and means of implementing article 21 of the Convention.
8. Adoption of the Committee's report on its seventh session.

## II. ORGANIZATION OF WORK

### A. Working groups

26. At its 104th meeting, on 16 February 1988, the Committee discussed the membership and terms of reference of its two working groups. It decided that the membership of the working groups should be kept flexible and that their meeting times and places would always be announced in advance. In order to maintain continuity of membership, the composition of the groups should remain the same throughout the session.
27. Replying to a question of an expert concerning the mandate of Working Groups I and II, the Secretary of the Committee referred to rule 50 of the Committee's rules of procedure 2/ and to General Assembly resolution 41/108 of 4 December 1986, on the basis of which the Committee had decided at its sixth session to establish two standing working groups, Working Group I to consider and suggest ways and means of expediting the work of the Committee and Working Group II to consider ways and means of implementing article 21 of the Convention. She drew attention to a number of issues that could be dealt with by Working Group I. The Committee could follow, on a trial basis, the procedures established by the Committee on Human Rights for considering second periodic reports. In that respect, the Secretariat had analysed the information contained in the initial and second periodic reports of Hungary and Sweden and the summary records of the sessions during which the initial reports of those two States parties had been discussed. The analysis would be distributed to the experts to allow them to identify the issues that should be discussed with the representatives of the reporting States. Working Group I could prepare a list of issues that, after discussion and agreement by the Committee, could be transmitted to the representatives of Governments to allow them to prepare replies before the meeting. The members were also informed of the availability of all further initial and second periodic reports of States parties that awaited consideration so that the working group could decide which reports should be discussed at the eighth session.
28. The Secretary drew the attention of the Committee to the meeting of persons chairing the treaty bodies, which was being convened at Geneva in October 1988 in pursuance of General Assembly resolution 42/105 of 7 December 1987. In view of the fact that the term of office of the Chairperson of the Committee expired on 7 March 1988, when new elections would be held, the Committee would need to decide, based on a proposal by Working Group I, who should be its representative at that meeting. Furthermore, she said that the Committee had been invited by the General Assembly, in its resolution 42/60 of 30 November 1987, to discuss the venue of future meetings and to make suggestions to the Assembly on how to improve its methods of work.
29. The members of Working Group I were:
- Ms. Mervat Tallawy (Egypt) (Co-ordinator)
  - Ms. Marie Caron (Canada)
  - Ms. Elizabeth Evatt (Australia)
  - Ms. Aida González Martínez (Mexico)

Ms. Guan Mingqian (China)  
Ms. Rose Ukeje (Nigeria)  
Ms. Margareta Wadstein (Sweden) (Rapporteur)

30. The members of Working Group II were:

Ms. Kongit Sinegiorgis (Ethiopia) (Co-ordinator)  
Ms. Ivanka Corti (Italy)  
Ms. Ruth Escobar (Brazil)  
Ms. Chryssanthi Laiou-Antoniou (Greece)  
Ms. Edith Oeser (German Democratic Republic)  
Ms. Lily Pilataxi de Arenas (Ecuador)  
Ms. Maria Margarida Salema (Portugal)  
Ms. Pudjiwati Sayogyo (Indonesia)  
Ms. Hadja Assa Diallo Soumare (Mali)  
Ms. Esther Veliz Diaz de Villalvilla (Cuba)

#### B. Working Group I

31. At the 115th meeting, on 23 February, the co-ordinator of Working Group I informed the Committee that the Working Group had held two meetings and considered the following matters:

- (a) The grouping of questions by the order of the articles of the Convention;
- (b) The reporting period of States parties;
- (c) The need to expedite the procedures of the Committee;
- (d) The reports to be discussed at the Committee's eighth session;
- (e) The issue of supplementing the general guidelines and reviewing articles of the Convention;
- (f) The extension of time available for the Committee's future sessions;
- (g) The method of considering second periodic reports;
- (h) The question of guidelines for the preparation of second and subsequent periodic reports;
- (i) The assistance to be given to States parties in preparing second and subsequent periodic reports;
- (j) The amount of time during which the working groups should meet at future sessions;

(k) Reports of specialized agencies;

(l) The meeting of the persons chairing the treaty bodies, to be held at Geneva in October 1988 pursuant to General Assembly resolution 42/105;

(m) A statement of the Committee with reference to General Assembly resolution 42/60, paragraph 9.

32. In order to expedite the work of the Committee, the Working Group invited the Committee to co-operate in the following proposals:

For initial reports:

(a) Members should come to the session having studied the reports for the first two days of the session;

(b) On the opening day each member would be invited to nominate on forms such as those presently used:

(i) Up to four articles, in respect of which the member would be invited to be a co-ordinator of questions;

(ii) Up to three States parties, in respect of which the member would like to be a co-ordinator of general comments;

(c) After those nominations were made, the groups for each article should meet briefly to nominate two members to act as co-ordinators for that article; the role of co-ordinators would be to put the first questions;

(d) The Committee should also nominate the co-ordinators of general comments for each State on a rotating basis. The co-ordinators would make the first comments;

(e) When the report of each State party was considered, the Chairperson would call on the co-ordinators of general comments to speak first; under each article, the co-ordinators for that article would be called on first;

(f) Members would be free to give their questions and comments to the co-ordinator or to ask them separately as presently.

For second and subsequent periodic reports:

(a) Members should come to the session with prepared questions in respect of second and subsequent periodic reports. Those questions would be compiled and sent to the States parties in accordance with the agreed trial procedure. The Secretariat would prepare preliminary material;

(b) Time should be provided on the first two days of the eighth session for working groups to meet to compile questions suggested by members for the States parties whose second and subsequent periodic reports were to be considered at that session. Two periods of two hours were suggested. The Committee may need to consider at its eighth session whether working groups should meet prior to the session as in the case of the Committee on Human Rights;

(c) The above proposals did not limit the right of any member to put any question to any State party. They were aimed at shortening the time for questions.

Other proposals to consider were:

- (a) Reducing the time for the introductory statements to 15 to 20 minutes;
- (b) Reducing the time for general comments.

33. At the 127th meeting, on 2 March, the Co-ordinator presented the final report of the Working Group, which was adopted by the Committee at its 129th meeting, on 3 March.

34. During the general discussion, different proposals and amendments were made. Experts debated the feasibility of establishing time-limits for questions asked by the experts as well as the introduction by States parties to their reports. The Committee also discussed different modalities of co-ordinating questions, for example, by selecting spokespersons for each article.

35. With regard to the reports to be considered at the Committee's eighth session, the Working Group suggested that 10 initial reports and 4 second periodic reports should be discussed during a session of two weeks. As the initial and second periodic reports of Honduras would be available for discussion, the reports of 13 States parties could thus be considered at the eighth session. Once the Committee had decided on a number of reports to be discussed, it would have to decide on the amount of time it needed. It was suggested that no more than three hours should be allocated to the introduction of the report of each State party and the questions and replies.

#### C. Action taken by the Committee on the report of Working Group I

36. With regard to the Committee's reporting system, the Committee took into account the following matters:

(a) General Assembly resolution 42/60 and, in particular, paragraphs 11 and 12;

(b) The report of the Third Committee of the General Assembly on reporting obligations of States parties to United Nations conventions on human rights (A/42/807) and in particular General Assembly resolution 42/105, paragraph 4, dealing with the meeting of the persons chairing the treaty bodies to be held at Geneva in October 1988 in relation to the reporting system;

(c) General recommendation 2, adopted by the Committee at its sixth session in 1987, concerning reporting obligations. 3/

37. In view of the above, the Committee agreed:

(a) That priority should be given to the consideration of initial reports and that the current guidelines be observed;

(b) That second periodic reports should be considered in accordance with the guidelines and methods approved by the Committee for use at its current session.

38. At the 123rd meeting, on 29 February, the Committee agreed that the following initial reports should be discussed at the Committee's eighth session during a three weeks' session:

CEDAW/C/5/Add.44	Honduras
CEDAW/C/5/Add.45	Romania
CEDAW/C/5/Add.46	Turkey
CEDAW/C/5/Add.47	Ireland
CEDAW/C/5/Add.50	Equatorial Guinea
CEDAW/C/5/Add.51	Thailand
CEDAW/C/5/Add.52	United Kingdom of Great Britain and Northern Ireland
CEDAW/C/5/Add.53	Belgium
CEDAW/C/5/Add.54	Gabon
CEDAW/C/5/Add.55	Nicaragua
CEDAW/C/5/Add.56	Finland

39. The Committee also agreed that three of the following second periodic reports should be considered at the Committee's eighth session during a three weeks' session:

CEDAW/C/13/Add.3	German Democratic Republic
CEDAW/C/13/Add.4	Union of Soviet Socialist Republics
CEDAW/C/13/Add.5	Byelorussian Soviet Socialist Republic
CEDAW/C/13/Add.9	Honduras

40. It was mentioned that five more second periodic reports were pending discussion.

41. As far as the length of sessions was concerned, it was pointed out that some members might find it difficult to be away from their places of work for a duration of three weeks and that by rationalizing its procedures the Committee might be able to accommodate more reports in a shorter period of time. If an extension of the session was granted, the Committee would be able to examine 12 initial and 3 second periodic reports. If the extension was not granted, the Committee would be able to examine only eight initial and two second periodic reports. In such a case, the consideration of the initial reports of Belgium, Finland and the United Kingdom of Great Britain and Northern Ireland would have to be deferred to the ninth session in 1990. Referring to the Committee's request at its sixth session, addressed to the Economic and Social Council, for a longer session in 1988 and to the statement on financial implications thereof, 4/ and bearing in mind the financial implications involved, the Committee agreed to repeat its request for eight additional meetings in 1989 at Vienna in order to reduce further the backlog of reports awaiting consideration. A draft suggestion was circulated by way of correspondence among the members of the Committee (see sect. V of the present report, suggestion 1, para. 2). One member, however, said she wanted the Committee to meet for only a two weeks' session in 1989.

42. The Working Group had looked at the reports pending consideration and advised the Committee that some reports might need further supplementary material. At the 123rd meeting, on 29 February 1988, it was decided to follow the procedure adopted at the sixth session, namely, that the Chairperson should address a letter on behalf of the Committee to the States parties concerned and request that additional information should be sent to the Secretariat not later than three months prior to the session during which the reports were considered. In addition, States parties

should also be informed that, if the material did not arrive in time for translation or distribution, the Committee might decide not to consider the report of that State party until a later session.

43. A list of draft questions suggested by the Working Group for dealing with the second periodic reports of Hungary and Sweden was circulated. It was suggested that those questions should be transmitted to the representatives of the two States parties before the meetings at which their reports were scheduled to be discussed, following the example set by the Committee on Human Rights at Geneva. While some members were in favour of such a procedure because it would reduce the time necessary for dealing with second periodic reports, others thought that it was premature to adopt such a procedure and that the Committee should first acquire some experience in dealing with second periodic reports. Some experts pointed out that it was very important for the Committee to be flexible and to have a real dialogue with the representatives of States parties rather than to merely submit a list of questions. It was also noted that, if the Committee adopted the new procedure, the experiences gained would be a good basis for the discussions of the persons chairing the treaty bodies at the forthcoming meeting at Geneva. Some experts stated that the main purpose of second periodic reports was to present the overall situation of the status of women in a country since the time of the submission of the initial report; therefore, some very general questions would be indispensable. It was appreciated that the Secretariat had compiled a comparative analysis of the initial and second periodic reports of the two countries indicating which questions raised at the Committee's sessions had been answered by the representatives of States parties or by the reports. As the majority of the members was in favour of experimenting with the new procedure, it was agreed to adopt it on a trial basis.

44. The Committee agreed to be flexible in examining reports by taking due account of the different cultural and socio-economic systems of the countries. The experiment carried out by the Committee in regard to the consideration of second periodic reports had been very fruitful and saved time.

45. The Committee also agreed that specific guidelines should be submitted to Governments for the submission of second and subsequent periodic reports. The guidelines, which would expand the guidelines contained in the Committee's report on its sixth session, 5/ are contained in annex IV of the present report.

46. At the 125th meeting, on 1 March, the Co-ordinator of the Working Group reported that the Group had considered other areas of concern to the Committee such as increased participation of specialized agencies and non-governmental organizations in the Committee's work; increased interaction between the Committee and the Commission on the Status of Women; and the preparation of initial reports by States parties. It was felt that the Secretariat should investigate possibilities for increased assistance to countries in the preparation of initial reports, perhaps through the Department of Technical Co-operation for Development. The Committee might also wish to consider whether it would require additional assistance from the specialized agencies.

47. Replying to a question of an expert, the Secretary of the Committee stated that specialized agencies were sent all documents issued for and by the Committee and that a great number of non-governmental organizations as well as national research institutions received the documents of the Committee. Specialized agencies were invited, in accordance with the Convention, article 22, and the

Committee's rules of procedure, rule 52, to attend the sessions of the Committee. The Secretary-General circulated quarterly a calendar of all meetings within the United Nations system to permanent missions to the United Nations, and non-governmental organizations were informed of such meetings by their offices located at United Nations Headquarters and at the United Nations Offices at Geneva and Vienna. With regard to the Commission on the Status of Women, the members of the Committee received all documents submitted to the Commission that were considered relevant to the work of the Committee.

48. At its 130th meeting, on 4 March, the Committee decided to invite specialized agencies for further co-operation. Recalling the provisions of article 22 of the Convention and its previous decision relating to the assistance provided by specialized agencies in its work, considering the important role of the specialized agencies in the implementation of the Convention, and welcoming the contributions from the United Nations Educational, Scientific and Cultural Organization (UNESCO), the Food and Agriculture Organization of the United Nations (FAO) and the International Labour Organisation (ILO), it invited the specialized agencies:

(1) To continue providing information within the framework of the Committee's agenda;

(2) To provide information on specific activities undertaken in areas falling within the scope of their activities in order to ensure broader dissemination of the Convention;

(3) To undertake activities to ensure broader implementation within their spheres of competence

and also invited specialized agencies and non-governmental organizations to follow the work of the Committee.

49. At its 115th meeting, on 23 February, the Committee discussed who should represent it at the meeting of persons chairing treaty bodies, considering that the term of office of the present Chairperson expired on 7 March 1988, the date of the 4th meeting of States parties, when new elections would be held. Several experts suggested that the current Chairperson should attend the meeting on behalf of the Committee if she were re-elected and, if not, that she should designate one of the members of the Committee resident in Europe to represent the Committee. The Director of the Branch for the Advancement of Women said that the Committee should first decide on the comments and observations it would like to make at the meeting and then agree on its representative. It should also take into account the financial constraints of the Organization, which might make it difficult to finance the trip. That explanation was followed by a discussion among the members of the financial implications of General Assembly resolution 42/105 and of the source of funding. It was said that the decision as to whom should represent the Committee at the meeting should depend on the budget available to finance the trip. The experts were of the opinion that the Committee was included among the treaty bodies that should be represented at the meeting at Geneva in October 1988.

50. At the 121st meeting, on 26 February, the experts asked whether the financial restrictions applied only to the Committee on the Elimination of Discrimination against Women and asked for the statement on financial implications that had been adopted by the Fifth Committee before resolution 42/105 was adopted by the General Assembly.

51. At the 123rd meeting, on 29 February, the Secretary informed the Committee that no statement of financial implications had been issued in conjunction with General Assembly resolution 42/105. The cost of attending the meeting would have to be absorbed by the regular budget.

52. The Committee, on recommendation of Working Group I and having considered the report of the Third Committee on reporting obligations of States parties to the United Nations conventions on human rights (A/42/807) and General Assembly resolution 42/105 on reporting obligations under United Nations instruments on human rights, and having considered also the draft agenda for the meeting of persons chairing the supervisory bodies, welcomed General Assembly resolution 42/105 and particularly the reaffirmation of the need for adequate resources, including summary records. The Committee supported the objectives of the meeting and the draft agenda and welcomed the fact that the Assembly, in its resolution 42/105, paragraph 11, had requested the Secretary-General to strengthen co-ordination between the Centre for Human Rights and the Centre for Social Development and Humanitarian Affairs of the Secretariat in relation to the implementation of human rights treaties and servicing treaty bodies.

53. With reference to the meeting, the Committee agreed that the Chairperson, or the representative of the Committee, should draw to the attention of the meeting to be held at Geneva the problems and experience of the Committee, including the solutions it has adopted, and to the following matters:

(a) The need to strengthen the secretariat of the Committee in general and especially with regard to technical and legal advice;

(b) The level of servicing provided to the Committee in relation to other treaty bodies;

(c) The ways and means being considered for expediting the work of the Committee and improving the reporting system;

(d) The current delays in submitting initial reports and second periodic reports to the Committee;

(e) The difficulties that some States appeared to experience in fulfilling their reporting obligations, and the need for technical advisory services to assist States parties in fulfilling their reporting obligations. Those services could include regional seminars or training courses organized by the United Nations, its specialized agencies or by States parties, with the assistance of non-governmental organizations that had done work in regard to the Convention;

(f) The possible benefits of an exchange of the information provided by States parties between the treaty bodies and the specialized agencies;

(g) The possible benefits to the Committee from closer liaison with other human rights treaty bodies and with the legal and other services available to such bodies;

(h) The willingness of the Committee to co-operate in compiling general guidelines and lists of articles dealing with related rights.

#### D. Working Group II

54. At the 115th meeting, on 23 February, the co-ordinator of Working Group II informed the Committee that the Working Group had held two meetings and had made the following recommendations:

(a) In the light of the number of reports that had accumulated, the Working Group recommended that the Committee should agree to requesting again additional time for the eighth session;

(b) Members of the Committee should be given enough time to study the report on the present session before adopting it;

(c) The Committee should try to avoid a proliferation of suggestions and general recommendations and give more emphasis to quality than to quantity;

(d) The deadline for submitting proposals for suggestions and general recommendations should be one day after the introduction of the last country report;

(e) The agenda of future sessions should contain an item dealing with suggestions and general recommendations. The item should be referred to as "Implementation of article 21 of the Convention".

Those recommendations were acted upon by the Committee.

55. The Co-ordinator requested the members of the Committee to submit proposals for suggestions and general recommendations as soon as possible. Some experts observed that the work of the Working Group was somewhat handicapped by the lack of interpretation facilities. The general recommendations and suggestions adopted by the Committee are contained in section V to the present report.

56. It was pointed out that, according to the procedure that had been adopted for proposing suggestions and general recommendations, draft general recommendations or suggestions were kept on the Committee's records and their adoption could be deferred to a subsequent session.

#### E. Venue of future sessions

57. With regard to the question of holding future sessions of the Committee at Vienna, experts pointed out that it appeared from the Committee's report on its sixth session, annex V, that the difference in cost between holding meetings at Vienna or in New York amounted only to \$US 900. <sup>6/</sup> Such a negligible difference would not strain the budget of the United Nations. It was also pointed out that the services provided to the Committee by the Secretariat were not adequate in Vienna also. Furthermore, the holding of sessions at Vienna only would impose a hardship on developing countries as most of the permanent missions were located in New York but not in Vienna; therefore, a number of States parties had no supporting staff at Vienna. It was also stressed that the Committee's work was given more publicity in New York, generating awareness and goodwill for the Committee and its work. It was noted that the Committee on Human Rights alternated its three yearly meetings between Geneva and New York. Consequently, the matter should be referred to the forthcoming meeting of States parties, and it was not absolutely necessary to take a decision on that issue at the present session. The matter could also be

deferred to the eighth session at Vienna. Furthermore, in order to enable the Committee to establish a closer relationship with other treaty bodies and to have access to legal advice and assistance, consideration might be given to holding some sessions at Geneva. At its 130th meeting, on 4 March 1988, the Committee agreed not to depart from its previous practice and to hold sessions alternately in New York and at Vienna (see sect. V, general recommendation No. 7, para. 2).

#### F. Other business

58. At its 109th meeting, on 18 February 1988, the Committee took note of a letter dated 1 July 1987 from the Permanent Representative of France to the United Nations addressed to the Secretary-General (A/42/383). At its 129th meeting, on 3 March, the Committee, bearing in mind the discussions held at the sixth session, agreed that its usual practice would be, according to the Convention, article 21, to address general recommendations to States parties, and to address suggestions to the Economic and Social Council or other organs and bodies of the United Nations. Decisions concerning the conduct of business of the Committee as laid down in its rules of procedure, chapter VII, should be included in the body of the report.

59. Comments were made regarding the technical and legal support staff required by the Committee. It was agreed that the staffing situation of the Secretariat was inadequate. The Rapporteur explained that she had been working well beyond her duties, often typing papers herself. She stated that such a situation was unacceptable. The Committee was a treaty body and as such required human resources to service it.

60. The Secretary explained that the substantive secretariat for the Committee consisted of only two Professional staff members, whose duties included not only carrying out the work required under the subprogramme entitled "Analyses of the rights and status of women", but also the preparation of certain reports to be submitted to the Commission on the Status of Women and the arrangement of seminars under the advisory services programme. Owing to the financial situation of the United Nations, no funds had been approved for the travel of secretarial staff from Vienna to New York or for overtime for the two temporary General Service staff members hired to service the Committee in New York. In addition, the Secretary pointed out that the limited number of staff also had to be seen in the overall context of the staff situation in the Branch for the Advancement of Women.

61. It was pointed out that the Committee had become one of the corner-stones for the advancement of women. More countries were ratifying the Convention, and that alone justified the strengthening of its secretariat. It was suggested that the Committee should strengthen its relationship with the Centre for Human Rights at Geneva in order to benefit from the experience and expertise of other bodies that were carrying out similar tasks.

62. The Committee was very concerned about the lack of support given to it by the Secretariat. It took the view that the secretarial servicing as well as technical and legal assistance, documents processing and translation services were not adequate. At the 129th meeting, on 3 March 1988, it was agreed that its Chairperson should bring the matter to the attention of the informal meeting of States parties, which would precede the 4th meeting of States parties. At the 130th meeting, on 4 March, the Chairperson reported to the Committee that her presentation had been very well received. Grave concern was expressed, she said,

that the Committee was not treated on a par with other human rights treaty bodies in terms of staff support and the servicing of meetings. The informal meeting of the States parties had moved to summon a representative of the Secretary-General from the Administration as well as the Director of the Branch for the Advancement of Women to appear before the 4th meeting of States parties to explain why adequate services were not available to the Committee. The Chairperson had been invited to appear again before the meeting of States parties in order to explain the situation.

63. The Committee expressed appreciation to its Rapporteur and also to its Secretary for having carried out their tasks with such dedication.

III. ACTION TAKEN BY THE GENERAL ASSEMBLY AT ITS FORTY-SECOND  
SESSION ON THE ANNUAL REPORT SUBMITTED BY THE COMMITTEE

64. At its 117th and 119th meetings, on 24 and 25 February 1988, the Committee discussed in closed meetings paragraph 9 of General Assembly resolution 42/60, and in this regard considered the text of a statement, which had been prepared by Working Group I, and agreed on the following text, which was adopted at the 121st meeting, on 26 February:

"1. The Committee took note of General Assembly resolution 42/60 of 30 November 1987, entitled 'Convention on the Elimination of All Forms of Discrimination against Women', and in particular welcomed paragraph 3 thereof, which emphasizes 'the importance of the strictest compliance by States parties with their obligations under the Convention'.

"2. In connection with paragraph 9 of that resolution, and having considered the views expressed by delegations at the first regular session of 1987 of the Economic and Social Council and in the Third Committee of the General Assembly at its forty-second session, the Committee of independent experts wished to clarify the context in which decision 4 was reached.

"3. It was to be recalled that the reports and replies of some States parties had referred directly or indirectly to Islamic religion, traditions and customs as a source of or influence on laws relating to the status of women.

"4. Therefore, the Committee, in order to carry out its duties under articles 17 and 21 of the Convention, sought the studies contained in decision 4. In so doing, there was no intention to criticize any religion or State."

65. One expert expressed reservations on the contents of the statement.

66. In order to explain the reasons for having taken up decision 4 at the Committee's sixth session, one expert produced and played for the benefit of the Committee a tape-recording of the debates that had taken place during the session at which decision 4 had been reached. From the tape-recording it could be heard that the expert referred to Islam as providing more rights to women than was reflected in the reports of some States parties. She, therefore, had proposed the study in order to compile these rights and make this information available to the Committee. In submitting draft decision 4, another expert had stated that the Committee felt very uncertain about considering reports from countries where there was reference to Islamic laws, owing to the lack of knowledge on this matter among the members of the Committee. Thus the Committee would welcome further information in order to gain a better insight of Islamic law and customs to enable it to fulfil its task. The Director of the Branch for the Advancement of Women had welcomed that suggestion and said that such a study, which could be carried out by the United Nations, specialized agencies or the Organization of the Islamic Conference, could show very clearly the development of the status of women in Islamic society, taking into account that the Islamic religion was originally one of the most progressive religions as regards the status of women.

67. In answering some of the views expressed in both the Economic and Social Council and the General Assembly and in order to clarify the situation further and

to remove any doubt as to the intention of the Committee in recommending decision 4, one expert commented that the intention of the Committee was totally misinterpreted on this matter as no criticism of this religion had been made during the last session; on the contrary, the discussions as well as the idea of the study were to demonstrate the rights provided by the Islamic religion. The Committee was fully aware that it was not within its competence to discuss the content of any religion or criticize it. If the request for the study singled out one religion it was because Islam was considered as a source of legislation in several countries and, moreover, that religion had provided more rights to women than the other religions; yet it was the least understood by many owing to, inter alia, misinterpretation or confusion of the religion with social traditions or language problems.

68. The issue of decision 4 had not arisen in relation to one country only but in relation to a number of reports, since Islam was the religion of all or part of the population of several countries. It had given to women many rights and privileges; but as a result of deeply rooted customs, women did not benefit from these rights. Under Islam a woman had the right to dispose of property and to maintain her maiden name. If those details were not mentioned in country reports, the overall situation of women could not be fully understood.

69. The Committee could request such information from Governments. However, as it affected many countries, the Committee believed that it could ask the United Nations to supply that information since the Organization was in continuous contact with Governments and could ask them to provide the necessary data. In consultation with the appropriate religious authorities, the study was to be a compilation of religious texts dealing with women's rights under Islam, taking into consideration the principle of El Ijtihad. There was no intention to request a new interpretation of the Islamic religion.

70. The expert said that she was astonished by the extent of misunderstanding that had arisen in the Economic and Social Council and the General Assembly over the Committee's request. It was suspected that the reasons for the misunderstanding were that the report and the summary records did not reflect accurately the Committee's discussions. The summary records were not available until after the end of the Committee's session, thus they could not be consulted by members of the Committee. And, at the time of the Council's first session of 1987, the report had not undergone final editing for lack of funds. Moreover, during the Committee's session, there had been no conflict on this issue between the members of the Committee and the representatives of Bangladesh or Sri Lanka. The consideration of their reports had been carried out in mutual respect and understanding.

71. The expert considered that the establishment of treaty bodies such as the Committee was a positive achievement for the United Nations and even more so for the States Members who allowed the setting-up of such bodies. She hoped that co-operation and mutual respect would always prevail between the members of the Committee and the Economic and Social Council and the General Assembly regardless of differences in views.

IV. CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES  
UNDER ARTICLE 18 OF THE CONVENTION

A. Introduction

72. The Committee considered item 5 of its agenda at its 105th to 127th meetings, held from 16 to 19 February, from 22 to 26 February and from 29 February to 2 March 1988 (CEDAW/C/SR.105-127).

73. The Committee had before it for its consideration 11 initial reports submitted by the Governments of Argentina, Australia, the Dominican Republic, Indonesia, Jamaica, Japan, Mali, New Zealand, Nigeria, Senegal and Uruguay and two second periodic reports submitted by the Governments of Hungary and Sweden.

B. Consideration of reports

1. Initial reports

New Zealand

74. The Committee considered the initial report of New Zealand (CEDAW/C/5/Add.41/Amend.1 and Corr.1) at its 105th, 106th and 109th meetings, held on 16 and 18 February 1988 (CEDAW/C/SR.105, 106 and 109).

75. In introducing the report, the representative of New Zealand explained that the report had been presented in 1986, coinciding with the establishment of the Ministry of Women's Affairs. The Ministry's overriding aim was to assist in bringing about the economic and social conditions for equality between women and men. That, she said, might explain the brevity of the report, and she assured the Committee that subsequent reports would be more comprehensive.

76. She informed the Committee that it was the practice in New Zealand to ratify international conventions only when their provisions were already implemented by New Zealand in law and practice. Therefore, reservations had been entered regarding provisions on maternity leave with pay, recruitment into or service in the armed forces and law enforcement forces and employment of women in underground work. However, there had been some developments since the presentation of the report in 1986, and she wished to inform the Committee about them.

77. Notwithstanding the fact that there were no legal barriers in New Zealand to equality between women and men and although New Zealand women had acquired the right to vote in 1893, in practice the barriers created by tradition, history and structures still existed.

78. However, the Ministry of Women's Affairs was carrying out an analysis of discrimination, women's position in society and the causes of inequality based on studies that had been developed and promulgated by feminists and that were now beginning to be heard and to affect the way policy decisions were being made. The Ministry was about to publish a study entitled "The economic position of women in New Zealand" in that regard. Moreover, in 1986 a Royal Commission on Social Policy had been established, and the Government had recently stated that one of the basic

objectives of the reform programme would be to enhance the social and economic position of women.

79. Liaison persons from all government departments had been appointed in order to assist the Ministry of Women's Affairs to establish a process of accountability whereby government departments would take responsibility for meeting women's needs in their work. The liaison persons would also act on relevant concerns raised with the Ministry by women.

80. Another recent mechanism initiated by the Ministry of Women's Affairs was the preparation of a check-list for use by government departments to provide them with a framework for identifying and developing policies aimed specifically at meeting women's needs. Another recent development was the proposed annual "women's budget statement", which would provide a description and analysis, by portfolio, of the resources that were provided to and for women in New Zealand. That budget would provide an indication of the extent to which the concerns of women were being brought into the mainstream of economic and social planning and policy-making.

81. Regarding New Zealand's reservations to the Convention, new legislation had been passed in mid-1987 which superseded the Maternity Leave and Employment Protection Act of 1980. It was now possible to take 12 months' parental leave (up to 14 weeks' maternity leave at the time of the birth or adoption of an infant), which could be shared between both parents or taken in full by either parent, and two weeks of paternity leave at the time of the birth or adoption of an infant. The employment protection provisions of the 1980 act had been enhanced and extended to fathers. The Royal Commission already referred to would be deliberating in the coming months on a study which, among other things, weighed the possibilities and implications of payments on parental, maternity and paternity leave.

82. She then referred to participation of women in the armed forces. That issue was fraught with ideological ambivalence since women involved in the peace movement had expressed the view that equality of opportunity with men to kill was not a desirable goal, and she admitted that among all the areas where equality was sought, that issue was not a priority. However, the Ministry of Women's Affairs had tackled the problem as an equal-opportunity issue with a view to removing discrimination as, for example, in the employment of women in non-combatant roles and sexual harassment within the armed forces.

83. Protective legislation was a concern to New Zealand, and therefore her Government had formally notified the International Labour Organisation (ILO) in 1987 of its intention to denounce ILO Convention No. 45 on women's employment on underground work in mines. That would enable New Zealand to withdraw its reservation to the Convention.

84. Annexes to the report had been prepared by her Government to update the information which had been originally presented and she made available to the Committee an update covering developments from January 1986 until July 1987. Among those developments were the current priority areas set by the Government such as equal pay for work of equal value or work of comparable worth, recognition of women's unpaid contribution to the economy, violence against women including pornography, women's housing, women's health, child care and the impact on women of the government restructuring of the public sector.

85. Members of the Committee expressed its appreciation and commended the government representative on efforts undertaken by New Zealand in establishing national machineries to promote the advancement of women. The report was also to be commended in its exposure of the obstacles encountered, its honesty and objectivity. It was clear that the Government of New Zealand had moved towards the goals of equality between men and women even prior to the signing and the ratification of the Convention. New Zealand had granted women the right to vote in 1893 and had passed the Women's Parliamentary Rights Act in 1919. However, the Committee expressed its concern at the fact that women's full integration had not been achieved in spite of favourable historical circumstances. The Committee also noted the Government's policy of ratifying international conventions only when provisions were already implemented in law and practice, but regretted that reservations had been entered and expressed the hope that those reservations would soon be lifted. It was asked what steps had been taken to publicize the Convention, how to use it and whether it had been translated for dissemination among the indigenous population. It was further pointed out that New Zealand was taking a pioneering step regarding women's unremunerated work and the system of national accounts and requested information on the work currently under way to develop a methodology for measuring that work.

86. The wish was expressed that, in future reports, the information provided should be consolidated rather than contained in various annexes to the report.

87. The Committee was aware that New Zealand's feminist movement was very active and asked about the participation of women's non-governmental organizations in the preparation of the State party report, and requested more information on current issues being raised or advocated by those organizations, how they were able to influence policy and legislation and linkages between them and the Ministry of Women's Affairs.

88. Members of the Committee welcomed the establishment of the Ministry of Women's Affairs and that its Secretary had cabinet ranking, and asked what was its structure, its budget, and how it related to other government institutions such as the National Advisory Committee on the Employment of Women, the Women's Advisory Committee of the Vocational Training Council and the Equal Employment Opportunity Unit, among others.

89. In reviewing the different laws and other measures that had been introduced over a number of years, information was requested on the still preponderant practice of maintaining sex-segregated schools and on a statement that appeared in the report in reference to the breaking down of class structures and social barriers. It appeared that there were social barriers to be overcome, as for instance, in the provision of child-care facilities which were not widespread and of which, according to the report of the State party, there was a shortage in terms of accommodating children under two years of age. The report, however, did not specify how many hours the child-care centres were open, what percentage of the family income was spent on them or how much they cost per child.

90. It was asked what was the official retirement age for women, and other experts inquired about the situation or difficulties of the Maori women and what in particular had been achieved in that regard. Since aspects of the particular needs of the indigenous population were being attended to by other government agencies, it was asked why there was a special unit in charge of Maori women within the Ministry of Women's Affairs and what its functions were.

91. It was asked if sex discrimination cases were brought to the attention of the Tribunals, whether any such case had been tried, what were the sanctions and whether existing legislation was updated or needed to be revised according to present practice and precedents. It was also asked if members of the court were chosen, if their selection was based on specific merit and competence and what was the gender breakdown of the high court when reviewing discrimination cases. It was further pointed out that problems of Maori and Polynesian women were dealt with in a separate ministerial department and it was asked what the reason for this was.

92. It was recalled that the legislation of New Zealand provided that temporary special measures aimed at accelerating de facto equality could be put into place, and it was asked whether affirmative action policies had been established; whether they were widespread and whether they required prior approval by the Human Rights Commission; if such policies had been approved what were the quotas, or targets; why were they not mandatory; and, in the instances where they had been established, what were the results.

93. The Committee had heard that there existed a men's movement which endeavoured to change sex stereotyping and wondered whether that was in fact correct. It was also asked whether men shared fully the household work and child rearing with women, and more information was requested on child-care facilities. It was further asked whether violence perpetrated against women had been detected and, if so, what steps had been taken to remedy the situation, was it punishable and could women's associations be parties to legal recourse in lawsuits regarding violence. It was also asked whether advertising which exploited women as a sexual symbol had been banned in New Zealand and to what extent efforts had been made to eliminate sex stereotyping both in the work place and in the media. Further details were also sought with regard to the elimination of sexist language.

94. More information was requested on the Domestic Protection Act, and what that law referred to. It was pointed out that there was no information regarding family education programmes although perhaps they might be included in the health education programmes mentioned in the report.

95. Specific reference was made to measures regarding prostitution and it was asked whether prostitution was illegal but not punishable; clarification was sought in that regard.

96. It was pointed out that the participation of women in local and national political life was admittedly low, that a very small proportion of women were found in top administrative and executive positions and that perhaps an analysis had been made of the causes of such slow progress; if so, it should be shared with the Committee. The Committee asked whether voluntary organizations had any views on what the obstacles to achieve political integration were and whether any measures had been taken to increase women's participation in politics. Since the national machinery established in New Zealand was clearly of a multidimensional nature, optimism was expressed for the future, and it was asked if there were safeguards and/or incentives for women to join the political mainstream of the country.

97. The Committee requested information on women's participation in the trade unions, and whether voluntary organizations had a higher percentage of women members and, if so, whether they could participate in formulating policy through such organizations.

98. Members of the Committee requested information on the number of women in the foreign service and in the civil service, since no statistics were provided in the report.

99. In general, it was stated that more statistics would be needed in order to enable the Committee to assess New Zealand's report. For example, it was pointed out that it was difficult to judge whether certain education programmes had had an impact on the population if that impact had not been quantified. On the other hand, if it was accurate that only 40 per cent as many women as men had reached the fourth level of education, it would indicate that a problem existed in attaining higher educational levels. Furthermore it was remarked that it was not clear whether rural women enjoyed the possibility of owning land. It was asked whether there were any groups advocating changes and amelioration of conditions in the rural areas, and how women living in the rural areas could participate in development planning. Were women isolated in rural areas, it was asked. The illiteracy rate of indigenous women was requested. It was asked whether the Women's Ministry was endeavouring to help women to move into non-traditional subjects and professions. It was noted that female apprenticeships had increased in non-traditional skills, which was a positive step.

100. Members of the Committee thought that the report concentrated on action taken to remove obstacles for equal opportunity but that, disproportionately, those steps had not led to equal participation. It was asked what other steps had been taken, besides pamphlets on equal opportunity, to achieve equal participation in education. It was further inquired whether textbooks had been revised to eliminate stereotyping and how equality was dealt with in other areas of education.

101. As regards employment, it was noted that the Health Department had prepared studies with reference to women's work. In addition, it could be seen, as in other industrialized countries, that women sought part-time employment because of their double burden and that job sexual segregation seemed to cause problems with regard to equal pay. It was asked how those problems had been dealt with, whether gender-neutral "job evaluation schemes" had been of use, whether wage differential studies had been carried out, whether cases on wage discrimination based on sex had been raised and, finally, how wages were set and what was the role of the trade unions in wage negotiations.

102. Members of the Committee congratulated the representative for the fact that New Zealand had recently denounced the ILO Convention on underground work for women. It was further asked whether New Zealand had ratified ILO Conventions Nos. 156 and 158 regarding family responsibilities and termination of employment. It was asked whether paternity leave was paid; whether equal opportunities in recruitment and promotion existed and how those factors affected pregnant women. More information was sought on the guidelines on working with lead.

103. It was further noted that the Government of New Zealand had lifted restrictions on the right of women to work at night. Was that, it was asked, in order to ratify the Convention and what was the reaction of women workers and of trade unions to that measure. It was also asked whether ILO Convention No. 45 was really in conflict with the articles of the Convention on the Elimination of All Forms of Discrimination against Women.

104. It was asked whether there were ideological grounds for not paying maternity leave, and whether maternity was considered a social function; and, if there was

protection against dismissal on grounds of pregnancy, was there protection for pregnant women at the time of job application and training. With reference to the introduction of new technologies mentioned in the report, although they were welcomed by members of the Committee, they provoked a feeling of anxiety when they were used to help to keep women at home.

105. Regarding social security, there seemed to be certain discrepancies since the husband continued to be designated as head of household, and it was asked whether any changes were forthcoming on that concept. Clarification was also sought on the "domestic purpose benefits".

106. It was remarked that there seemed to be discrimination against women in legal careers, and it was asked whether any corrective or disciplinary proceedings had been undertaken to correct it.

107. It was commented that the family benefit was paid to the mother directly, and it was asked whether it was assumed that only women cared for the family.

108. Members of the Committee wished to clarify the situation of rural women and questions were asked as to their access to health-care programmes, abortion facilities, contraception and family planning and whether there were other disadvantaged groups such as handicapped and elderly women that were unable to share equally the health-care facilities.

109. The report had mentioned that housing was a priority, especially low-income housing, and that a committee had been created on that subject. The Committee asked whether women were involved in the committee and whether they had the same rights as men. Additional information was also requested on the creation of collectives.

110. Clarification was requested on provisions regarding freedom of movement and how they affected immigrant women.

111. It was inquired whether any declaration on equality between men and women had been written in the legislation of the country and whether provisions to provide legal advice to women regarding their rights existed at all.

112. It was stated that there was not enough information provided in the report regarding family law. Several questions were raised regarding the rights of the child born out of wedlock, whether mutual consent divorce was possible, whether "solo parent family" referred to single parents and the situation of Maori women within the family. Clarification was also requested on the "non-family household", a term used in the report. Finally it was asked whether special programmes to promote equality in the Cook Islands were contemplated.

113. The representative of the State party stated that the Ministry of Women's Affairs, of which she was Director, was headed by a woman. The Ministry had a budget of \$US 1.4 million for 1987-1988 and a staff of 20. She considered that other portfolios included in the Ministry, such as Consumer's Affairs and Statistics, were very compatible with women's concerns. The Maori Women's Secretariat within the Ministry attended the very special needs of Maori women while the Department of Maori Affairs dealt with the overall concerns of the Maori people. Close contact was maintained between the two units. The relationship between the Ministry and the voluntary women's organizations was symbiotic for,

while the organizations brought their concerns to the Ministry's attention, in turn the Ministry was their channel into all the branches of government. That was accomplished through meetings, symposiums, working groups, etc. The organizations represented a broad sample of feminist concerns and, in fact, the Ministry was staffed with feminists. One of the requirements to be employed in it was an anti-sexist, anti-racist attitude and full commitment to the work towards equality between women and men. Voluntary women's organizations and feminists were not mutually exclusive groups. In addition, the Ministry worked in a feminist way through consultation, decision-making by consensus and participation.

114. Maori women were the tangata whenua, who were the original inhabitants of the island of New Zealand. They had suffered the triple disadvantage of being oppressed by sexism, racism and colonialization. Maori women had helped to raise the consciousness of New Zealanders about those problems and that was the reason why affirmative action had been established in staff recruitment. Other departments too were working alongside the Ministry of Women's Affairs, such as the departments of labour, justice, health, education, environment and State services, among others.

115. Regarding publicity given to the Convention, the Labour Party had stated during its election campaign that ratification was one of its priorities and with that in mind the Convention had been widely disseminated, although it had not been translated into the Maori language or other Pacific Island languages. In the preparation of the Government's report, there had been non-governmental participation through the 1984 Women's Forums and the two reports which resulted from them. She assured the Committee that as soon as national legislation was amended the reservations to the Convention would be lifted.

116. The lack of women's presence in the political life of New Zealand could not be explained very easily. The reasons were both complex and quite universal. Attitudes and social traditions established women as the primary care-giver, in addition to women's economic dependency and lack of confidence, all of which presented a combination of factors that, faced by the male-dominated nature of most organizations and structures, held back women's progress. Steps were being taken by encouraging women to stand for political office, nominating more women to governmental bodies, training women within the parties, providing role models and supporting women's caucuses where they appeared.

117. In replying to the questions raised regarding single-sex schools, she said that some evidence suggested that girls actually achieved better in those schools. On the other hand, there were arrangements in some schools that provided for girls' and boys' schools sharing facilities and sharing classes. With regard to the non-traditional educational fields of science, engineering, economics, the Women's Training Advisory Council of the Vocational Training Council and the Women's Advisory Committee on Women and Education were both active in promoting greater access for women in those disciplines. Also family life education included economics, health, parenting skills and family relationships. Revisions of school texts was an ongoing activity and sex education was also included in the curricula. In primary schools, 70 per cent of all teachers, 14 per cent of school principals and 30 per cent of deputy principals were women. For secondary schools, 49 per cent of teachers, 16 per cent of principals and 22 per cent of deputy principals were women.

118. A complete package of measures addressed to employment embraced affirmative action, vocational training, maternity/paternity leave, increased participation in trade unions and women's unremunerated work. Those measures were addressed to both the public and the private sector where the Equal Employment Unit had established training for management, supervisors and women. It also secured the presence of women on interview panels. In the private sector, guidelines had been prepared for employers, inquiries had been carried out as in the banking industry and seminars and consultations had been held with the employers' federation. The affirmative action measures in that sector were voluntary but progress was being monitored by the Ministry of Women Affairs and steps might well be taken to make affirmative action obligatory. Targets were set but there were no quotas.

119. She gave updated information on maternity, paternity and parental leave provisions which were outlined in the introduction of New Zealand's report. It was too early to assess whether fathers would make use of paternity leave but the matter would be followed up. Regarding vocational training, women's unremunerated work and other measures outlined in the report, she gave a brief progress report on recent developments in research, empirical data and studies being carried out. No job evaluations had yet been conducted, but that would be a step in the process towards equal pay for work of comparable value. The trade unions had the right to conclude collective bargaining agreements, as well as determining arbitration on working conditions, personnel grievances and sexual harassment. The proposed guidelines on working with lead had been circulated to the members of the Committee. The Human Rights Commission also took up discrimination cases and approved special programmes aimed at and created for women.

120. Under the public health system of New Zealand, services were available to the population at large, although increasingly the special health needs of women were being brought into the schemes. Well women centres had been designed to cater to women's health needs. Other measures were also being undertaken, such as inquiries on abuses in medical practice, and a public education campaign on the acquired immunodeficiency syndrome (AIDS) had been launched, as well as monitoring of overseas patterns and prostitutes regarding contamination.

121. In 1985, sexual violence against women had been declared a crime, the definition of rape had been widened to include rape by the husband, removal of spouse immunity and allowing the victim to give evidence in private only to the judge. National conferences were held on family violence and pilot schemes launched regarding police intervention. The 1982 Domestic Protection Act referred to family violence.

122. Regarding rural women and education, she provided extensive information on the linkages provided through services, networking and expanded access to food, employment and child care. The Women's Ministry was playing a key role in that regard, including the improvement of agricultural skills.

123. Kindergarten facilities would be expanded in the coming years and the State sector had moved to introduce child care into the public service. The Government intended to establish a task force as part of the social policy reform with a view to implementing its policy of child-care funding and increasing services.

124. On the role of men in improving the status of women, she said that there was not a huge men's movement, but that increasing numbers of men were recognizing

their role and responsibility in that respect. There were also men's organizations, such as men against violence and men against rape.

125. The issues of sex stereotyping, exploitation of women in the media, sexist language, attitudes towards women's role as mother and homekeeper were all under scrutiny in the context of the social policy review being undertaken in the country. Guidelines had been prepared and public education campaigns had been carried out and would continue to be carried out. Women, who were themselves the originators of the ongoing reforms, were the stronghold and supporting base of the Ministry, and changes would be more evident possibly at the time of New Zealand's presentation of its second country report.

126. Regarding family names, women were increasingly retaining their own names on marriage. As for the names of children, parents had a choice, but there was still social pressure to use the father's name.

#### Dominican Republic

127. The Committee considered the initial report of the Dominican Republic (CEDAW/C/5/Add.37) at its 106th and 111th meetings, held on 17 and 19 February 1988 (CEDAW/C/SR.106 and 111).

128. In her introduction, the representative of the Dominican Republic emphasized the permanent interest of her Government in the economic and social development of the country and the population aiming at the achievement of full equality between the sexes. The brief overview of the historical events that were presented gave evidence of the vigorous women's movement in that country. She pointed out the progress achieved in the advancement of women over the last 22 years since the inception of democracy, and underlined as an important event the establishment of the Department for the Advancement of Women in 1982 and its Consultative Council in 1985. She also emphasized that her country was the host for the United Nations International Research and Training Institute for the Advancement of Women (INSTRAW).

129. She stated that the Chief Public Prosecutor was a woman and that her country had two women ambassadors at the United Nations.

130. Aware of the importance of eliminating any type of traditional stereotypes that could hinder the advancement of women, the Government was trying to educate the population so that women could play an equal role in society with the same rights, responsibilities and opportunities as men.

131. Private universities were planning the introduction of courses on women and development, and she referred to the Government's many production-oriented programmes for rural women. The number of non-governmental organizations working on the promotion of women was higher than in practically any other developing country.

132. The Committee thanked the representative for the comprehensive presentation and commended the frankness of the report which followed the general guidelines. It showed the country's commitment to the cause of equality and to its implementation de jure and de facto. The Committee also paid tribute to the valuable statistics contained in the report. Although the country suffered from many constraints and a lot remained to be done, the women's movement had made big

strides. That was all the more noteworthy, as it was a country with economic difficulties and with a Latin tradition and customs where women played a subordinate role. Members were impressed by the many draft laws and wanted to know whether any of them had already been adopted. They also wondered how those laws would get accepted among the ordinary people. It was asked what was meant by the expression used in the report "overstated feminist standpoints". Praise was expressed for the high percentage of female university students, the relatively high number of women ambassadors and existence of paid maternity leave.

133. Members inquired about the role of the Department for the Advancement of Women, its status and structure, whether and how it was linked to the Government or non-governmental organizations and about the result of its activities. They also asked about its budget, what its statutes were and whether its actions bore legal force. As the feminist institutions had become stronger after the entry into force of the Convention, it was asked how the Convention was disseminated, how it was dealt with by feminist groups and how it was being implemented in rural areas.

134. Another comment referred to the "vigorous women's movement" mentioned by the representative, which found, however, no reflection in the report.

135. An inquiry was made as to any change in marital relations as a result of the new draft law.

136. It was asked why the rate of the economically active female population had risen so considerably, bearing in mind that the data did not reflect the involvement of women in the informal sector.

137. It was commented that normally in other countries more men moved from rural to urban areas. It was asked why in the Dominican Republic more women moved into urban areas and whether those women became domestic servants.

138. Experts inquired whether the Constitution of the Dominican Republic recognized the norms of American law. Positive comments were made on the fact that the Constitution had become part of national law. The absence of racial discrimination in the country was considered an important step.

139. Referring to the marked interest of the country in an increase in its population, it was asked whether that attitude had changed in keeping with the international population policy.

140. It was asked whether guarantees existed to enable women to participate in various areas of social activities. Experts inquired whether Dominican women were aware of their right to access of the courts, about the number of court cases pursued by women and whether free legal aid existed.

141. Information on the existence of temporary special measures was requested.

142. Clarification was sought on the degree of involvement of men in efforts to change their roles and on measures to modify the idea of male superiority. It was asked whether men shared the child-care activities with women and how paid and unpaid work was distributed between the sexes. Experts wanted to know whether sex discrimination existed in advertising and how big the influence of religious institutions was.

143. Some explanation was sought about the reason for the female predominance in higher education and the marked change in the agricultural sector regarding the involvement of women in productive activities.

144. It was asked whether re-education measures for prostitutes existed, whether prostitutes were in any way protected and whether rape was a criminal offence and what the sanctions were.

145. As regards the political participation of women, questions were raised about the role of women deputies, senators, secretaries of State, and ministers. Experts inquired also whether political parties were concerned with women's programmes and whether the Government had any intentions to extend the political participation of women.

146. With reference to the different rights of men and women to confer their nationality on their spouse, it was asked whether the law, which was meant to put an end to that discrimination, had been implemented already, and whether the provision under which the father was given priority in respect of the nationality of the children had been modified already. It was asked whether the only criteria for citizenship were age and marriage and whether it was not open to all persons born in the Dominican Republic.

147. Experts requested statistics on the rate of illiteracy in rural areas, and information on programmes to end illiteracy. Inquiries were made about sex education programmes and about programmes designed to promote the interest of women in non-traditional fields of education. It was asked why the number of women graduates of the Institute of Technical Vocational Training had decreased and what was being done to overcome the sex segregation in the different areas of specialization of vocational training. More information was sought on the drop-out rate of youths, especially girls. It was asked whether young women were well enough informed about education possibilities and whether part-time adult education existed.

148. Experts requested statistics on employment. They asked for more information on the social security system of the country and about child-care facilities. Concern was expressed about domestic employees, and experts inquired whether domestic servants were covered by medical insurance, whether they had pension rights, paid maternity leave and paid annual leave and whether there were programmes for training and assessing the work of those women. It was asked whether the Community Development Office was training fathers in home economics.

149. Clarification was sought as to whether pregnant women were protected by law when applying for a job or job training and whether they would be accepted in a new job and about the sanctions in case of dismissal of a pregnant woman.

150. Members of the Committee inquired which jobs were still not open to women, which jobs were considered dangerous for women, but not for men, what was meant by work that was not appropriate to the female sex and whether plans existed to do away with job segregation. More details were sought on women's lower wage level compared to that of men. It was asked what was meant by the "labour supply patterns" and whether and how the goal of equal pay for work of equal value was to be achieved.

151. Other questions referred to the unemployment rates and unemployment benefits for men and women, the retirement ages for men and women and the life expectancy of both sexes. It was asked whether sexual harassment occurred at work, and whether paternity leave existed. Experts wanted to know under which criteria the informal work-force could be included in the official labour statistics.

152. Experts asked about the influence of trade unions in the country and whether women could get training for self-employment, how women could combine family obligations with participation in the work-force and whether pregnant women were covered by protective measures.

153. A question referred to the percentage of women in the legal profession.

154. Experts asked whether the government policy consisted in reducing the fertility rate, whether the family planning programme was publicized, what the percentage of users was and whether abortion services existed.

155. It was asked whether single women had the same family benefits as married couples.

156. Information was sought about the structure, the functioning, the goals, the personnel of and the results achieved by the Women's Bank.

157. Detailed information was requested on the access of rural women to credit and health services, on their fertility and on literacy rates. It was asked whether programmes existed to extend land ownership to rural women. Clarification was sought on the legal status of the 15 associations for rural women, on the amount of wages and the number of years of service of the women concerned and the number of women who worked in the women's co-operatives.

158. Experts inquired about the contribution of INSTRAW in working out programmes for rural women and asked in what way the Department for the Advancement of Women played an active role for rural women.

159. Clarification was sought as to whether legal advice services were accessible to women and whether women were being duly informed of their rights.

160. Experts asked in what way the legal capacity of married women was restricted and they commented on the discrimination inherent in article 374 of the Civil Code. Another question referred to the compatibility between articles 214 and 215 of the Civil Code.

161. Concerning the reference to concubinage as the predominant marital problem in the country, it was asked why the percentage of concubinage was so high, whether polygamy existed in the country, or whether legal marriage was contracted with only one wife and, in addition, whether a married man was allowed to cohabit with more than one woman, and how that tied in with article 212 of the Civil Code pursuant to which the spouses owed each other mutual fidelity. It was asked whether the Government was more in favour of concubinage or of marriage. Another question concerned the reason for the high percentage of women as heads of households of married or cohabiting couples.

162. Questions were raised about the legal management of the community of property régime during marriage and the distribution of property on the death of one

spouse. It was asked whether women were aware of the possibility of renouncing that régime. Clarification was also sought as to the meaning of the free disposal of each spouse's income "after having discharged the obligation of the marriage".

163. Information was requested on the grounds for divorce, on the time period necessary for obtaining a divorce and on the responsibilities of the faulty partner in a divorce case.

164. Experts wanted to know about the property situation of cohabiting couples and their children and whether cohabitation was legally recognized. They requested statistical data about the connection between cohabitation and social level.

165. More clarification was sought on the right of women to choose their family name and on the name of children.

166. Experts wanted to know the reasons for the difference in marriageable age between girls and boys, and whether single women could adopt children. A question referred to the reason why adultery was no longer to be regarded as a punishable crime and had been eliminated as grounds for divorce.

167. The representative of the Dominican Republic indicated that, before replying to questions posed by members of the Committee, she needed to clarify certain issues. Firstly a number of provisions which had been introduced to revise the laws on women and the family had been promulgated as law No. 855 of 1978. Further revisions introduced in 1986 were pending approval by Congress owing to the economic emergency facing the Dominican Republic because of the external debt.

168. Regarding questions about the activities of national institutions to improve the status of women, she stated that the Centro de Integración Femenina para el Desarrollo had been created in 1975 as a temporary measure in order to implement the policies of the country's development plan.

169. The General Directorate for Women's Promotion created in 1982 under the Prime Minister had three divisions and played the main co-ordinating role at the national level on women's affairs. It also carried out projects in both rural and urban areas. Non-governmental organizations maintained continuous contact with that office and also provided both legal and social services free of charge to women.

170. Many of the laws dating back to 1940 had been repealed when the country overcame the dictatorship. In the Dominican Republic all laws were based on the Napoleonic Code. Access to due process was open to all citizens regardless of their sex, and official legal advice was provided when necessary by the Public Ministry. No positive action measures or targets had been considered necessary so far by the Government.

171. In her reply regarding article 5 of the Convention, she explained that it was difficult to assess men's participation in household duties since economic factors played a role in that area as did cultural and traditional habits. There had been changes in the latter. Religious institutions had not presented obstacles to social change.

172. Prostitution occurred because of economic factors. Although the law did not punish the practice it punished its commerce. Rape was also punished under the Penal Code.

173. Women's political involvement was high considering the difficulties encountered. There was 1 woman senator, 10 deputies, 40 per cent of the heads of General Directorates were women, and 50 per cent of governors were women.

174. Family education, family planning and sex education were all programmes of the highest priority for the Government and considerable training had been developed at university level in those disciplines. Non-governmental organizations had played a major role in all such activities and also in extension and continued education projects as well as correspondence courses for adults.

175. Article 211 of the Labour Code established that during pregnancy a woman could not be obliged to work in situations requiring physical effort which would be incompatible with her state. It also obliged managers to facilitate transfer out of any job when the latter was considered prejudicial to women. Should a transfer be impossible, a woman had the right to a leave of absence. That article also forbade the firing of women owing to pregnancy.

176. Domestic servants were not covered by existing labour legislation. The Labour Code regulated which occupations were not suitable for women for either danger or health reasons. The Government had ratified ILO Convention 100 regarding the principle of equal pay for work of equal value.

177. The Woman's Bank of the Dominican Republic was a branch of the Women's Association for Development which was a non-governmental group run by volunteers. It provided 3,000 women with loans ranging from \$RD 300 to \$RD 10,000. The State Bank for Agriculture also provided credit to rural women.

178. Married women's legal capacity was still restricted by marriage regulations, which established that the husband was the administrator of the couple's property, that he could sell it and without the consent of the wife, but joint administration was proposed in the pending draft family law.

179. In answering questions about the distribution of property upon the death of a spouse, she explained that women could choose at the time of marriage which scheme they preferred, separate or common property. The laws governing divorce for reasons of adultery discriminated against women and amendments had been proposed to eliminate the anomalies. Women could choose their name upon marriage and there was no discrimination regarding child adoption by either men or women.

180. She explained that the citizenship rights which were acquired at the age of 18 referred to the capacity to exercise civil or political rights while nationality was acquired at birth.

181. Finally, she assured members of the Committee that the Government of the Dominican Republic had the full commitment and political will to move from theory to practice, from law to action, and that more information would be provided in the subsequent State party report.

#### Uruguay

182. The Committee considered the initial report of Uruguay (CEDAW/C/5/Add.27 and Amend.1) at its 107th and 113th meetings, held on 17 and 22 February 1988 (CEDAW/C/SR.107 and 113).

183. The representative of the State party informed the Committee that the Government of Uruguay had ratified the Convention in October 1981 and had presented its first report in November 1984. Subsequently, in 1987, an amendment had also been presented to the secretariat where a more critical view of the status of women in Uruguay had been taken.

184. The attainment of equality was not exclusively the realm of the legislative powers, but of human consciousness and overall participation which enabled the law to be implemented. Uruguay had a legal framework which did not discriminate against women. Very early, its population had achieved participatory democracy along with wide-ranging social legislation measures, flexible social structures, a very high level of education and therefore of literacy and finally an advanced social and labour legislation on the rights of women, which was considered one of the most advanced in Latin America.

185. In reality, however, different values, behaviour and habits of Uruguayan society indicated that there was discrimination against women. In Uruguay 53 per cent of the urban population was made up of women. They were concentrated in the urban centres (58 per cent), given the fact that rural conditions were not favourable to women where only 42 per cent of the rural population were found. According to the 1985 census, only 4 per cent of women were illiterate as against 5 per cent of men. Segregation continued to be a problem since women chose careers in the social services areas and education. Women occupied positions which required lower qualifications and, therefore, were paid less than men. From 1975 until 1987, unemployment rates revealed that women constituted the majority of the unemployed and that it was more difficult for them to obtain their first employment than for men. Furthermore, women's labour was considered as supplementary and considered seriously only when market and production requirements demanded, which in fact had very little impact on qualifications or training. She added that 61 per cent of the economically active female population was between 20 and 44 years of age.

186. Regarding maternal and child care, she said that infant mortality rates were 27.6 per 1,000, which was a moderate index considering the situation in Latin America. Additional efforts were being undertaken by the Government to improve the situation, especially in the poorer sectors of the population where the need was greatest.

187. Uruguay's Constitution had given women the right to vote in 1934 and women had exercised that right in 1938 for the first time. In 1942, two women senators and two deputies were elected to Parliament. Law 10:783 of 1946 gave women a series of civil rights including equal rights; article 11 gave patria potestas to both parents and article 2 gave married women the right to administer and decide over their property.

188. She also informed the Committee that after ratification of the Convention in 1984 a major National Programming Council (CONAPRO) had been founded by the four national parties, trade unions and student organizations. CONAPRO was to study diverse themes of national concern in order to prepare a common plan for the following governmental period. Women had demanded that a Sub-Commission on the Condition of Women be created. That group was made up of representatives of different women's organizations, such as the Association of Women Journalists and the National Council of Women. Five documents had been prepared on women in education and culture, women and labour, women and law, women and health and on

participation. Each document had as an introduction an appropriate article of the Convention. The documents had been approved by CONAPRO in 1985.

189. Several organs oversaw the implementation of the Convention such as the judiciary tribunals and general labour inspection and, regarding working conditions, the General Labour Inspection Board. In 1987 the Women's Institute had been created by presidential decree. The Institute would be the catalyst in social initiatives regarding women, the repository of the concerns of non-governmental organizations and would also act as an advisory body to the Government, co-ordinate different action plans and oversee the implementation and follow-up of legislative reforms and other policies to improve the status of women. The Minister of Education, the only woman minister, had created a Sala de la Mujer to collect and disseminate information on women's issues.

190. Other areas of interest to the Committee were the facts that the Government had eliminated any discriminatory provisions regarding divorce and the provisions of the Convention could be invoked in Court. Also, it should be recalled that Uruguay had adopted laws as far back as 1914 that had restricted women's and children's employment in areas of dangerous machinery, as well as in 1918, to provide chairs at the work-place and in 1950 to protect women from being fired on account of pregnancy.

191. To conclude, she stated that, although no legal obstacles were found, difficulties such as traditional values, habits, attitudes and behaviour of Uruguayan society inhibited the progress towards equality. In addition, she admitted that in the collective consciousness of her society the importance of women's political, economic and social active participation was not yet recognized, but with the different groups and institutions set in place in the last two years, change would be stimulated.

192. Members of the Committee welcomed the introductory statement of the government representative and congratulated her on her very comprehensive presentation, which filled in many of the gaps encountered in the report. It was noted that Uruguay had granted women the right to vote in 1932, being one of the first Latin American countries to do so. The Committee had studied the first report prepared by the Government (CEDAW/C/5/Add.27) of 24 June 1985, but many members of the Committee had not received the updated version (CEDAW/C/5/Add.27/Amend.1 of December 1987) referred to by the representative. That was to be regretted since many members would necessarily address problems referred to in the first report of 1985, which might have been remedied by 1987.

193. It was felt that conditions outlined in the report referred specifically to the legislative aspects of equality, but that very scant information was provided on the de facto situation of women in Uruguay. For future reports, updated and more complete statistical information by sex would be required. At the present time, there was no way of comparing or really knowing the situation of women in Uruguay since the data furnished were old and not complete. The report showed that, indeed, Uruguay had very advanced legislation, which was commendable, but the experts wished that more information had been provided on the application of the law. It was commented that there were no references to traditional behaviour such as machismo, to cultural patterns and historical determinants. Admiration was expressed for the women of Uruguay who had struggled against the military dictatorship and suffered under torture or disappeared. It was asked what had happened to those women. Furthermore, the report did not reflect the changes that

must have followed the change from military dictatorship to democracy, since there were no women in parliament and women's participation in the political parties seemed utterly subdued by comparison. It was asked what were the plans of the Women's Institute for the forthcoming elections in Uruguay, and whether it would mobilize the population and women to run for office. In that regard, questions were asked about the budget of the recently created Women's Institute, how it differed from the Sala de la Mujer and whether it would be devoted only to the study of law or to raising consciousness.

194. Experts then commented on the statement contained in Uruguay's report that there existed no discrimination on the grounds of sex in the country. Perhaps it would help the Committee to hear what the Government of Uruguay understood by discrimination. It puzzled the experts that under article 5 of the Convention the report stated that no sexually motivated prejudices or customary practices of discrimination existed.

195. It was noted that the President of the Supreme Court and the Minister of Education were both women and that there were many women journalists. Explanation was requested on the system of elections in Uruguay. Information was sought on the availability and accessibility of day-care centres to both urban and rural women, work of the media on eliminating gender stereotypes, employment statistics and the participation of women in the trade unions.

196. Reference was made to article 488 of Uruguay's Labour Law, and it was asked whether that provision could apply to the implementation of any article of the Convention, for example, article 2. With reference to article 8 of Uruguay's Constitution, which stated that all persons were equal before the law, it was asked how that principle was realized and whether women could take legal action in the court system on account of sex discrimination. In addition, clarification was sought on the reference in that article to "talents and virtues" and how those qualifications affected women. It was noted that the Constitution regulated concerns between Government and citizens, and it was asked whether it also legislated citizens' relations to each other.

197. Additional information was sought on the dissemination and publication of the Convention by the Government, and as to whether it had been translated as well as distributed among women's groups and other sectors of the population. In that regard, it was also asked whether women's organizations had played any role in the preparation of the State party's reports.

198. It was noted that legislation introduced to protect women workers concerned only maternity protection. It was asked why reference was made to article 4 of the Convention when reporting on different protective legislation banning certain types of work for all women and how it could be considered to accelerate de facto equality when it was in fact discriminatory. Surely there were women workers who had no children and women who did not engage in remunerative employment but who bore children. It was also asked what the criteria, or philosophy regarding maternity protection in general were.

199. Experts questioned the statement contained in article 43 of the Constitution, which provided that juvenile delinquency be dealt with in a special way allowing for the participation of women. They wondered whether that meant that the Government equated women and children.

200. Clarification on the meaning of article 41 of the Constitution was requested, especially in relation to the compensatory assistance paid to parents with numerous dependent children.

201. Additional information was also requested as to whether housework and child-rearing responsibilities were shared equally by men and women. It was understood that Uruguay was a predominantly Roman Catholic country and information was sought on the impact of the Church on the advancement of women. Some experts pointed out that there must have been transitions recently when the process from a military dictatorship to democratic government had taken place which also must have affected the life of women, since military dictatorships usually thrived on male superiority. It was also difficult to believe that customary practices relating to stereotyping of sex roles had totally disappeared. Therefore, experts requested more comprehensive explanations on how article 5 of the Convention was being implemented.

202. It was questioned whether the Women's Institute had been developing strategies to do away with patriarchal stereotypes through radio and television campaigns and whether any other practical steps had been taken in that regard.

203. With reference to the social problems associated with fostering violence against women and penalties attached to them, it was asked how many individuals had been sentenced for committing rape, assault or battery or for being associated with the exploitation of women through prostitution. It was further asked why police officials were mentioned with regard to the crime of procurement. Since the laws on prostitution had been passed in 1927, experts asked whether there had been new laws or a decrease in the practice. It was noted that the female literacy rate was optimal. Experts further asked what ways women could use to gain influence in the political decision-making process since there were no women in parliament, how women could be more involved in the formulation of policy, and what was the breakdown between men and women at the Supreme Court and in the judicial system in general.

204. Information was sought as to whether any inquiries had been made on the lower percentage of women entering into higher education and whether the traditional occupational choices of women caused any concern.

205. The limitations on the work of women and young persons below the age of 18 years was considered as leaving the door open for discrimination and one expert asked whether revisions of some of those articles contained in the Constitution were foreseen.

206. It was questioned whether women registered for employment on a regular basis or whether there was any hidden unemployment among women. It was also asked to what extent women and men performed equal work and if and how the principle of equal pay for work of equal value had been applied. Information was also sought with regard to the use of gender-neutral job evaluation schemes.

207. Although average earnings were given in the report, the actual salaries were not, and more information was requested on the actual remuneration of women and men by profession. Another question related to the unconstitutionality of hiring incentives, and an explanation was sought on why had it been considered so since other differences to the detriment of women, such as the different retirement age for men and women, were not considered unconstitutional. It was asked whether it

was compulsory for women to retire at a lower age than men and what was the difference between the pension benefits of men and women. Experts were gratified that the Government of Uruguay had denounced ILO Convention No. 89 banning night work for women.

208. Specific information related to family planning programmes was requested, as well as the availability of abortion or the Government's policy on it and information related to maternal and infant mortality. It was also pointed out that article 116 of the Civil Code contained a provision of social discrimination which merited closer scrutiny; it was asked if there had been any thoughts of revising it.

209. Information was also requested on the particular situation of elderly women, and it was asked whether any groups of women such as disabled women had been identified as disadvantaged.

210. It was noted that the minimum age to enter into marriage was only 12 for women and 14 for men. That seemed very young, and it was asked whether there had been discussions on reviewing that provision. It was also observed that a woman could obtain a divorce by expressing her wish to do so on the grounds provided for divorce through article 187 of the Civil Code. It was asked whether that was a privilege for women, which was adequate, especially if the promotion of equality was being sought.

211. Before replying to the questions raised by the members of the Committee, the representative of Uruguay distributed written material about the Institute of Women and statistical material on issues of health, employment and education. In response to questions and comments, she explained in detail the functions of the Institute of Women, which had been created by presidential decree of 1987 and operated within the Ministry of Education and Culture. Composed of representatives of governmental bodies and non-governmental organizations, the Institute would concern itself with initiating legislative reforms and other policy actions in order to achieve equal participation of women in society; taking political decisions; and proposing the necessary measures to implement the decisions adopted by the Conference on Women, Population and Development. It would establish commissions as the need arose and its members would be experts in areas relating to the status of women. It would elaborate its own rules of procedure and its members would work on an honorary basis. The Institute did not have its own budget and was not independent.

212. As the country had received many immigrants from Mediterranean and Christian countries, the daily life of women very much followed the traditional pattern, namely, their primary duty was to do household work. Only among the younger generation was greater democracy gradually being introduced in the domestic sphere. There were still prejudices in everyday life as regards male superiority. However, the Ministry of Education and Culture was working on trying to eliminate existing stereotypes and prejudices. Concerning the influence of the Catholic Church, the representative said that since 1918 Uruguay had been a secular State. The Church was not against equality of the sexes, and religious education was mandatory neither at the primary, the secondary nor the university level.

213. Referring to the large feminist movement in the country, she mentioned a number of non-governmental organizations, such as the Plenary of Uruguayan Women, the Association of Women Journalists, the National Council of Women, the Study Group on the Condition of Women, the Uruguayan Association on Family Planning and

Research in Reproduction and the women's groups, "Encuentro" and "Concertación Nacional de Mujeres". She also noted the existence of women's groups in all four major political parties.

214. As regards the statistical material she had distributed, it gave a breakdown of the population by sex in the areas of education and employment, but not in the more intimate aspects of daily life.

215. The reference in the Constitution to "talents and virtues" meant that no distinction was to be made based on titles of nobility, as in colonial times. The Constitution also made reference to the basic rights of individuals and their interrelationships. The Sala de la Mujer consisted mainly of non-governmental organizations and its members worked on an honorary basis. The Convention had been given publicity in the country. Translations of its text were not necessary, as the only official language was Spanish. She said that the amendment to the report had been prepared by the Institute of Women based on the work of various non-governmental organizations. In the preparation of the reports (document CEDAW/C/5/Add.27) women in non-governmental organizations were consulted. Both reports and the summary of discussions held at the current session in connection with her country's reports would be made public on 8 March 1988, International Women's Day.

216. Women could file law suits with the appropriate courts in cases of sexual discrimination. No statistics were as yet available as to the number of such suits actually filed. The representative said that in 1988 the Institute of Women would hold a workshop for television broadcasting on the status of women at the national level.

217. In response to questions on rape, battery and prostitution, she said that rape was considered a crime, but she did not have any statistical data on its incidence. Violence in the family constituted a problem. Non-governmental organizations had devoted a study to it, and the establishment of a women's police commission was planned. The representative said that there were some houses for battered women and the Institute of Women was planning to obtain more government assistance in that area. No official figures were available to show whether prostitution had increased or decreased.

218. With regard to the crime of procurement, the reference to police officials meant that any crime committed by a person exercising public power would constitute an aggravating circumstance. That did not constitute a special problem in her country.

219. In discussing the electoral system, she explained that voting was direct, secret and compulsory, there was a proportional representation system and that Parliament was composed of two chambers. The president and vice-president were elected by simple majority through the system of vote by division. The reason why there were not enough women in public office could not be found in the voting system. The obstacle lay rather in a lack of political ambition on the part of women, which the representative referred to as the "self-discrimination" of women, the double work duties imposed upon women and patriarchal structures within the political parties. Some women were criticized for their dual loyalties to both the political party and the improvement of the status of women.

220. As an example of the influence of women in Parliament, she mentioned the former Uruguayan member of the Committee on the Elimination of Discrimination against Women who had promoted a bill on the status of women, which had initiated the establishment of parliamentary commission on the status of women.

221. Women's participation in the trade unions was mainly at the grass-roots level. In some councils, only few could be found at the upper echelons and at the executive level. Of the five members of the Supreme Court, one was a woman.

222. Of the 273 people employed in the foreign civil service, 76 were women, and in the foreign trade service there were two women directors. In the near future, three foreign trade departments would be headed by women.

223. The representative gave statistical information by sex on primary, secondary and university education. She said that patria potestas was a combination of rights and duties and that low-income families could not be obliged to provide their children with an education that was beyond their means. The statistics demonstrated that there were more men than women in higher education because at the university level the twofold work-load of women had a greater impact than at the lower levels of education. At the primary level, 95 per cent of all teachers were women, although there were no women in the primary education councils. In the secondary education councils there were two men and one woman and at the technical university level there were three men and no women.

224. As regards the "invisible work" of women, it was explained that in Uruguay the economically active population included those segments involved in the production and processing of primary commodities and the production of all other articles and services for the market, including domestic service. As women working within the family performed part of those activities, the contribution provided by women working as housewives had not been included in the economic activities shown in official statistics.

225. The representative said that one of the objectives of the Institute of Women was to deal with the problems of older women.

226. She said that maternity leave lasted from six weeks before delivery until six weeks after, unless medical implications necessitated a longer period of leave. Women received their full salary during maternity leave. During pregnancy and after birth in hospital, medical allowances were given as family subsidies. Lactating mothers were allowed to interrupt their work for fixed periods of time. If a woman was fired on the ground of pregnancy, she was entitled to payment of six months' salary, which was understood as a sanction against her employer.

227. Abortion was illegal. Punishments were reduced or completely waived if it was performed during the first three months of pregnancy for serious socio-economic reasons, if it became necessary for therapeutic reasons and if the pregnancy had been the result of rape. Uruguay was one of the countries with the highest abortion rates, although no official statistics were available. The policy of the country was in favour of family planning and a project existed to provide low-income women with free contraceptives.

228. Women participated fully in the country's cultural life. In the area of sport, professional soccer did not exist for women.

229. The representative stated that monitoring centres for women in the villages were being set up, but that rural women did not receive full health-care coverage. A study was being conducted on ways to extend health care to the entire rural population. Rural women had also very scarce child-care facilities.

230. With regard to married women's names, they kept their maiden name, to which they could add their husband's name. There was no difference between children born within or outside wedlock. All children carried the names of both parents. Marriage of females below the age of 12 and of males under 14 was considered null and void, and up to the age of 21 both boys and girls needed the consent of their legal representative.

231. Concerning divorce, she remarked that the existing regulation, in effect since 1913, constituted discrimination, and it had not yet been eliminated. In cases of divorce under the joint property régime, acquired goods were divided on a 50 per cent basis; in the property separation régime, acquired goods were returned to whomever they were due.

### Japan

232. The Committee considered the initial report of Japan (CEDAW/C/5/Add.48, Amend.1 and Corr.1) at its 108th, 109th and 111th meetings, on 18 and 19 February 1988 (CEDAW/C/SR.108, 109 and 111).

233. In introducing the report, the representative of Japan stated that the end of the Second World War constituted an epoch-making turning point for Japanese women. Whereas before the War the status of women had been very low, the new Constitution, which had been promulgated in 1946, guaranteed for the first time the equality of men and women as a fundamental human right. Thereafter, the Civil Code was revised and a range of domestic laws were enacted, including the Fundamental Law of Education and the Labour Standards Law, which had resulted in sweeping improvements in the legal status of women in the family, the workplace and the society in general.

234. In spite of the rapid socio-economic changes brought forth by the high economic growth rates experienced by the country in the 1960s, equality between women and men had not been fully achieved in practice and the traditional concept of the woman's place being in the home was still deeply rooted. Nevertheless, the momentum towards equality of the sexes continued to build. A milestone in that development was the establishment by the Government in 1975 of the Headquarters for Planning and Promoting Policies Relating to Women, which had formulated in 1977 the National Plan of Action. Its fundamental goal was the realization of the equal rights of women as guaranteed by the Constitution.

235. To facilitate the ratification of the Convention, the Headquarters had worked on an agreement among the ministries and agencies concerned with the revision of prevailing policies. The agreement contained suggestions from the Advisory Council to the Prime Minister on Woman's Affairs, women members of the Diet and women's groups. It was due to all those combined efforts that the Convention could finally be ratified.

236. The representative of the State party highlighted some of the most important changes that had taken place before the ratification of the Convention, including an amendment to Japan's nationality law, a plan to eliminate the sex discrimination

that was inherent in the home economics education, the enactment of the Equal Employment Opportunity Law and the amendment of other laws and regulations protecting women workers. She explained the endeavours of the Ministry of Labour to ascertain progress in the implementation of the laws, and enumerated measures taken to promote de facto equality, which had not yet been fully achieved. At the legal level, equality of the sexes had been almost fully realized. Such measures included the New National Plan of Action, which aimed at the more effective observance of laws enacted or amended to further the equality of men and women not only de jure but also de facto, and to that end set as a comprehensive goal the "creation of a society of joint participation by both men and women". In spite of significant progress, there was still a long way to go and the Government had resolved to continue its unflagging efforts to attain the goal.

237. The members of the Committee praised in particular the frank and concise oral introduction to the report and commended the report, which followed the general guidelines in its statistical data. Experts underlined that Japan had made many efforts before the ratification of the Convention to adapt national laws to its requirements. It showed the strong commitment of the Government and its serious and honest endeavours. However, the Committee felt that the de facto situation of Japanese women lagged far behind the legal situation. It noted that the report did not throw enough light on the practical implementation of the laws and on the factual situation of women. The experts commented that it was most important (a) to recognize the existence of discrimination, (b) to clarify the obstacles to equality and (c) to start fighting against the lack of de facto equality. Therefore, special attention should be paid in the second report of Japan to measures taken under article 5 of the Convention. Some criticism was also put forward that in Japan, which was at the vanguard of technology and was one of the first economic Powers in the world, there was disparity between the extraordinary technical and industrial progress that had taken place and the improvement of the situation of women. The rate of participation of women was still rather low. While appreciation was expressed for the units relating to women within the Prime Minister's Office, it was felt that such a prosperous country could afford an independent ministry for women's affairs.

238. Experts stated that the Japanese example showed the impact on women in the country of the United Nations Decade for Women and of the Convention.

239. Information was sought on the effect of the technological progress on the female labour force, the rate of female unemployment and vocational training. More information was requested on the results of the Expert Meeting on Homemaking Education and on the activities undertaken during the Women's Week.

240. Experts commented on the large delegation sent by Japan to present the report and commended it for the ample additional material it had distributed during the session, in particular the New National Plan of Action Towards the Year 2000. They inquired to what extent the Convention was being disseminated in the country, whether it had been translated and what the reactions were of the people, especially men. The comment was made, however, that the statistical handbook of Japan for 1987, which had been distributed as additional information, made no specific reference to women.

241. Clarification was requested on the function and structure of the various local offices concerned with the promotion of the status of women. Members commented on the thoughtless references to women made by former Prime Minister Nakasone in a

television interview. They inquired about the reactions of non-governmental organizations and about any legal actions taken against him.

242. It was asked whether the Government had undertaken any serious measures to achieve equal treatment of women in employment, and more information was requested on the equality of the sexes in family life. Clarification was sought as to whether in the extended family the paternal system still existed, whether the responsibilities for doing gainful work and domestic work still followed traditional patterns, whether men shared in household work, whether domestic servants were frequently employed and who was responsible in practice for decision-making in the family.

243. The experts considered the emphasis put on education and training as a very positive aspect. They inquired whether specific programmes in social education were oriented towards sexual equality.

244. It was asked whether any co-ordination existed between governmental units and non-governmental organizations and what was the most outstanding practical contribution by the Ministry of Labour to the advancement of women.

245. With reference to "essential" equality mentioned in the report, more information was sought on the concept of equality in all spheres of life. Questions were asked about the number and types of cases of sex discrimination in violation of the Equal Employment Opportunity Law, and explanations were sought on the composition of the equal employment opportunity commissions and on any other procedural remedies to complain against discrimination. It was also asked whether women were informed about their rights.

246. Experts asked about the percentage of women in national advisory councils, as well as about the number of women who were labour standards inspectors, and who held responsible positions in prefectural offices. They also asked whether public employment was open to women and what the level of female participation in local government agencies was. Experts also wanted to know the purpose for improving women's skills since it seemed that often more was required from women than from men. Others asked how many labour standards inspectors were women and who appointed them.

247. Clarification was requested on the study courses for women's issues, their contents and the length of studies, and on the preparatory seminars for women's working life. It was asked whether men were encouraged to attend them, and if those seminars might simply perpetuate existing stereotypes.

248. It was asked how long the temporary special measures provided by the vocational training courses had existed and how many women had taken advantage of them. Further information was requested on the roles and positive results of the maternal health management promoters. Questions were raised about the current targets of affirmative action programmes for women in all levels of employment. Experts asked whether programmes had been introduced for quotas or preferential treatment to integrate women more rapidly in areas where they were underrepresented. It was asked what types of assistance were provided to women for their re-entry into the labour market, at which levels re-entry was possible and what their promotion prospects were.

249. Experts asked whether efforts to modify sex stereotyping had brought forth any results, what was being done to eliminate the idea that women's jobs were only supplementary and to what extent men were involved in efforts to achieve equality. Considering that in Japan women and men used different types of language, but that the knowledge of male language was a prerequisite for women who wanted to pursue a professional career, it was asked how women could acquire the necessary tools for competing in a male-dominated society. Information was also sought on the influence of religious institutions on the situation of women.

250. While the report dwelled on all the social measures undertaken by the Government to protect women as mothers, and the importance of article 5 was acknowledged, it was commented that not enough was said on measures to modify stereotyped social and cultural patterns of conduct. It was felt that Japan now needed a strong commitment to identify traditional obstacles and design programmes to change traditional patterns. Questions were asked about the portrayal of women in the mass media and whether sex-related job advertising was prohibited. Experts wanted to know whether those responsible for planning had any influence on the media and on modifying the image of women in the media.

251. It was asked who was responsible for radio and television concessions and whether there were contracts regarding such concessions. It was asked whether government institutions mobilized women journalists to give publicity to women's rights and how women and men reacted to the new social role of women.

252. Questions were also raised about the reactions of the public to the new handbook on family education, about the practical results among women of the enlightenment programmes and women's reactions to the institutionally required activities.

253. Statistics were requested on the number of working fathers attending the parent education classes.

254. Experts asked what was meant by the reference in the report to "simple" prostitution, whether the law against prostitution contained punitive measures against men, and how the law prohibiting prostitution was enforced. They also inquired whether rape was regarded as a criminal offence, whether it was practised in rural areas by fathers on their daughters. Not enough attention was paid by the authorities to the issues of domestic violence and sexual harassment, and information was requested on relief centres for battered women. Experts also commented on sex tourism and inquired about the role of geishas in Japanese society.

255. Concerning the participation of women in politics, it was noted that the number of women in decision-making positions and the percentage of women in the Diet was rather small, yet in most elections the turn-out of women was higher than for men. Experts asked if there were any positive action programmes to change the situation. It was observed that the number of women who represented the country overseas was higher than the number of women who held political positions inside the country.

256. It was asked whether political parties and the trade unions had special programmes to advance the equal participation of women, whether women's organizations were oriented towards feminist issues or welfare, whether they could obtain grants or subsidies and what the rate of female participation in trade unions was. Experts were also especially interested to learn whether women's

organizations had been consulted about the Convention and the Government's report to the Committee.

257. Praise was expressed for the amended nationality law but more information was sought on it.

258. Experts commented on the different degrees of involvement in higher education of men and women and on the sex-differentiated choices of study and profession. They asked whether text books or curricula gave any educational guidance and whether the sex-related differences in homemaking courses still prevailed. It was also asked whether there existed any affirmative action programmes for professional or vocational guidance.

259. It was observed that women were still highly disadvantaged compared with men in recruitment, promotion and wages. Satisfaction was expressed concerning the recent reduction of protective legislation. It was further asked to which occupations the 1986 guidelines applied as the report mentioned that they did not apply to "occupations whose nature precluded their application", and which types of work were still restricted. It was observed that the report on wages referred only to equal pay for the same work and experts wanted to know how the principle of equal pay for work of equal value was implemented in practice. It was further observed that women's starting salaries were always lower than men's despite the same educational requirements. Experts requested statistical data and examples of wage differentials between male- and female-dominated jobs. They inquired about hidden unemployment among women and sought an explanation for the drastic drop in the rate of participation in the labour force of women in the 25 to 29 age bracket, which contrasted with the increase in the rate of participation of men in the same age bracket. It was asked what was meant when the report mentioned that women were treated more generously than men in the social security system. The fact that the same retirement age applied to women and men was commended.

260. Experts asked what the normal working hours were for women and men, whether maternity leave was paid at 100 per cent, whether the provisions referring to maternity leave were the same for the public and the private sectors and whether the introduction of paternity leave was in any way foreseen. They felt that the child-care leave should exist equally for fathers. The experts underscored the importance of the advancement of a good social infrastructure. Concerning child day-care facilities, it was asked what their opening hours were and whether the operation of day-care facilities was mandatory for employers.

261. Clarification was sought on the types of jobs incorporated in marine employment.

262. The table referring to health guidance for expectant mothers was commented on and it was asked why the number of women who visited health centres to receive guidance was much higher in 1975 and 1980 than in 1986. It was asked whether mother and child health care were free of charge, whether health education came under the authority of the Ministry for Public Health and whether such facilities existed in public and private enterprises.

263. More details were sought on family-planning measures and on sex education facilities and programmes, and it was asked whether abortion was allowed and what the attitude of society was vis-à-vis single mothers.

264. More information was requested on the tax system in Japan and whether it could be said to encourage or punish married women who wished to take up gainful occupation.

265. Considering that the percentage of women engaged in agriculture was much higher than that of men, it was asked whether the extension workers gave enough guidance and training to women.

266. Concerning the choice of family name, statistics were requested on the number of men who choose their wife's name. It was asked whether any legal provisions forbade women to change their name upon marriage, whether the husband had to retain his name and what the regulations were for the name of children from within wedlock and whether the legal situation of children born within or outside wedlock was different.

267. Experts asked about the legal grounds for divorce and asked why there was still a time-limit for remarriage after divorce and why it was different for men and women.

268. The representative of Japan, in reply to questions raised by members of the Committee, said that the meaning of "essential equality" in her country's report was that under the Constitution all people were equal under the law and that there would be no discrimination in the political, economic or social fields.

269. Prefectural women's and young workers' offices helped resolve individual disputes between women workers and employers under the Equal Employment Opportunity Law. The Equal Opportunity Mediation Commission set up in each prefectural office and the Equal Employment Opportunity Law were part of the many measures recently promulgated by the Government to improve the status of women, as had been done since the 1947 creation of the Women's Bureau. The Commission was composed of three members who were appointed by the Minister of Labour. The Ministry of Labour had publicized the objects and content of the law.

270. The headquarters for the Planning and Promoting of Policies Relating to Women, created in 1975, was headed by the Prime Minister and was composed of vice-ministers from all the ministries. The secretariat of this headquarters was the Office for Women's Affairs. She provided the Committee with a comprehensive description of these bodies, their composition, functions, programmes and mandates.

271. There were no governmental affirmative action programmes in Japan and no quota systems in employment or in political life. However, a target of 15 per cent had been set for women's participation in national advisory councils in the year 2000. The main obstacles to full equal opportunity were fixed notions about women's abilities and the stereotyped role differentiation between men and women, which was deeply rooted in Japanese society, as well as the heavy burden of family responsibilities shouldered by women.

272. The text of the Convention had been translated into Japanese and distributed nationwide together with an explanatory brochure. Municipal government was also involved in meeting the aims of the Convention and had offered courses for women on consumer education, child care, civics, vocational orientation, health and safety, family life and household affairs. The Ministry of Education had also encouraged the establishment of parents' education classes for both sexes as well as stimulated the participation of men in social education classes. This was notably

important. As at 1985, nuclear families constituted 60 per cent of the total number of families, while extended families constituted 15 per cent. It was difficult to judge whether the average person in Japan was satisfied with the efforts and the reforms, at least the awareness of the importance of equality between men and women had been enhanced, even if it had not made everyone happy.

273. With regard to the general questions of economic development, technological innovations and the status of women, the representative pointed out that there still existed a disparity between the economic situation of Japan in the world and the status of women. It was indispensable for women to realize their potential as individuals and, therefore, the participation of women in policy- and decision-making would be expanded.

274. The distribution of the Convention mentioned above also meant that the mass media had been made aware of its ratification. This had had a positive impact on the manner in which women were treated in magazines and newspapers, on television and radio. Public information campaigns were conducted at every opportunity, such as for example Women's Week, Equal Employment Opportunity Month and Human Rights Week. With regard to the influence of religious institutions, religion in Japan was separate from daily social life.

275. Under article 175 of the Penal Code, the distribution of obscene literature was strictly forbidden. Sexual harassment and domestic violence where it existed could be handled by women's consultative offices at each prefecture where victimized women could seek assistance. The representative also provided information statistics on the amount of time spent by women on household duties in comparison with men.

276. Sex education was provided in school so that children would have scientific information about sex and sound views on relations between the sexes. The principle underlying sex education was the dignity of every individual. Many men were reading parent education handbooks, which indicated that men were making efforts to participate in child care and to share in household chores.

277. Simple prostitution, i.e. acts of prostitutions themselves, was prohibited but not penalized as organized prostitution was. It could be said that customers should be penalized, but it was argued that since women who engaged in simple prostitution were not penalized, neither should their customers be. For women who resorted to prostitution because of character or of circumstances, rehabilitation and guidance were available. The law provided for penalties for a variety of acts promoting prostitution, such as soliciting.

278. Regarding women's involvement in government and public life, there was no previous tradition of experience in the matter and the role of women was still small; however, it had gradually begun to rise. The percentage of women executives in trade unions was now 10 per cent. Women's organizations were important in this process. Some were philanthropic in nature, but other groups were political and had been actively involved in the ratification of the Convention. Some had undertaken projects with social and public significance that were financed by the Ministry of Education.

279. With regard to women's participation in international conferences, there were women representatives in a variety of forums, such as the United Nations Commission on Transnational Corporations, the Disarmament Commission and the International

Labour Organisation. Many young women were also detached to other committees of the United Nations and, as time went on, they would be more visible.

280. The representative explained the revision of the law on nationality that had taken place. At the moment, a child born of a mixed nationality marriage acquired Japanese nationality if either the father or the mother was a Japanese citizen.

281. Courses other than home economics were open equally to boys and girls. General home economics was still compulsory for girls but not for boys in upper secondary schools, but 299 public schools, or 7.2 per cent of the total number, taught general home economics for boys. The "course of study" would be revised to ensure an equal opportunity for boys and girls to take home economics in lower and upper secondary schools.

282. Students who wished to go on to institutions of higher education were not subjected to discrimination on the basis of sex. The Ministry of Education and local boards of education directed schools under their jurisdiction to develop in their students an awareness of the equal ability of men and women in all areas of educational activity.

283. Regarding employment, the representative gave further information on issues raised by the Committee. It was true in the past women tended to withdraw from the labour market at times of recession and returned when the recession lifted. However, an increasing number of women were now remaining permanently in the labour market, either by finding recession-proof jobs or by securing new jobs. She also gave examples of recent progress in the field of employment such as a considerable decline in "men only" job advertising. With regard to equal pay for work of equal value, that goal was not yet achieved and there were no statistics on wage differentials between female-dominated and male-dominated jobs. The percentage of part-time workers was higher for women than for men, a majority of part-time workers worked short hours because they liked to share the time between their family responsibilities and their jobs. Subsidies were given to employers to improve their child-care facilities under the Children's Allowance Law. She also explained the result and purposes of the maternal health management promoters. Although some people still held biased views on single mothers, the prejudices, in her opinion, were diminishing and single mothers had access to maternity- and child-health services and family allowances. Women in general could visit health centres to receive guidance as often as they wished. Regarding paternity leave, the Government would welcome it if individual enterprises voluntarily introduced such a system; Japan had not ratified Convention 156 of the International Labour Organisation. The awareness of birth control was widespread through sex education, and the knowledge of contraception by the Ogino method was quite large in Japan.

284. The income tax system encouraged rather than punished women who wanted to work, since taxes were levied separately.

285. In reply to several questions regarding rural women, the representative stated that modernization had now brought about an improvement of women's working conditions and status in farm households. They were a strong force in decision-making. Of the 4,376,000 farm households in Japan, 14 per cent were dependent entirely on their production, while 86 per cent were part-time producers. The latter consisted mostly of women whose husbands worked in non-agricultural jobs. Agricultural work in Japan was not done exclusively by men, but was greatly supported by women.

286. Extension workers were divided into two categories: some taught farmers, regardless of sex, agricultural production techniques and farm management; others helped farm households to improve their living standards.

287. She assured members of the Committee that article 733 of the Civil Code regarding the right for women to remarriage after divorce would be studied in the future, as stated in the report. She admitted that it might be argued that the provision could result in discrimination against women.

288. The representative finally expressed her sincere gratitude to members of the Committee for all the questions asked which showed a keen interest in Japan and commitment to the advancement of women. Although progress towards achieving de facto equality might seem slow, she assured the Committee that Japan would continue its efforts to attain the "common goal".

289. Members of the Committee expressed their appreciation for the comprehensive replies furnished in only 24 hours and congratulated the representative on her efforts and foresight. The experts stated that they would be looking forward to Japan's second report and wished the representative success in her national endeavours.

#### Indonesia

290. The Committee considered the initial report of Indonesia (CEDAW/C/Add.36/Rev.1 and Amend.1) at its 110th and 113th meetings, held on 19 and 22 February 1988 (CEDAW/C/SR.110 and 113).

291. The representative of Indonesia introduced her report by giving an overview of the women's movement in her country that dated back to the nineteenth century. The principle of equality had been embodied in the Constitution and other laws before the signing of the Convention and, in order to ensure the full development and advancement of women, a special chapter had been devoted to the role of women in development in the guidelines on State policy. That had been translated into programmes in the five-year development plan.

292. She explained the functions of the national machinery dealing with the advancement of women and the Ministry of State for the Role of Women and enumerated the major policy objectives. Among the problems and obstacles to increasing women's participation in development were illiteracy, the limited knowledge and skills of women in carrying out their task of guiding the younger generation, lack of skills and knowledge regarding health, nutrition, child care and sanitation, reduced work opportunities for women owing to their low level of education, skills, health and self-esteem, the low level of family income that forced women to seek supplementary income and the traditional social and cultural value system that did not sufficiently support the aspirations of and opportunities for women to play an active role in material development.

293. Based on those problems and obstacles, national programmes had been formulated for the enhancement of women in development. Women were now occupying a wider range of positions in public office. In various ministries women held first-echelon and middle-echelon positions. The two women ministers were the Minister of State for the Role of Women and the Minister for Social Affairs. At the village level, women were also beginning to appear in public office.

294. As a result of the nation-wide education programme, primary education had risen sharply. In 1971, 62 per cent of boys and 58 per cent of girls were enrolled in primary schools; in 1980, the figures had risen to 84 per cent and 87 per cent, respectively, and in 1985 had reached 94 per cent for both groups. Despite the achievements made in the field of education, educational levels were still rather low.

295. She spoke about literacy campaigns in rural areas and said that the most promising non-formal education programme for women was the Small Business Fund Programme, whose goal was to provide the opportunity to people with some vocational skill to increase and market that skill. She also threw light on the role of non-governmental women's organizations in formal and non-formal education.

296. The participation of women in economic activity was influenced by demographics as well as socio-cultural aspects and in 1985, the female labour force participation rate was 37.6 per cent, 28.1 per cent in urban and 41.1 per cent in rural areas.

297. In relation to health care, she said that the comprehensive health care delivery system to implement the primary health care approach started from the home level and went up to a higher referral level. She also mentioned that, since the promulgation of the marriage law in 1975, the status of women in marriage had been strengthened. She concluded by recognizing that the improvement of the status of women could not be separated from the larger context in that development was a total process that had to involve both sexes in order to be effective.

298. The experts thanked the representative of Indonesia for the comprehensive introductory statement and appreciated the efforts of the Government to have provided an amendment to the initial report which contained also statistical data. While understanding was shown for the efforts made by the Government, the Committee expressed concern, as the report gave the impression that policies were not aimed at the advancement of women, but rather at improving the status of the Indonesian family and at emphasizing the maternal role of women. Women seemed to be given major tasks in the family, but not in decision-making and economic activities and they did not have a big enough share in the development process. The economic independence of women had to be emphasized. Hopes were expressed that the Indonesian Government would improve its efforts in the future. Considering the long history of the women's movement in the country, experts inquired about the reaction of Indonesian women to the present policy. That would only perpetuate the traditional stereotypes. The measures undertaken by the Government to make the public more aware of their rights and responsibilities received positive comments. In that connection, more clarification was sought on the way women could be better informed, in particular of the marriage law.

299. With reference to the guidelines for State policy stipulating the role of women in national development it was asked whether similar guidelines existed for men. Praise was expressed for the establishment of the National Commission on the Status of Women and for the appointment of the Associate Minister for the Role of Women. Questions were asked about the Commission's mandate, its budget, about any changes in its role since 1968 and its relationship with non-governmental organizations.

300. Comments were made about the reference to God in the Constitution, and it was asked what the situation was if a citizen was agnostic. The Committee asked what

was meant by the "Indonesian man of integrity" referred to in the report and asked whether also the "Woman of integrity" was an established notion.

301. Experts referred to statements of the Women's International League for Peace and Freedom made at the forty-fourth session of the Commission on Human Rights, according to which human rights were being violated in some Indonesian territories through the displacement of populations. That constituted a violation of the right of movement and women's rights in particular. Clarification was requested.

302. It was asked whether the Associate Minister for the Role of Women was established at the highest level of Government, whether the Ministry elaborated any programmes for rural women, whether sanctions existed for acts of discrimination and whether any machinery was being set up to enable women to complain about such acts. Information was sought on the State philosophy of Pancasila and whether women performed the military service. Apart from women's roles in relation to the health of their families, the question was raised whether the Indonesian policy promoted also the rights of women as individuals. Experts emphasized, however, that their questions in that respect should not be understood as criticism, but rather as constructive remarks in order to ensure that the Convention was implemented.

303. Explanations were sought on the meaning of "reasonable ways" and "home industries".

304. Information was requested on the existence of affirmative action programmes, such as the introduction of quota systems or preferential treatment to accelerate access to economic power on equal footing with men.

305. Members of the Committee inquired whether efforts were made to identify socio-cultural stereotypes, whether measures were undertaken to change them, and whether there were different cultural patterns in the urban environment and rural areas or in different classes of society.

306. It was asked what the impact of religious institutions in the country on the status of women was, whether any efforts were made to publicize the Convention, whether information campaigns reached the entire population and what the role of non-governmental women's organizations in such campaigns was.

307. Questions were raised about the real objectives of education programmes for women.

308. Positive comments were made on the equal sanctions for men and women in cases of adultery and on the sanctions for rape of minors. Experts asked whether the penal provisions had succeeded in eliminating prostitution, whether the religious education offered in rehabilitation centres for prostitutes would help to reduce prostitution and why religious teaching was not also provided for men. Comments were made on the discrepancy in prison terms for rape and for traffic in women and minors.

309. Praise was expressed for the existing sanctions against sexist advertising. Some experts asked whether statistics about physical violence against women existed and whether steps were taken to make rape of the wife by the husband a criminal offence.

310. Experts requested information on the number of women's non-governmental organizations, about the number of women who were members, from which areas they came, about their funding and how their leaders were appointed.

311. Experts inquired about the rate of political participation of women from the villages. They asked whether women, once they were elected, dealt with women's issues and what the number of women deputies was. Clarification was sought about the voting age.

312. Concerning the People's Consultative Assembly, experts wanted to know whether it had an advisory or a legislative role, what the "functional groups" were that formed part of its membership, and whether any of the functional groups were military.

313. Referring to the principle of the unity of citizenship, it was asked whether any plans existed to change the current laws in order to give women the same rights as men, in particular whether an alien man married to an Indonesian citizen could acquire Indonesian nationality and whether it was foreseen at all that unmarried children under the age of 18 could acquire their mother's citizenship.

314. Members of the Committee wanted to know whether the literacy programmes were having an impact on the status of women, up to which grade and age school education was compulsory, what percentage of educational needs was met by public schools, which grades were offered by schools, whether the religious schools were private or public and what their percentage was. They also asked about the overall rate of illiteracy.

315. Further questions referred to special programmes for women in rural areas and to the existence of sex education in schools. More information was requested on the Small Business Learning Fund Programme, and it was asked who provided the money for the 99 per cent of kindergartens run by non-governmental organizations.

316. It was considered important to analyse the drop-out rates of girls, and it was asked whether any education was provided to rural girls and women. It was asked how State schools could function with a simple school system, considering the different religions in the country. It was commented that women still undertook only traditional lines of university studies. It was asked what the "prerequisite conditions" were under which all Indonesian citizens could study.

317. Regarding article 11, it was asked whether women enjoyed free choice of profession and what the percentage of women in the different fields of employment was. It was inquired whether the regulations in the public and in the private sector were different, why the retirement age in the public sector was different for men and for women, and whether the retirement ages were mandatory.

318. It was asked why the Ministry of Manpower had to push the trade unions not to discriminate between the sexes and whether any of the provisions agreed upon between the trade unions and the companies concerning safe working conditions in factories were in any way discriminatory and, if so, what were the remedies. Experts requested information on the total unemployment rate and the unemployment rates by sex. They also pointed out that all the labour programmes mentioned in the report were directed towards female workers only in traditionally female jobs and it was asked whether any efforts had been made to abolish the gender division in labour. Experts said specific programmes should also be drawn up for the

illiterate, poor and unskilled rural women. Clarification was requested on the rule that every civil servant had the right to appropriate remuneration in accordance with their work and responsibilities, and further information was asked about the role of trade unions and the role of women within them.

319. Concern was expressed at the term "10 years of age and over" for the age of entry into the labour force and information was requested on how the Government was planning to remedy the situation.

320. It was queried that the economic recession had been the cause for the absorption of women in the informal sector, since there were also other obstacles affecting women who were not even allowed to take up certain types of work. One expert asked what the exceptions were and why they did not also exist for men.

321. Experts requested more information about the rights and practices with regard to abortion. Alarmed at the high pregnancy-related death rate and the high rate of deficiency anemia among women, members of the Committee asked whether any relief programmes existed and by which norms women were protected during pregnancy. Comments were made in the State's objectives in family planning programmes, and it was said that the concept of family planning should consist in giving information and guidance but not in putting out directives on the desirability of a specific number of children in each family.

322. Experts said that Indonesian law did not seem to provide for equality between women and men in marriage and they inquired whether any steps were being contemplated to ensure it. They asked about the relationship between religious and civil marriage. Referring to the right of men to marry more than one woman, it was asked whether women had the right to marry more than one man. It was said that discrimination existed also with regard to children born out of wedlock. The importance of the legal advice programme was emphasized.

323. Information was requested on the grounds for divorce, on the legal regulations concerning the name of married women and of children born within and outside wedlock and the legal status of cohabiting couples.

324. In reply to the questions and comments made by the members of the Committee, the representative of Indonesia emphasized that the social development of Indonesia was embedded in a pluralistic society, comprising various religions and subcultures with different levels of education and economic life. Regarding the term "man of integrity", that was a mere linguistic problem; it should have read "human being of integrity" in the report, which included both men and women.

325. The first principle contained in the State philosophy, the "belief in one Supreme God", did not mean that Indonesia was a theocratic State. It expressed only a guarantee for respect and tolerance among the various religions.

326. The Convention was disseminated within the package of legal literacy programmes which were carried out throughout the country by legal literacy centres, women's organizations and schools of law.

327. In 1978, the Associate Minister for the Role of Women had the status of junior minister; in 1983, the Minister was promoted to the status of higher minister. The ministry had its own allocated budget from the central State budget.

328. As a result of the transformation of the agricultural economy into an industrial economy, men and women started to share a common responsibility in the household. That development already had become visible in young married couples and had provoked a redistribution of labour in the production sector and in domestic work. Advocacy programmes were being conducted through the media and women leaders received training to enhance their self-esteem. Women's organizations, including religious groups, were deeply involved in implementing those programmes and were trying to motivate women. More women were becoming involved in gainful work, mostly at the stage of small-scale industries. The Government had set up programmes where rural women were given more attention and were assisted in coping with industrial and non-farming jobs. Since 70 per cent of the Indonesian population was concentrated in rural areas, the national development programme to improve the quality of life for rural women ran parallel with efforts to improve the status of women. They were made conscious of their rights and should attain the same privileges as already achieved by women in urban areas.

329. Adultery and rape were considered as crimes. The religious teaching of prostitutes was meant to strengthen their moral consciousness. They received training in manual skills, credits and tools to enable them to find a new way of earning a living. Other efforts to minimize prostitution implied the provision of job opportunities in rural areas through training. Regarding the term of imprisonment for trafficking of women and minors, there was a strong feeling in favour of modifying it. Violence against women existed, but no special centres for victims had been established. Rape of the wife was not considered as a crime, but it constituted grounds for divorce.

330. The Indonesian Women's Congress, the federation of all women's organizations, had 61 members and was a member of the International Council of Women; the Indonesian Commission on the Status of Women had 45 members, half of whom were government representatives and half representatives from professional and women's organizations. The members of the board had a term of office of five years, upon election by the members of the Commission. The Commission had initiated and drafted the basic strategies for the enhancement of the role of women in development towards the year 2000, which would be included in the next five-year plan as from 1989. The most active female participants in political life came from the middle stratum of society; voting age was 17 years. The political parties had women's organizations under their wing; women sat in the central governing bodies and in the local sections of political parties. There were, however, no quota systems to accelerate women's integration into economic and political life. Since 1957, women had voting rights and were eligible and they were allowed to deal with soft and hard political issues. Since 1972, the number of women elected to the House of Representatives and to the Consultative Assembly had been increasing. Women's organizations obtained their funds through membership contributions, fund-raising activities and donations. The leaders were elected on the basis of their capabilities and activities.

331. As a consequence of the active role played by women's organizations in development, some women were holding ministerial posts in the recent past; between 1955 and 1965, women were already serving as ambassadors. Many women were also active as trade union co-operative leaders. Other issues dealt with by women's organizations were questions of employment and equal pay for equal work.

332. Regarding questions related to nationality, the public status of an Indonesian woman did not automatically change as a result of her marriage with an alien.

Children born within or outside wedlock of an alien father and an Indonesian mother were entitled to become Indonesian citizens upon application to the Minister of Justice, after having abandoned their alien nationality according to the law of their country.

333. In 1984, the compulsory primary education programme was launched. Public primary schools were free; there were private and public religious schools. The Small Business Learning Fund Programme was designed for men and women, although the participants were mostly women. Its funds were allocated from the State budget. The illiteracy rates in 1985 were 25.72 per cent for women and 12.22 per cent for men; in rural areas they were 29.92 per cent for women and 15.05 per cent for men; in urban areas 14.27 per cent for women and 4.6 per cent for men. Sex education was provided in senior high schools. Most schools were co-educational. Funds for kindergartens run by non-governmental organizations were obtained through support from foundations, fund-raising activities and parents' contributions.

334. As a result of better education, women were increasingly becoming self-employed persons and businesswomen and had become powerful enough to organize themselves into an association of businesswomen. More and more young women were interested in the scientific field.

335. Regarding the term "10 years of age and over", the representative explained that the term was an international term used in the labour force statistics issued by the International Labour Organisation. It did not mean that children 10 years of age were already working. The total number of unemployed was estimated to be 6 million at the end of 1988, 60 per cent of whom were women. Rural men and women received their training in vocational training centres in rural areas. The Ministry of Manpower was a co-signing party of any collective labour agreement and had to ensure that there was no distinction between male and female workers.

336. Women had free choice of employment guaranteed by law. In 1985, 7.24 per cent of urban and 64.7 per cent of rural women were employed in primary industry, 16.06 per cent of urban and 11.31 per cent of rural women worked in secondary industry, and 76.55 per cent of women worked in tertiary industry in urban areas and 23.81 per cent in rural areas. Since 1968, the armed forces were open to women. There were some female rectors and deans in private and public universities and, besides the women professors and teachers, women principals in high schools.

337. Pension age and benefits in the public sector were the same for women and men, while in the private sector some differences still prevailed. The Ministry of Manpower was empowered to make exceptions regarding the prohibition of night work for women. There was no distinction between women and men regarding work safety. Special care was given to pregnant women, and most companies had health centres that provided for family planning and mother and child services. Provisions for paid maternity leave were the same in the public and the private sector. For female civil servants, paid maternity leave was granted, but for the fourth child and up there was no entitlement to child allowance. Many companies, offices and estates provided day-care services, which were privately run or supported by the Department of Social Affairs.

338. The Family Matrimonial Improvement Programme was aimed at overcoming matrimonial problems of pregnant mothers and problems of small children. Further services were provided through the Integrated Service Post, which was run by village communities and supported by periodic professional care package. Abortion

was illegal and only permissible for health reasons and if performed by a medical doctor. Family planning consisted in providing information nationwide and persuasion to implement self-initiative family planning.

339. Marriage was based on the principle of monogamy. Polygamy was allowed only upon fulfilment of several pre-conditions and by court decision. Religious courts were obliged to implement the provisions stipulated in the Marriage Law. Under the law, the rights and positions of husband and wife were equal in family and social life. Children born out of wedlock had legal ties with the mother. The minimum ages for marriage were 16 for girls and 19 for boys. Legal aid concerning marriage was provided free of charge. There was no law on the names of married women; they were free to use their maiden names or to take their husband's name. Both husband and wife could file a suit for divorce. The representative explained the grounds for divorce and added that cohabitation had no legal status.

340. On the concern expressed by a non-governmental body at the Commission on Human Rights, the representative said that her delegation could not react to the request for clarification, as that issue was considered to be out of context if brought before the Committee. She further stated that the transmigration programme has become an essential element in Indonesia's development by, inter alia, giving priority to the poorest and landless farm families to move to unsettled areas so as to own their own land and to increase their living standards, relieving over-populated areas and importing the needed skills. The achievements manifest the positive impact of the transmigration programme on the development of the country and family life.

#### Argentina

341. The Committee considered the initial report of Argentina (CEDAW/C.5/Add.39 and Amend.1) at its 112th and 118th meetings, on 22 and 25 February 1988 (CEDAW/C/SR.112 and 118).

342. In her introduction, the representative of Argentina informed the Committee that with the return of democracy, her country had experienced a revival. The Government had made a commitment towards making human rights an effective tool of society and those rights included equality between men and women. The Convention was ratified in 1985 and that had prompted numerous institutional reforms both at the national and provincial levels.

343. The Health and Social Action Ministry had created an under-secretariat for women in 1987. Its main objectives were to promote women's rights and to suppress disadvantages in all spheres of life. At the national level, more than 10 provinces had established governmental organs directly concerned with the status of women.

344. Although the Constitution established the principle of equality between men and women, legislative reforms had taken place recently, such as patria potestad compartida, now shared by both parents, and the elimination of any juridical discriminatory measure against children born in or out of wedlock. Regarding marriage laws, both spouses could now choose their domicile jointly, women were not obliged to use the husband's name, new grounds for divorce had been introduced and women now had the right to remarry once divorce had been obtained.

345. Discriminatory practices still existed as in the penal code regarding adultery. Despite the will of the Government to achieve de jure equality, full equality would not be attained until prejudices and discriminatory practices were eradicated. To assist in these pursuits, the secretariat of Human and Family Development had created a commission to elaborate a series of television spots on sex discrimination.

346. Financial resources had been allocated to provincial governments in order to assist them in developing promotion campaigns, training, and day-care centres. Non-governmental organizations continued to play a very important role in all the reforms and programmes mentioned.

347. New text books had been introduced in Buenos Aires that did not contain stereotyped and discriminatory models. Distance courses had also been created in order to reduce the rate of women's drop-out.

348. Equality between women and men was guaranteed by the Republic, and the Labour Contract Law provided that there would be no differences in remuneration between men and women for work of equal value. However certain protective laws would have to be revised, such as the law regulating night work. Improvements were also necessary in the provision of labour safeguards for domestic workers.

349. The main difficulties and obstacles standing in the way to integration were of an economic nature, since women were the most affected by the present crisis. The introduction of new technologies had also been detrimental to women. Statistical data revealed that social prejudices affected women's employment. The National Statistical Institute was studying the reasons for the lack of data related to women's employment; for example, women's work in farms or at home had not been considered as productive work.

350. There was no discrimination in Argentina regarding the health services provided, and special public health services specially tailored for women had been established recently, such as cancer-screening tests and family-planning. Housewives had been included in programmes regarding retirement as "autonomous workers".

351. In rural areas, women were involved particularly in livestock farming and small-scale farming; the Government had established technical assistance programmes for the producers and their families and had also disseminated information on women's rights. Community action plans for rural women had also been created, which included the marketing of local produce, the provision of water, the extension of telephone lines in rural areas and day-care centres. Yet not many women were attending agricultural technical schools, owing to the arduous nature of the school-work, the lack of facilities and the incompatibility with family duties.

352. Women had played a very important political role in Argentinian politics, in the current democratization process. However, their participation in the election of candidates on the party lists and in similar processes left much to be desired. That trend would have to be reversed and social prejudice would have to be examined.

353. In a world where \$1,800 million a minute was spent in armaments, the socio-economic inequalities had created a dramatic separation between developed and developing countries. However, in spite of the external debt, she was convinced

that there was room for growth in a democracy, a pursuit that her Government would not abandon.

354. The Committee congratulated the representative of Argentina on the presentation of the initial report and noted that there was an evident commitment by the Government to implement the Convention as well as other international human rights instruments. Argentina had gone through a dark period of military rule, the consequences of which were still felt. The report was sincere in that it admitted frankly the obstacles encountered and still to be overcome. However, there was a lack of data regarding the actual situation of the status of women in areas covered by articles 10, 11 and 12 of the Convention. The measures taken by the Government were to be commended. It was remarkable how illiteracy rates had dropped after the ousting of the dictatorship, and how considerable an effort had been displayed in changing the education system. Experts mentioned that a new beginning for the country also meant a new beginning for women.

355. Experts requested information on how the Convention affected or superseded national legislation and the relation in general between international and internal law.

356. It was asked what action had been taken to publicize the Convention and the country's report and whether any action had been taken to identify the needs of particular groups of women such as single mothers and migrant women.

357. More information was requested regarding the working and functioning of the different women's offices within the Government and whether there existed any co-ordination in the work of the different institutions. It was asked whether non-governmental organizations and government offices in charge of women's programmes collaborated in relation to different questions such as prenatal and postnatal care, abortion facilities, etc.

358. It was also asked what mechanism the Government offered to guarantee equal rights to women and whether there were any cases where women had invoiced the provisions of the Convention. It was asked whether government offices were receptive to women's demands.

359. It was asked why protective legislation was referred to as a measure to accelerate de facto equality since this type of regulation resulted in more discrimination of women and whether temporary special measures such as positive action or quotas had been proposed in any field. No statistics had been provided on the extent to which men in practice shared household duties and the upbringing of children with women, and experts wanted to know how many families could afford domestic service. Information was also sought on the influence of religious institutions on the advancement of women.

360. More information was requested on programmes designed to rehabilitate prostitutes, on whether prostitution had increased or decreased, on the number of shelters for battered women and laws regarding violence against women and whether laws punishing rape included rape within marriage. It was also noted that laws penalizing adultery might be discriminatory and would require revisions and information was requested on the reaction of women's organizations to this issue.

361. Information was requested on the participation of women in political parties and trade unions. Experts expressed the hope that Argentinian women, who had been

highly visible during resistance against the dictatorship recently, would continue to participate in political life. They also wanted to know whether there were any programmes to attain a better level of participation by women in decision-making, and whether feminist organizations were independent from the political parties or affiliated to them.

362. Experts requested information on the enforcement of article 9 of the Convention in courts and on whether both parents could transfer nationality to their children.

363. There were vestiges of a sex-biased education. There were no statistics related to patterns of attendance at institutions of higher learning, and although it was understood that education was compulsory, it was not mentioned until what age. It was asked to what extent education was free, what had been the effect of the literacy plan and whether to be literate was a requirement to be a candidate for parliament. It was noted that women comprised 70 per cent of all the people enrolled in distance courses and it was asked whether these were emergency measures in order to reduce drop-out rates.

364. Clarification was sought as to whether the under-secretariat was involved in the activities of the Ministry of Health. Experts asked for details on the general health-care system, abortion rights and medical insurance for single mothers. It was also asked whether women in domestic service were covered by social benefits and if there were any unemployment benefits.

365. Members of the Committee commented on the statement of the report regarding the effect of new technologies on women's employment and asked whether studies had been carried out on this subject. Unemployment among rural women was extensive and it was asked what kind of training was given to them and whether results were available on the effects of such unemployment. The Committee was also interested to know how many women used the available day-care centre facilities and how much they cost, especially what was the cost ratio to the salary received. Questions were also asked relating to job security during maternity.

366. It was appreciated that the Government was making great efforts to strengthen domestic workers' rights and to review and abolish outdated protective legislation such as the banning of night work only for women. The legislation to ban discrimination of women by trade unions was commented upon and it was asked whether many cases had been presented. Other questions related to sexual harassment at work, the percentage of women in the labour force, unemployment rates for women and men, minimum wages, the retirement age of men and women, plans to introduce paternity leave, details on the implementation of the provisions regarding equal pay for work of equal value and statistics on wage differentials between women and men. Information was requested about the income tax system and whether it could be said to encourage or discourage women to enter into employment.

367. The situation of rural women was examined in detail. Special attention was given to the rural extension programmes and on how they affected women. Questions were raised on the current conditions and the future action plans of the Government to improve the situation, on health care, the distribution of land-ownership, the percentage of indigenous population, the role of co-operatives if any, seasonal labour, the mechanization of house-work and farming and its effect on women.

368. Experts commended the Government of Argentina on the new family law and additional information was requested on the revised grounds for divorce. Clarification was also sought on the impact the law had had on common law relationships, and on the criteria used for access to food allowances.

369. It was asked what were the rights of children born of parents in and out of wedlock.

370. The representative of Argentina replied that awareness campaigns regarding the ratification of the Convention had been carried out in the rural areas with the collaboration of the provincial governments and the mass media; open seminars for the study of the Convention had also been held. The Convention could be involved directly in court; positive precedents had been established with the ratification by Argentina of the American Convention for Human Rights which the courts had applied directly.

371. She explained that there were three main offices in charge of women's affairs. One was the Under-Secretariat for Women's Affairs, within the Ministry of Health and Social Affairs, which carried out the programme "Women, health and development". The other was the General Directorate for Women, under the Under-Secretariat for Human Rights, within the Ministry of External Affairs and Religious Affairs. At the provincial level, other organs in charge of women's affairs had been created at the insistence of the Under-Secretariat for Women's Affairs. There was no co-ordinating body and she would pay special attention to comments made by the Committee in this regard.

372. The Under-Secretariat for Women's Affairs was entirely composed of women and comprised four departments, each dealing with different subjects, such as studies and research, advancement and participation, institutional relations and co-ordination, and planning. There were currently no plans to introduce temporary special measures.

373. The modification of social and cultural patterns, including support for working women, was under way through public discussions and mass media programmes. She noted that young men were more open to assuming housework in the marriage, but she had no statistical or case material at hand. She recognized that the unremunerated work of women continued unrecorded in the national indexes. The mass media programmes were seen on the State-owned television channels which were a majority, but not on the privately-owned channels. There were no pre-marriage guidance or counselling services. The official religion in Argentina was Roman Catholic. Regarding the influence of religious institutions on the advancement of women, it would be said that there were conservatives and vanguardists. Court action had been taken in some cases against the exploitation of women as sex objects in mass media and by the advertising industry. Some programmes had been banned on this account.

374. A commission on battered women had been created recently as well as centres for their assistance which taught the victims their rights and how to bring suits through judicial and police channels. These centres also tried to influence public opinion with a view to eradicating sexist and discriminatory practices. Violence against women was not considered by Argentine society in general as a virile or masculine trait; this propensity was only found at the lower socio-cultural level.

375. There was extensive legislation within the Penal Code regarding rape which established prison sentences according to the degree of violence or intimidation used. The penalties ranged from 6 to 15 years in prison.

376. Prostitutes were rehabilitated by private and religious groups. The State had no specific programme in this regard. The term "honest woman" in Argentina's legislation was used as a moral term designed to protect women. She agreed that this was an outdated term and asserted that it would soon be revised.

377. The feminist movement was not affiliated to any political party and was independent. Other professional organizations were in close contact with the Under-Secretariat for Women's Affairs and some, like the Organization of Women in Legal Careers, gave free advice when called upon. Movements, such as the housewives which had protested price increases, had been responsible for the creation of a state agency for consumer's affairs.

378. There were no statistics on women's participation in trade unions, but it could safely be said that the lack of participation was due to prevailing machistas attitudes in the organizations. Regarding political participation, more interest on the part of women to run for office had been noted since the present Government had initiated its reforms.

379. Nationality was acquired by the place of birth (jusoli), and not by parental derivation (jus sanguinis).

380. Regarding the educational policy of the Government, an advisory commission at the University of Buenos Aires had been created to elaborate and co-ordinate projects to eliminate discrimination against women in education. In Buenos Aires, textbooks did not show any stereotyped models. Co-education was the norm in Argentina in the State schools. Private schools were supervised by the State and in some cases received subsidies as well.

381. Women and men had the same opportunities to enter universities, and these were free of charge in State schools. Primary education was compulsory and free of charge. Courses at distance (a distancia) were successful, especially in remote areas. One successful project involved a television set and video-tapes; students gathered at a centrally located community centre and followed the lessons. At the end of the course an evaluation would be made and a certificate delivered; both primary and secondary levels were included in this programme.

382. There were 1,184,964 functional illiterates, and the Government was implementing a national literacy plan to remedy this situation.

383. Equal pay for equal work was assured by the Constitution. In case of discrimination regarding salary scales, the courts were able to accept the complaint and rule both through principles outlined by the Convention and the national legislation.

384. Provisions for protective legislation would be removed as soon as they were considered outdated.

385. The representative also replied to questions which had been raised regarding benefits associated with old age, disability and death. Contributions to these funds were given by the individual or by the employer or the State, as

appropriate. There was no discrimination in regard to these provisions. Pensions on retirement could be collected after 30 years' service and women could retire at age 55 while men at 60. She explained the different schemes related to the social security system.

386. Paternity leave was granted for one day - on the occasion of the birth of the child. Leave of absence was paid in general. Regarding child and family care leave, women could request a leave of absence on two grounds: the birth or sickness of a child and the attendance to family matters of great importance. They had to prove that they had been working for one year at the same place, that they were employed and lived in the country. The leave of absence could be 6 months to a year, depending on the circumstances. She described the situation of young single mothers. Family planning services were available upon request. Birth control devices were not distributed free of charge. Abortion was illegal but not considered as infanticide.

387. The income tax system was progressive and applied to the individual income with provisions for a non-taxable minimum.

388. Women co-operatives were very active in rural areas although not numerous. They ranged from office-cleaning to rabbit-breeding. Mixed co-operatives worked in diverse areas such as electrical services, credit and consumer services, insurance, housing, gardening, among others.

389. Many programmes had been developed to assist rural women, especially in technical training, co-operative formation, small-scale enterprises and marketing. Regarding migrant women farm-workers (called "swallows"), remuneration was equal for both sexes. Extension workers had been detached to the rural areas by the National Institute of Agricultural Technology with the view of promoting an improvement of women's living and working conditions. A literacy programme had also been introduced. Land tenure was of private nature. Both women who worked in rural areas and domestic workers were protected by specific labour laws.

390. Approximately 1 per cent of the population was of indigenous origin. The indigenous communities were provided with drinking water supply, education and guidance for the sale of their crafts. Religious associations assisted them in the latter. Migration was no longer as serious a problem as at times in the past, since efforts were being made to create jobs in people's places of origin.

391. The following laws and decrees had been adopted for the benefit of women since 1983, apart from the ratification of the Convention: law on joint parental authority, law on marriage and divorce, law on equal rights between children born in and out of wedlock, right to pension in case of cohabitation in de facto marriages, decree on cancer-screening tests, decree on family planning, law on the elimination of discrimination in the trade unions, decrees creating governmental organs in charge of the status of women, adoption of the American Human Rights Convention, the International Covenant on Civil and Political Rights and its Optional Protocol, and other international instruments.

392. She hoped that she had answered most of the questions and thanked the Committee for its interest and comments. She would bear in mind all the suggestions made.

393. The Committee thanked the representative for her comprehensive replies and clarifications. However, an additional clarification was requested.

394. It had been mentioned in the introductory statement that the principle of equal pay for work of equal value was accepted in Argentina, yet reference was made in the reply to equal pay for equal work only. After a short dialogue with the representative, the Committee expressed concern that the implications of the principle of equal pay for work of equal value were not always clear to States parties. What was required was the establishment of criteria to make it possible to compare female-dominated jobs with male-dominated jobs and to get a gender-neutral job evaluation. Such measures could also allow an upgrading of female-dominated jobs, thus constituting a means for the elimination of sex discrimination with regard to remuneration.

395. It would also be very beneficial if the Under-Secretariat was made part of the Council of Ministers where decisions and policies were made.

396. The Committee wished the representative of Argentina every success in her endeavours.

#### Australia

397. The Committee considered the initial report of Australia (CEDAW/C/5/Add.40 and Amend.1) at its 114th and 118th meetings, held on 23 and 25 February 1988 (CEDAW/C/SR.114 and 118).

398. In her introduction, the representative stated that her country had ratified the Convention in August 1983. That had given Australia the constitutional foundation on which to base important legislation to counter discrimination against women. The Constitution did not include any specific reference to equal rights for men and women, but it did not embody any discriminatory principles either.

399. Since 1983, progress had been achieved in women's employment, with an increase from 44.5 per cent to 50.3 per cent of female participation in the labour force. The number of child-care centres had risen by 150 per cent. Over 17 per cent of executive or managerial positions in the private sector were now held by women; and 50.1 per cent of students in higher education were women compared with 46.3 per cent in 1938.

400. The implementation of a national policy for the education of women and girls had generated many programmes to increase participation in non-traditional fields of study. A review of social security programmes, the creation of a child support agency, a public education campaign on domestic violence, preventive health programmes, cancer-screening services and community development services, were among many different initiatives taken by the Government on behalf of women.

401. However, in spite of all the measures enumerated, much remained to be done. Women's average weekly earnings were still significantly less than men's; although the ratio had improved since 1983 from 75 to 79 per cent; women were still a minority in political representation; and attitudes still prevailed which placed women as the primary caretaker. A conservative outlook did not recognize women's unremunerated contribution to the national economy. There was an unacceptable level of violence against women and children.

402. The special problems of indigenous, immigrant and non-English-speaking women, as well as disabled women, were of concern to the Government. Data released recently revealed that Aboriginal women had a life expectancy of from 57 to 65 years as compared with 79 for other women. Unemployment rates among them were high. She provided the Committee with extensive information on the status of the Aboriginal and Islander community, as well as government programmes to improve their well-being.

403. The new Disability Services Act passed in 1986 set guidelines for the funding of non-profit community-based organizations providing services to people with disabilities. Forty-three per cent of their clients were women. Special provision was also made for disabled people through the Programme of Assistance for Sport and Recreation for Disabled People and most Family Planning Association centres employed staff who dealt with problems faced by disabled women.

404. The Federal Sex Discrimination Act, passed in August 1984, prohibited, among the usual forms of discrimination, sexual harassment in employment and education. A total of 2,400 complaints had been registered under the Act between 1984 and 1987. The Affirmative Action (Equal Employment Opportunity for Women) Act had also been adopted in 1986. It provided that employers of 100 or more staff and all higher education institutions should take positive steps to improve employment opportunities for women. A far-reaching measure that was about to be launched by the Federal Government was the "National Agenda for Women", which provided a comprehensive plan for government action to improve the status of Australian women by the year 2000.

405. Finally, Australia had made two reservations to the Convention, one on paid maternity leave and the other regarding exclusion of women from combat-related duties. However, progress achieved in these two areas could lead the Government to withdraw the reservations in the not too distant future. The Australian people were proud of the advances achieved since ratification of the Convention and, with the help and active support of voluntary non-governmental organizations, were confident of reaching the ultimate goals. Procedural measures had been instituted and strategies under way provided the means and the model for continuing progress.

406. The Committee congratulated the representative of the State Party on the report which was, in the opinion of all the experts, a model one. Not only did it follow the Committee's guidelines but it was candid, self-critical and frank. The amount of information provided was both concise and overwhelming. There was no doubt that the Australian Government had made a very serious commitment to achieve real equality between men and women.

407. As part of the general comments, Members of the Committee requested details on the system of government in Australia. There were several questions on how states related to the federal Government and on how laws passed by the central Government were not applicable in all parts of the country. It was remarked that there seemed to be a contradiction between the possible application of the Convention at the national level and the independence of state governments exempting them from executing certain laws. It was also asked how candidates for public election were selected or nominated and what the electoral system was.

408. The Government of Australia was praised for attempting to draft new legislation in gender-neutral terms, and for enacting the Sex Discrimination Act.

More information was requested on the population's reaction to these innovative measures.

409. Commendations were expressed regarding the establishment of pilot projects with the private sector to implement affirmative action plans, and questions were asked regarding the results achieved.

410. Several experts expressed concern about the two reservations entered by Australia upon ratification of the Convention, especially regarding maternity leave provisions which applied to the civil service but not to the private sector. Clarification was requested on that discrepancy. Regarding the other reservation which concerned women's employment in the armed forces, information was requested about the definition of combat duties from which women were excluded, and more statistics were also requested on the proportion of men and women in the military by rank.

411. The report and introduction had both dealt in great detail with the situation of Aboriginal people and statistics thereon had been furnished. However, it was pointed out that no information had been provided on the recent phenomenon of the "importing" of Filipino brides, whether it was a growing problem, and whether initiatives had been taken to help those women. Additional data were also requested on non-English-speaking people.

412. It was noted that certain offices had been merged or had changed name, and it was asked whether the Office for the Status of Women was the main co-ordinating body for all the women's programmes and whether it had a budget large enough to accomplish its work. More information was also requested on how all the different bodies and offices involved in the improvement of the status of women related to each other, and how the women's bureau changed or evolved over the years.

413. Further clarification was requested with regard to the term "indirect discrimination", which was referred to in the report as unlawful.

414. It was remarked that a conceptual framework had been established that would enable all the objectives of the Convention to be achieved, and it was asked what the priority areas were, what the minimum and maximum goals were, and what, in the view of the representative, was the major obstacle hindering the implementation of the national plan.

415. In reference to the implementation of article 2 of the Convention, it was noted that the Constitution did not provide for equality of the sexes and that the retirement and marriage age remained different for the two sexes. It was asked if there was any particular reason for that.

416. More commendations were expressed regarding the establishment of pilot projects with the private sector to implement affirmative action plans and questions were asked regarding the results achieved.

417. The Committee also praised the Government of Australia for its efforts to eradicate sex stereotypes through legislation, public information campaigns and the media, and it was asked whether noticeable changes in public opinion had occurred.

418. The initiative taken by the Australian Government to abolish sexist language was praised and more information was requested on initiatives to eliminate

pornography. Questions were also asked concerning the wages for housework and the implementation of paternity leave. In efforts to modify social and cultural patterns, it was asked whether the concerns of Aboriginal women were taken into consideration and whether the recommendations of the Aboriginal women's task force had been implemented.

419. Other questions were raised regarding national compliance with central Government measures and it was asked if conflict and confrontation often occurred and how they were solved. On the other hand, it was remarked that more efforts should be employed in the socialization of men, especially in regard to violence against women and rape.

420. Although it was obvious that many women's organizations were active in Australia, it was asked what their involvement in party politics was and whether there were steps to increase women's participation in political life. More information was requested on steps taken to assist women to advance in the public services, their involvement in trade unions and in the higher and lower courts, the positions and rank women held in the Foreign Ministry and what their participation was at international events.

421. The overall education situation was considered good but experts questioned the high rate of drop-outs among girls. It was asked what was being done to prepare teachers to bring about a change in attitudes. Note was taken of the extensive adult education programmes and it was asked whether they were available to Aboriginal women. Remarks were made on the coeducational versus single-sex educational system.

422. Remarks were made regarding existing child-care facilities which were not free or subsidized and it was asked what percentage of the individual salary was devoted to these services. There was general agreement that women should be free to choose their own occupation, and in that regard experts commended the Government of Australia in removing protective legislation. Information was requested on the background of the discussions preceding the labour reform law. Questions were also asked about the means of enforcing the principle of equal pay for work of equal value.

423. Judging from the report, the labour market was very segregated and women were engaged in part-time work more than men. That made women poorer than men, it was noted, and additional information was requested regarding immigrant and Aboriginal women in the labour market.

424. If family planning and abortion facilities information was not circulated in certain states because it was prohibited, how then could such material reach women in those areas, it was asked. It was noted that the infant mortality rate was two thirds higher among Aboriginals, and more information was requested on the causes of, and solution to, that problem. The provisions on sex-predetermination, artificial insemination and fertilization in vitro were noted and it was asked whether the views of women's organizations had been sought in that regard.

425. Clarifications were requested on the rights of children born out of wedlock including their inheritance rights, and more statistical information also was requested regarding marriage, divorce and consensual unions. It was asked whether Aboriginal couples abided by the existing family laws or if there were separate laws.

426. The Committee concluded its remarks by proposing to the representative of Australia that the country should consider holding a seminar on the status of women. It was also suggested that Australia should be asked to help the Committee secretariat prepare for a seminar of State parties on the preparation of reports. One of the working papers for that seminar would include a paper on the Australian experience.

427. Before replying to questions, the representative of Australia introduced two other representatives of the Australian Government who would share with her responses and clarifications requested by the Committee. She mentioned that it had been difficult to obtain certain data requested because of the 16-hour time difference in Australia. To facilitate the work of the Committee she had provided copies of the replies to all members, since replies would have to be abridged.

428. In regard to the Australian federal system of Government, when there was inconsistency between state and federal legislation in an area where both jurisdictions might validly enact legislation, federal legislation prevailed. Australia fully accepted its obligations as a sovereign State ratifying a treaty. The statement made by Australia on ratification concerning the federal system described the way in which the treaty would be implemented in Australia. As the report indicated, consultation had taken place with the states and the Northern Territory in regard to the Convention and these consultations continued after ratification.

429. Australia's position on reservations was that they were matters of gradual progress; this implied eventual removal of reservations. The Office on the Status of Women had funded research on maternity leave provisions in the public and private sector and an examination of the feasibility of funding schemes for leave. Regarding the armed forces, about 35 per cent of positions in the regular component of the Australian defence forces were now open to women in competition with men as compared with only 8 per cent of positions in 1983. The number of women in the defence forces had doubled in the period 1983-1987 and was now 8.6 per cent of the total enlistment.

430. Some experts had requested clarification on the term "indirect discrimination" which was used in the Sex Discrimination Act. Discrimination on the grounds of sex included the situation where a person was required to meet a condition that she or he could not meet and that most people of the opposite sex could meet or that was not reasonable in the given circumstances. For example, a requirement that elevator operators should be six feet tall would exclude a higher proportion of women than men and could not be said to be a reasonable job requirement.

431. There had been questions regarding the different women's offices and units created by the federal Government. The National Women's Consultative Council was serviced by the Office of the Status of Women. The Human Rights Commission was now named the "Human Rights and Equal Opportunity Commission". There were women's units in all departments. Their role was to ensure that policy developed within that department was consistent with the Government's commitment to progress on the status of women. Their location in the departmental structure was crucial since access to decision-making at that level was needed. These units met regularly with the Office of the Status of Women to exchange information. The Office of the Status of Women relied on these units to monitor departmental activities while the Office concentrated on matters relative to more than one department at executive

Government level. In 1986, the Government had upgraded the Aboriginal Women's Unit to the "Office of Aboriginal Women", headed by a Director.

432. The Office of Multicultural Affairs within the Prime Minister's Office was in charge of developing policy and designing assistance programmes to meet the needs of groups such as Thai and Philippine spouses. Filipino women had been involved in the so-called "Mail-order bride" business in order to gain permanent residence in Australia. This matter had been raised by the Office of the Status of Women in the current review of immigration policy and administration in Australia.

433. The national agenda for women was the priority for the Government, as mentioned in her introductory remarks. The agenda was a five-year action plan in which priority would be allocated to initiatives that improved women's economic independence and choice. There were no minimum or maximum goals, but a progressive move towards change. Accordingly, child-care services, improvements in education and training and employment and attitudinal changes to domestic violence and the way women were perceived in society were all critical issues. The biggest barrier was the attitude of society itself that often saw change as threatening to normal life patterns.

434. In replying to questions asked under article 2 of the Convention, the representative went on to say that if retirement age was earlier for women than for men, it was a case of positive discrimination. After all, women had carried the double burden for a while longer than men.

435. As to the reactions of the population to the changes envisaged, she said that, as in every other country, there was a ground-swell of conservative opinion in Australia on matters concerning the family and the role of women. This tendency was balanced by the respect for principles of "fair-play" and the right to equality of opportunity. However, reactions to adoption of the Sex Discrimination Act indicated a very strong belief in equal opportunities and discrimination legislation.

436. As part of the overall affirmative action plan, the current position on equal pay for work of equal value had been summarized in a 1986 decision by the Conciliation and Arbitration Commission in a case brought about by the Royal Australian Nursing Federation. The Federation argued that nurse's work was undervalued because it was a traditional female occupation and that the sex of the workers had contributed to the evaluation of the work. Though the Commission rejected the notion of "comparable worth", it reiterated its commitment to the principle of equal pay for work of equal value and left the way open for future applications. The nursing profession has experienced substantial rises in their salaries since then. She then referred the experts to the supplemental report circulated to them. The merit principle was paramount; only when candidates were of equal expertise could positive discrimination occur. Compliance required employers to identify over/under representation of women within their labour forces and to take action to redress the imbalance in areas such as training opportunities. The private sector had just begun to react to the affirmative action plans. Research so far had shown that Australia had a high level of gender-based occupational segregation.

437. The Media Council of Australia monitored adherence to guidelines which were not enforceable by law. The Office on the Status of Women was conducting a content analysis on how women were currently portrayed in advertising. From this research

the Government would consider how the industry responded to the findings and would review options for improved regulation if progress was not satisfactory.

438. The Government, when necessary, took a different approach to safeguard and accommodate the rights and cultural distinctiveness of aboriginal people, most notably within the context of the policy of aboriginal self-determination and self-management.

439. Regarding the questions on domestic violence, new procedures had been introduced such as "protection orders". Police were being retrained to take a greater role in the enforcement of protection orders to violence against women; the issue of rape was difficult to resolve in the short term. Australia's second report would provide an update on programmes in these areas. Ongoing activities such as the Domestic Violence Community Education Campaign endeavoured to reach the male consciousness through a media campaign, information directed at the police, the legal profession and the helping professions, as well as the development of school materials. Feminist organizations had established support systems in all of the above and it was to their credit that awareness and action had taken place, including the creation of new legislation.

440. Some Australian feminists had questioned the value of national machinery for women when it had been first proposed in the mid-1970s, fearing that it would become a token provision. Most feminists had, however, in fact demanded such institutions, although they had watched institutional activities with a critical eye. Most of the women working in the women's units of the state and federal Government were themselves feminists. Consultation with non-governmental groups was conducted on a regular basis through liaison networks and meetings.

441. The representative then turned to the answers involving the small participation of women in Parliament. The process, she indicated, was long and arduous. To succeed in elections, a woman candidate had to succeed first within the local and state-level bodies of the political party of her choice. She had to contest party preselection before she could stand for election and seek to win the votes of the Australian electorate. To assist in the process, the National Women's Consultative Council was about to launch a national series of seminars with women's organizations, tracing the history of Australian women's political participation since the struggle for the vote, as well as providing practical information and advice on how to become politically active.

442. Since 1977, trade union awareness had increased and in 1983 a women's policy had been issued by the Australian Council of Trade Union to improve women's participation in the work-force. Four out of the 10 executive councillors were women. Women represented 8 per cent of the total executive staff in the federal Government; 50 per cent of law students but less than 8 per cent of all barristers were women. Overall about 11 per cent of all judges, magistrates, barristers, solicitors and legal officers were women. Little improvement had been experienced within senior diplomatic posts, but currently two ministers were women.

443. Drop-out rates for girls had considerably lessened as the value of an education for girls had been established. School retention rates in the final years of schooling were now higher for girls than for boys; in 1987 there were 57 per cent of girls as compared to 49 per cent of boys.

444. The Australian Teachers Federation was a strong advocate for affirmative action and equal opportunity programmes. There was limited gender-specific data on aboriginal study grants (ABSTUDY); of the 20,000 adult persons who had received these grants, approximately 65 per cent were women, including the first female aboriginal solicitor (1986) and first female aboriginal helicopter pilot (1987). As a result of the lack of schools or colleges in the rural and remote areas, aboriginal and immigrant women undertaking continued education had to leave their local communities and family support systems. The care of children in an alien environment was a crucial concern and caused much anxiety, which in turn inhibited opportunities to acquire further education.

445. She had noted the Committee's interest in single-sex schools and explained that in Australia teachers were also very interested in this question, specially in single-sex classes within co-educational schools to assist girls in areas where co-education placed them at a disadvantage.

446. As stated before, the Government had an ongoing commitment to expand child-care places in the years ahead. Fees for Australian government-funded child care were fixed according to parents' incomes and lower fees were available for those on low incomes. The system was "needs-based" and not targeted to groups of special concerns, sole parents, immigrants, aboriginal women.

447. The representative stated that she had circulated the newest statistics on aboriginal women in the labour market. As could be seen, women had a higher representation in the clerical fields, at 32 per cent, employed in its majority by federal, state and local government. For many women part-time work was preferable, given child-raising responsibilities.

448. There had been increased access to abortion over the past 15 years. The Labour Party had supported the particular right of women to choose since 1984. It had recently decided that abortion could be freely debated at the state and federal level and that party members could register individual conscience votes in respect of proposed legislature changes.

449. Family-planning information was issued upon request. The Government believed that a national approach on dissemination of this type of information was not feasible owing to diverse cultural and social backgrounds and respective state legislation.

450. Women had not been consulted on the initial stages of development of reproductive technologies as this development had taken place in independent laboratories and universities. Concern had grown about the moral and legal implications of in vitro fertilization and embryo research. Each of the state and federal governments had conducted an inquiry on the implications and a national bioethics committee was about to be formed. Feminists had reminded the Government that these technologies had profound implication for women and it had been decided that 50 per cent of the membership of the committee would be women. Surrogate motherhood was illegal in Australia.

451. There were no special provisions regarding aboriginal infant mortality. The federal Government recognized that "band-aid approaches" tended to perpetuate aboriginal disadvantage unless accompanied by measures that sought to develop self-reliance and economic independence and that the key to aboriginal advancement

was the improvement of the Aborigines' living conditions. Additional information had been furnished in the text circulated to the Committee.

452. The Australian Government had progressively reviewed its social security programmes. The objectives for women receiving family allowances and other forms of assistance were to reduce dependency on government income while facilitating opportunities for women through developments in other areas, to accord priority for women with low incomes, to ensure that family assistance reached mothers and to ensure adequate access to services.

453. Children of common law marriages were fully protected without regard to the status of their parents. This protection included equal rights to those of conventional marriages with regard to inheritance.

454. Both parents were entitled to guardianship. However, women in common law marriages were less protected. In only three states (Tasmania, New South Wales and Victoria) could the woman claim maintenance. Either or both parents could sign the birth register. The mother could enter the father's name but this would not have legal effect in establishing paternity. The child was entitled to the same rights whether or not the father's name or signature appeared on the register. All disputes regarding the family were seen by the Family Court which consisted of 60 judges, of whom five were women.

455. There was no constraint for aboriginal couples to apply the Australian family law. In remote areas, aboriginal people preferred not to become involved with the ordinary laws of marriage. Those living in urban areas did apply them more frequently; they were free to choose. In addition, aboriginal people hardly made any use of the Family Court system since they were able to solve any dispute outside the legal system. Their most common resort to the courts had been in cases of children's maintenance whether from a marriage or a de facto situation. The Law Reform Commission had made proposals to enable tribal marriage to be more formally recognized. The main dilemma about a dual legal path situation was that traditional aboriginal custom involved marriage at ages lower than under the Australian legal system.

456. The representative thanked the Committee for their interest in the examination of Australia's initial report. One representative indicated that she would be consulting the Government as to the possibility of holding a seminar in Australia on the status of women. She also indicated that if the Secretariat decided to hold a workshop on the preparation of reports, Australia would be more than willing to present a paper on the subject.

457. The Committee once more reiterated its appreciation for the thoroughness of the presentations and answers of the representatives, which were prepared at such short notice, and wished them the best of success in their endeavours.

#### Jamaica

458. The Committee considered the initial report of Jamaica (CEDAW/C.5/Add.38) at its 116th and 120th meetings, on 24 and 26 February 1988 (CEDAW/C/SR.116 and 120).

459. The representative of the State Party informed the Committee that, in addition to the information provided by the report, she was circulating her country's

national policy statement on women which had been adopted by the Jamaican Cabinet in July 1987.

460. Much remained to be done, but in ratifying the Convention the Government had been forced to examine seriously the situation of women nationally. For women in the 15 to 19 years of age group, 40 per cent had already had more than one or two children. A conservative estimate was that one third of the heads of households were women. Statistics also revealed that women constituted 46 per cent of the labour force and that 75 per cent of them were in service occupations, with an estimated 58 per cent occupying professional, technical, administrative, executive and managerial positions.

461. She highlighted the legislation with direct relevance to the different articles of the Convention, such as laws related to the status of children, maternity leave, marriage, divorce and employment. Areas of incompatibility between national legislation and the Convention had been found, such as nationality and citizenship laws, the concept of domicile in relation to divorce due to adultery, and parental rights. The Office of Legal Reform in the Ministry of Justice was undertaking a review to bring national legislation in line with the Convention, including the law on nationality, which had motivated the reservation of Jamaica to article 9.

462. Regarding national machinery created to oversee the status of women, she mentioned the Bureau of Women's Affairs, established in 1975 as the central body and facilitator responsible for the issue. In 1985, a National Advisory Council on Women was established to advise the minister responsible for women's affairs, composed of senior civil servants and representatives from non-governmental organizations.

463. She wished to refer to the national policy statement on women mentioned before, since it was a political and revolutionary document reflecting the growth of a nation. Jamaica was the first English-speaking Caribbean country to develop such a policy. The elaboration of this document had required national consultations at all levels through round-table discussions, symposia, radio programmes and meetings.

464. The policy was structured around four main themes: social situation of women, Government's responsibility in redressing inequality, public policies and women's participation in planning and programming. Special measures also had to be developed to compensate for historic and current disadvantages experienced by women.

465. The plan stated the situation and the Government's proposed measures, corrective action required and the responsible agency. The fact that a clearly articulated policy was necessary suggested that a deficiency existed within current policies which retarded the complete development of women. According to Professor Joycelin Masshiah, "the objective of the national policy must be to reduce social inequities based on class, race or gender considerations; the route towards reducing gender inequality lies in the direction of increasing female autonomy and altering the structure of gender ideologies". The role of non-governmental organizations would be imperative in the actualization of any such policy.

466. Experts were encouraged by the actions undertaken by the Government to reform and review existing laws, as well as by the formulation of a national policy on women. It was also noted that the first woman Under-Secretary-General in the

United Nations system had been a Jamaican citizen. It was also remarked that Jamaica had enjoyed only 24 years of independence and that, as a young country, it showed the enthusiasm and political will to correct existing inequalities between men and women.

467. Furthermore, it was noted that the present economic crisis had reduced public services and that, in spite of such difficulties, the Government was making serious efforts to implement the Convention. Clarifications were requested regarding the systems of government and on the reasons why the reservations to the Convention had been entered. If the society was of a matriarchal nature, did it mean that women were held in higher regard than men or did it mean that they were only seen as mothers and within the context of the family.

468. Clarification was sought on the reference made in the report to customary international law. Clarification was also requested regarding section four of the Interpretation Act which stated "that in all legislation words importing the masculine gender included females". It was remarked that this reflected the male norm and made women more invisible and a question was posed on whether revisions were foreseen. Since an ombudsman had been appointed, statistical information was requested on the number of cases of violation of women's rights and it was asked whether free legal aid was available.

469. It was asked whether there were any plans to introduce temporary special measures to accelerate de facto equality. An explanation was sought on a statement in the report that certain laws maintained a difference in approach between men and women, "responding to the sensibilities of women", and on the exemption for women to serve on a jury "by reason of the nature of the evidence" in section 51 of the Jury Act, and how it was implemented.

470. With regard to measures to modify social and cultural patterns, the Committee asked whether the measures established by the Government had had any measurable impact, specially those enacted by the media and at schools. Experts were interested to get more information with regard to the use of women in these efforts. It was also pointed out that men had to be encouraged to share in household work and that it was necessary to change the perception of the role of men, and it was asked whether fathers were encouraged to assist in parental responsibilities.

471. More information was requested on the prevalence of domestic violence, the incidence of rape and the number of cases that reached the courts. Provisions applied for the protection of women from exploitation and physical abuse dated from 1864 and experts wondered whether there was any need to amend and update them. Concerns were expressed about the definition of prostitution, penalties imposed on offenders and perpetrators, and dismay was expressed at the leniency with which child prostitution was considered. Other concerns referred to the way in which the drug problem affected women. Questions were asked regarding legislation to control or ban the use of drugs.

472. Questions were asked as to the participation of women in national elections and political parties, the support given to them if any, and more statistical information was requested regarding women candidates for government, ministries and parliament, as well as a breakdown by sex of judges, mayors and employees in higher positions. It was also pointed out that it would be helpful to receive information as to the distribution of women and men, for example in the Foreign Ministry, at

what levels women were found and what were their career prospects in comparison with men.

473. It was asked whether the present nationality legislation, which was the reason for the reservation to article 9, paragraph 2, of the Convention, reflected a way of regulating population growth.

474. It was remarked that the problem of early pregnancies in Jamaica was crucial and detrimental to women's advancement and it was asked what education pregnant school-girls could get. Experts asked whether an analysis or study had been made of the problem, whether sex education programmes had been carried out and whether counselling centres had been opened in the rural areas. More responsibility had to be placed on men's shoulders regarding sex education and it was asked whether adult education programmes were established and whether functional illiteracy was a problem. Experts also wanted to know whether education was free at all levels, whether study choices were sex biased and, if so, whether there were any programmes to remedy this.

475. The Committee expressed its worries over the apparent discrimination of women in the labour force. There was no policy which guaranteed effectively that a private sector employer hired without prejudice to sex. Clarifications were sought on subsidy payments to domestic workers, pension and disability benefits, job security and retirement age, on how the national insurance scheme worked and who paid the contributions. It was felt that the Government seemed to rely too much on the good-will of employers. It was also not clear whether the principle of equal pay for equal work was now implemented. It was asked what was the situation of women workers in free trade zones and whether they were covered by the provisions for minimum wages.

476. Experts wanted to know whether Jamaica had signed the International Labour Organisation (ILO) Convention 103 governing maternity provisions for workers.

477. More statistical and empirical material would have assisted the Committee and it was pointed out that information on infant and maternal mortality rates, the number of child births and the number of abortions should be provided.

478. It was asked whether the participation of men in family-planning services was promoted to the same extent as that of women and, since tubal ligations were carried out on women, whether vasectomies were carried out on men. Further information was requested with regard to punishment for abortion.

479. The background material made available to the Committee by ILO indicated that the Women's Bureau provided assistance to women entrepreneurs and the experts requested information on the number of women who had applied for those services. Since financial credit was essential in fostering small business, it was asked whether credit and financing were facilitated to improve housing and agricultural development and whether women "higglers" in the informal sector had access to financial credit.

480. Land tenure and ownership was an obvious concern to rural women and additional information was requested on the current situation. Had women co-operatives been introduced as part of the projected land-reform policy, and were the same social security provisions applied to women and men working in rural areas. It was also asked how the introduction of new technology in agriculture affected women workers.

481. It was felt that the recognition of the contribution of women in marriage was long overdue in Jamaican family law and it was asked whether there were any plans to reform the law on the distribution of property. Information was requested regarding women in common law marriages, rights of children born in and out of wedlock, divorce grounds and divorce rates. It was asked whether there were any laws or customs regulating the family name of married women.

482. The representative of the State Party, in replying to questions raised by the Committee, wished to recall that Jamaica had been discovered by the Spanish in 1655 and subsequently, until 1962, had been under colonial rule by the British. For centuries it had been a plantation society whose population comprised descendants of African slaves. Therefore the struggle for the emancipation of women had to be examined within the context of slavery and colonialism and the consequences thereof.

483. In presenting Jamaica's initial report, she had been overmodest. Women in Jamaica were indeed at the vanguard of the international effort towards equality as much as they had been against colonialism in the eighteenth century.

484. Jamaica was not really a matriarchal society but rather a society where women had the responsibility for the family rather than authority.

485. Questions had been asked regarding the functions of the Bureau of Women's Affairs. It held the portfolios of social security and social affairs. It had the major responsibility to provide technical assistance and devise policy and implementation programmes through the respective ministries. In addition to other duties, it was the body in charge of the execution of the National Plan of Action on Women. It collaborated with non-governmental organizations and the private sector, including universities. Its annual budget was 1 million Jamaican dollars, which she considered small. It also established linkages with intergovernmental bodies such as the Caribbean Community, the Organization of American States and the United Nations.

486. Efforts to eradicate stereotyped conceptions about women had been launched by means of public education campaigns through the mass media. The above-mentioned programmes included information on family planning, family violence and disabled women. Workshops had also been held to determine policy and how to work with the ministries in strategy development. Round-table discussions were held every month. Such public education mobilization also included youth groups, towards which health and sex education had been directed.

487. Nevertheless, stereotyping was a feature of society perpetuated by the media. The Bureau had lodged protests against the companies concerned with the support of women's organizations, which had resulted in the removal of such advertising campaigns.

488. An increase in domestic violence could perhaps be attributed to the fact that women were asserting themselves as a major economic force. Sexual harassment was an understated problem in Jamaica and not many complaints had been brought to court. One specific case was brought to the Bureau's attention, but the complainant had not wished to pursue the matter through the courts.

489. Crisis centres had been established to provide assistance to rape and incest victims and battered women. She provided the Committee with statistics on the

number of cases reported regarding rape victims, incest cases, domestic violence, abuse of children and other age/sex ratios pertinent to these matters.

490. A programme for adolescent mothers of the Women's Centre had been established to continue the education of pregnant teenagers; a majority returned to school after the birth of the children. The average weight of children born to adolescent mothers was 2.6 kilograms, and the average age of the father was 18 to 23 years of age. The Centre was financed from donations and grants made by local and international organizations. It served as a model for other countries where it was being replicated.

491. Prostitution was illegal but endemic. Prostitutes had been one of the targets in the public information campaign against the acquired immune deficiency syndrome. A changed lifestyle had been promoted alongside with the introduction of practical measures to foster proper and adequate health care.

492. Three permanent secretary posts were filled by women and two out of 12 ambassadors, and six consul-generals were women. Seven parliamentarians, one of whom was a minister, and two ministers of State, were also women. The most senior member of parliament was a woman who had held a seat continuously for 20 years. Women were also very active at the grass-root level and held prominent posts within the parties.

493. Jamaica had entered a reservation on article 9, paragraph 2, of the Convention. However, the Government had begun a constitutional amendment process, in order to bring the constitution in line with the Convention. Jamaican women and the Government were both committed to see their reservation withdrawn in due time.

494. There was evidence to suggest that more women were attending university courses and that they were beginning to enter the traditionally male field of natural sciences. Since 1982, and in order to reduce functional illiteracy, a skills training programme had been introduced.

495. National minimum wage was \$J 1.50 per hour, for a 40-hour week. Different rates applied to overtime, night-work and work on holidays. The Minimum Wage Advisory Commission worked on a national insurance scheme which required compulsory contributions for both workers and employers; the workers contributed one third and the employers two thirds.

496. Free trade zones provided job opportunities at fairly decent wages above the minimum standard established, and trade unions worked to palliate overcrowding and improve sanitation and other working conditions in the plants.

497. Child mortality had declined in the 1980s. Abortion was illegal except in cases of rape or when pregnancy endangered the mother's life. Family planning programmes were geared towards men and women alike and men now were more inclined to accept vasectomies.

498. Women did have access to credit facilities through the people's co-operatives and credit unions. Non-governmental groups also were active in providing loans and fund-raising both for projects and for training. The informal commercial "higglers", who were all women entrepreneurs, had accounted for 60 per cent of Jamaica's domestic economy.

499. Common law unions prevailed in Jamaica, a fact which placed women in a particularly vulnerable position. However, the law made no distinction between children born in or out of wedlock.

500. In 1986, there had been 894 recorded divorces, cruelty being the grounds for 100 of them. The Government was studying the revision of the divorce law.

501. Children were given the father's name although mothers had the right to give their name if they wished.

502. The Committee thanked the representative for her answers which were found closer to the reality of Jamaican women than the report. A clearer picture had emerged which was justified by the enthusiasm hinted at in some statements found in the report. It was asked which of the obstacles to the implementation of the Convention seemed most difficult to overcome.

503. The representative said that attitudes presented the greatest deterrence. On one side, men had a pre-conceived notion of women and, on the other, women had excelled at being superwomen in their multiple roles outside and inside the home. She saw changes emerging and she was optimistic.

#### Mali

504. The Committee considered the initial report of Mali (CEDAW/C/5/Add.43) at its 117th and 120th meetings, on 24 and 26 February 1988 (CEDAW/C/SR.117 and 120).

505. In introducing the report, the representative of Mali apologized for the late submission of the additional written information and for its availability only in French. However, that was not to be understood as a lack of interest in the work of the Committee.

506. He stated that two thirds of the country's area was located in the Sahara region, and that more than 80 per cent of the population was rural. His country had been seriously hit by the world's economic crisis and by severe drought for more than 10 years. Women constituted more than 52.2 per cent of the population and 83.3 per cent of them lived in rural areas. Women constituted the majority in the manufacturing industry, in trade and in crafts.

507. Among the legislative and other measures taken to guarantee equality between women and men were the Constitution of 1974, the Labour Code of 1962 and collective agreements, which guaranteed equal salaries for women and men and took also into account the international labour conventions that had been ratified by the country, and a decree of 1977 concerning the status of civil servants. The voting age for persons of both sexes was 21 years, and the age of eligibility was 25 years.

508. Female night work in industry was forbidden and maternity rights were guaranteed by law. A pregnant woman whose pregnancy had been certified by a medical doctor could leave her job on 24 hours' notice. Maternity leave was six weeks before and eight weeks after delivery. During maternity leave, women received free medical care and their full salary. Lactating mothers were entitled to rest-periods during the day without any curtailment of salary. The retirement age of female civil servants could be reduced by one year per child, on request.

509. Other legal measures that had established equality between the sexes already before the ratification of the Convention were the Marriage and Guardianship, Parental and the Nationality Codes. Exploitation through prostitution constituted a crime.

510. At all times women had been playing a determining role in the political life of the country and had been represented at all levels of the National Union of Malian Workers.

511. School education was mixed, non-denominational and mandatory for all children. Girls and boys had equal access to school, they received the same type of education and were awarded the same degrees and diplomas. Female literacy had been given some impetus by the setting up of the National Directorate for Functional Literacy and Applied Linguistics in 1975, and, in particular, its Division for the Advancement of Women. The objectives of the Division were to teach women how to read, write and calculate and to instruct them in topics related to health, education, agriculture and crafts. All those programmes were currently supported by audio-visual means, which had helped to increase the awareness of the population in 87 villages.

512. The representative highlighted a certain number of results already achieved by the Division in the areas of literacy and video programmes. Information campaigns about the elimination of discrimination in employment were being held among workers and staff delegates in industrial enterprises.

513. The country suffered from a high rate of morbidity and of very scarce means and its population was strongly marked by its traditional environment. The vulnerable groups constituted a very high percentage of the population. The fertility rate was 230 to 240 per thousand and the average number of children per woman was seven. The Government had set up some mechanisms to reduce the rate of infant morbidity, to strengthen the national health and social security system and to pay more attention to the vulnerable groups through the expansion of family planning and sex education, the setting up of child-care facilities and vocational training centres for women who had abandoned school. In that connection, the creation in 1972 of the Malian Association for the Protection and Promotion of the Family and the Pilot Centre for Family Planning were important steps forward. In 1975, maternity protection had become integrated in the family health service, and since 1980, Mali had a Division for Family Health that dealt with the protection of mother and child and family planning, nutrition and health education.

514. In the rural areas, the National Directorate for Co-operative Action encouraged the effective participation of women in the Malian co-operative movement. It incorporated a special section for the advancement of women, whose objectives were to increase female co-operatives and their participation in national development as well as to increase women's income. In order to allow women to have more direct access to bank loans, the National Union of Malian Women had become a member of Women's World Banking.

515. Women were also members of the armed forces.

516. Mali's ratification of the Convention proved his Government's political will to achieve total equality between women and men despite deep-rooted and long-standing traditions. Results had been achieved, but a lot more needed to be done.

517. The members of the Committee congratulated the Government of Mali for its ratification of the Convention and its presentation of the initial report within the required time-limit. They also thanked the representative of the Government for having provided very substantial information in his introduction. However, when the Committee had decided at its seventh session to consider the report of Mali, it had asked for further information since the report was incomplete and did not comply with the guidelines regarding the form and contents of reports from State parties. It was very regrettable that the additional information had arrived too late to be properly studied by the experts, and that it was available only in French, which not only constituted a violation of rule 6 of the Committee's rules of procedure, but also prevented many members of the Committee from reading and understanding it.

518. Although the additional information was more substantial than the information contained in the country report, its format did not comply with the general guidelines.

519. The members of the Committee showed understanding for the country's serious economic and geographical problems. While the Committee had adopted a much stricter attitude in previous cases, it took into account the economic constraints of the country, its good intentions and the oral information given by its representative. Therefore, it did not defer the consideration of the report to another session. Most experts made, however, only general comments and refrained from asking any specific questions. Some experts commented that the problem of Mali seemed to be similar to a problem that prevailed in many developing countries, namely the lack of co-ordination. They pointed out, however, that the Government had presented much more comprehensive reports to other United Nations bodies and they hoped that the presentation of a report with such scarce information was not a reflection of the low priority given by the Government to the Committee on the Elimination of Discrimination against Women. Reference was made to the information provided by Mali and the ILO, which had been included in the ILO background paper L.8.

520. Many members of the Committee knew from other sources of information that there was a dynamic women's movement in the country and a strong political will in favour of the advancement of women. No mention was made in the report of the two women ministers, it was said, nor of the fact that the General Directorate of the Department of Education was headed by a woman, nor of the participation of Malian delegations in regional and international women's conferences.

521. It was felt that the report had not done justice to the real situation of women and their role in national development. Some experts also said, however, that the poor quality of the report was perhaps an indication that the issue of equality did not receive enough attention in the country. Some members indicated that they had heard from other sources about the serious health problems faced by Malian women and the high birth, morbidity and infant mortality rates. Others noticed the lack of information on bilateral relief programmes.

522. The experts expressed their sincere hope that all the observations made would be taken into account in the preparation of the second periodic report and that it would better portray the status of women in Mali.

523. Experts suggested that the United Nations should include assistance to developing countries in drafting country reports under article 18 of the Convention within its programme of advisory services.

524. It was asked whether the National Union of Malian Women had been consulted in the preparation of the report. It was further asked whether any of the domestic laws had been reviewed and amended after the ratification of the Convention and, if so, which ones and whether any measures had been undertaken to expedite the adoption of new anti-discriminatory legal texts.

525. Experts wanted to know whether and how the Convention had been publicized in the country.

526. Clarification was sought for the statement in the report that women enjoyed full legal powers as regards civil rights "with the exception of business matters".

527. Bearing in mind that overcoming old traditions was one of the most serious obstacles to the achievement of equality, and considering the serious socio-economic obstacles to the advancement of Malian women, but also the fact that Mali was a secular State with a multi-religious society, more information was requested on those deeply rooted traditions referred to in the report and on ways to overcome them.

528. Experts asked for further information on the women's movement in Mali in policy-making, in the Government and in legislation.

529. Some specific questions were addressed to the life-style of Malian women. It was asked whether a woman had to give up her job after the birth of a child, whether a woman had to adopt her husband's name on marriage, whether men shared in household work, whether abortion was permissible and, if so, whether it was covered by social security. It was further asked whether women had to dedicate themselves exclusively to household duties or whether they could also do outside work and whether rural women received retirement benefits. Experts asked how the Government intended to change the discriminatory tax law, considering that a married woman doing outside paid work had to pay higher taxes than her husband.

530. The representative of the State party thanked the members of the Committee for their objective and substantive comments. He apologized for not having respected the deadline for the submission of additional information and emphasized that it was not done intentionally out of lack of respect for the Committee. It was not a scarcity in human resources that prevented the country from providing a better report, but rather its geographically disadvantaged situation, as would become obvious when Mali presented its second report.

531. The Ambassador of Mali, before addressing the questions the Committee had posed, stated that he regretted the difficulties experienced by the Committee in receiving the translated version of the amendment to Mali's initial report. He wanted to reassure the Committee that his Government had full determination to implement the Convention which had been ratified in 1985. In Mali's society women were accorded a very high place.

532. The National Union of Women was always consulted on all major legislative decisions. Therefore, the National Union of Women was associated in all negotiations and informed of all national decisions.

533. No new laws had been adopted since the ratification of the Convention. However, the National Assembly was to take a decision in the year on family and marriage law, and the amendment to the commerce code.
534. Mali had no official religion. There was religious liberty in the country.
535. Regarding public information campaigns in favour of the Convention, every 8 March International Women's Day was celebrated. On this occasion the media provided information, the newspapers and the radio contributed to many manifestations intended for public awareness and mobilization. There were also radio programmes devoted to women's emancipation.
536. In the past, the role of women as guardians of traditional values had been highlighted and women could not enter certain professions; today, women could enter the army and the judiciary, and the laws adopted in women's favour allowed such attitudes to be overcome.
537. Women had access to employment of any kind. The lack of women in international organizations and diplomatic missions was mainly due to family reasons and to decisions the couple had to take regarding individual careers.
538. Paternity leave of three days was given. Men could request special leave also to care for sick children and a sick wife.
539. Mali could not afford to have a pension scheme extended to the rural areas; health care was free and accessible in the rural areas.
540. Abortion was illegal in Mali. It was only authorized when pregnancy threatened the mother's life. Time would be needed to change this law.
541. At the moment, the taxation law was being studied in order to improve it and eliminate any outdated formulation that had remained, such as treating a married woman in the same way as a single man for tax purposes.
542. Married women were not really discriminated against in their business practices, which in most cases were regulated by two laws: the marriage law, and the commercial code.
543. In Mali the marriage law stipulated the separation of property. Thus, any woman could de facto open her business without her husband's authorization. In fact, that was very common in Mali where most women bought and sold goods in local markets.
544. Polygamy, which was a very ancient custom, existed in Mali. However, a woman could make a choice at the time of marriage, given that the Marriage Code provided for the marriage systems of polygamy and monogamy.
545. There were no laws that prescribed that a woman should use her husband's name. It was done out of habit. Children, however, always carried their father's name.
546. The Ambassador thanked the Committee for having allowed him to establish such an auspicious dialogue. He stated that much had to be done in preparation for the second report and assured the Committee that he and his Government were fully aware

of their obligations. He thanked once more the Committee for their understanding and hoped that the amendment to the report would be made available soon in all the working languages.

547. Members of the Committee congratulated him and recognized that the Government was taking a serious step in the process of implementing the Convention. It was stated that it was important to recognize the obstacles and that the Committee acknowledged that there was a will to overcome them. Two other questions were asked regarding divorce and polygamy and the representative was kindly requested to submit the information at the time of submission of the country's second report.

### Senegal

548. The Committee considered the initial report of Senegal (CEDAW/C/5/Add.42 and Amend.1) at its 122nd and 126th meetings, held on 29 February and 2 March 1988 (CEDAW/C/SR.122 and 126).

549. In her introduction, the representative of the State party said that equality between men and women had been incorporated in the Constitution and had been reflected in legislative, judiciary and administrative measures. She explained that 80 per cent of Senegal's population lived in rural areas and women accounted for 70 per cent of that rural population. Women contributed considerably in the development of rural areas, particularly in agriculture, fisheries and animal husbandry.

550. The country had been faced with serious economic and financial difficulties as a consequence of the international economic crisis. To those difficulties had to be added the scarcity of internal savings and severe drought. The Government had set up an economic and financial recovery plan and was striving to achieve the objective of health for all by the year 2000. Some of the health policy measures were education in health and food issues, maternity and child protection, vaccination campaigns against endemic and infectious diseases, medical care, including the setting up of village maternity clinics and pharmacies.

551. Women played an increasingly active role in that multipartite State. Women had the right to vote and to stand for elective office. Among 120 deputies to the National Assembly, there were 14 women, and among 25 ministers there were three women. At the community level, three women were chiefs of villages and three were presidents of rural councils. Women were very active in rural councils, which were the deliberating organs of the rural communities.

552. On the administrative level, several measures had been taken to allow women to take part fully in the development process, such as vocational training programmes for rural women. The Division for the Advancement of Women had been created in 1975 and later transferred to the State Secretariat for the Advancement of Women. In 1983, that Secretariat was merged with the Ministry for Social Action to become the Ministry for Social Development, which comprised among others a Directorate for the Advancement of Women. Its main mandate was to promote the situation of women and women's participation in economic, social and cultural development.

553. The Directorate had several divisions, which dealt with family economy, with the sensitization of public opinion towards women's place in the family and society and the elimination of de facto and de jure discrimination at work. A National Women's Committee was set up, and since 1980 a national fortnight for women was

being held every year to mobilize public opinion, to give support to and promote women's participation in all walks of life, to fight against obstacles to equality and to raise the consciousness of Senegalese women with regard to their role in society.

554. Polygamy existed but the tendency was towards monogamy. Women and men had equal rights in the administration of property and shared in household duties. Repudiation was forbidden and only a judge could grant divorce. A woman could carry out a profession that was different from her husband's, but the husband could oppose it if he thought that it was contrary to the family's interest.

555. Within the national planning commission a sub-commission for the integration of women in the development process had been created in order to carry out sectorial studies, which had culminated in several projects that were integrated into the sixth development plan. The Government had also adopted a National Plan of Action for Women in 1982. It was a kind of compendium of development projects and programmes at the local and regional levels. Seminars had been organized to educate women on a variety of topics. The most important measure was the organization of rural women into groups for the advancement of women, which in 1987 had led to the creation of the National Federation of Groups for the Advancement of Women, a vast communication network among many local, district and regional groupings.

556. With bilateral and multilateral assistance, a number of projects had been set up to provide water resources and material and instruments for alleviating work in rural areas. Food self-sufficiency programmes had also been launched, and women played a decisive role in the fight against desertification. She paid tribute to the assistance given by international organizations and said that a quarter of the budget of the Ministry for Social Development was allocated to the Directorate for the Advancement of Women.

557. The Convention was widely disseminated in her country and dossiers on each part of the Convention had been compiled in order to inform the public about its contents. The political will of the Government to advance the status of women and the consciousness-raising by women had created a favourable environment for the implementation of the Convention. However, the problems of survival faced by the country were putting a break on the efforts to enhance the progress of women.

558. The members of the Committee thanked the representative of the Government for her comprehensive introduction, which supplemented the written reports, and congratulated the Senegalese Government for having ratified the Convention. Whereas the initial report contained ample information on the legal measures and the administrative structure of the country, the oral introduction provided the lacking social framework. The endeavours of the Government and the efforts made by the national women's movement were all the more commendable as the country suffered under enormous economic problems, in particular as regards the economy, food, water supply and health.

559. Experts showed particular understanding for the situation of the country and were convinced of the country's commitment to the advancement of women. Concern was expressed, however, at the low quality of the first of the two initial reports, at the lack of statistical data and the late delivery of the additional written information, which was not available in all working languages of the Committee. It was noted that the country's report under the International Covenant on Civil and

Political Rights was much more complete than the report under article 18 of the Convention, and doubts were expressed as to whether that was an indication of the low priority attached by the country to the issue of equality. The question was raised whether the Directorate for the Status of Women had been consulted in the preparation of the report.

560. The inclusion in the report of a project on pre-co-operative women's groups in rural areas was considered a useful piece of information because of the high percentage of women living in rural areas.

561. More information was requested on the influence of women in policy-making and the distribution of resources and on the results obtained by the Directorate for the Advancement of Women. While the value and force of the Convention in the country was welcomed, it was asked whether women could take court actions in cases of discrimination, what the sanctions were, whether women were aware of whatever rights they had in that respect, whether they had access to legal aid and to what extent it was free.

562. Clarification was sought on the statement that "a person's civil status could be governed by customary law" and that in the event of conflicting laws in matters concerning the wife in cases involving marriage or divorce "it was to be the woman's customary law that would prevail". Considering that the criminal law provisions relating to women were designed to protect their rights, it was found contradictory that the report stated that abortion was carried out whether or not the woman had consented. Clarification was requested in that respect.

563. It was asked why women's matters were no longer dealt with by the State Secretariat for the Advancement of Women, but by the Ministry for Social Development instead. Questions were raised in connection with the concept that women were "the essential complement to men" and it was found that such a concept did not comply with the concept of the Convention.

564. Clarification was requested on article 3 of the Constitution which forbade the political parties to identify themselves with a particular sex. It was asked whether a political party would be considered illicit or contrary to the public order if it fought for the elimination of discrimination against women.

565. Questions were raised as to whether any temporary special measures had been taken to increase the political participation of women, to overcome sex segregation in the work-force and to increase the level of literacy of women. Other questions concerned measures taken by the Directorate for the Advancement of Women in order to change the social conditions of women.

566. Further information was requested on traditions and practices regarding mothers and children in general, on measures taken to eliminate old sex-stereotyped traditions and practices and on obstacles to overcoming them. The holding of an Intra-African Seminar in Senegal on traditional practices was commended.

567. It was asked which steps were being taken to intensify and modify discriminatory customs and practices in connection with polygamy, the repudiation of the wife, the dowry system, bride purchase, early marriage and early pregnancies, female circumcision and patriarchal attitudes and whether any education or guidance programmes existed to eliminate family stereotypes.

568. It was also commented that women's position as workers was totally linked with their position in the family. They were never considered as independent elements of the work-force. Questions were raised as to whether men had started sharing with women the family responsibilities concerning the household and the upbringing of children and whether the situation of urban areas differed from that of rural areas. It was hoped that, by the time the second periodic report was presented, progress would have been made with regard to changes in customs, traditions and attitudes having a negative impact on the advancement of women.

569. It was asked how information about their rights would reach women, specially rural women. One expert contested the authenticity of the idea in the report that the institution of the dowry had been introduced by Islam, taking into account what the report referred to on this issue of dowry, namely, "which for all practical purposes represented a purchase price for the woman". She further questioned the statement in the report that Islam adopted the concept of "woman as companion to man", the definition of which, as mentioned in the report, is that for those who take this view "woman has no rights". She also said that this idea was an example of what had happened during the previous session of the Committee and why a study on the status of women under Islamic law had been requested. Other experts requested more information on the Islamicized Wolof custom, the Islamicized Serer custom and the Christianized Diola custom in connection with civil life and it was asked what impact religious institutions had on the advancement of women. Information was sought as to whether women had access to institutions referred to as "brotherhoods".

570. It was asked whether the reference to the incidence of violence against women referred to battery or sexual violence, and whether any traditions accepted such violence. Other questions referred to the incidence of rape and to the adequacy of existing laws to deal with it. It was asked whether any governmental or non-governmental institutions provided assistance to women in such cases, and whether wife battery constituted a punishable offence.

571. It was asked how women's demands were formulated and translated into government policy and action and to what extent women participated in political life and took part in the planning process. Questions were raised about the co-ordination of the activities of the many women's organizations and the extent of their co-operation with the Government. It was asked whether the Government intended to initiate programmes for raising women's interest in political activities.

572. Other experts asked whether illiterate women were allowed to vote and whether they were eligible and which "specific statutes" were referred to in article 8 of the law regarding the general statutes of public officials. It was also asked whether women had access to military careers.

573. The presence of Senegalese women in international forums was commended.

574. Concerning women's rights with respect to nationality, it was asked whether an alien man who married a Senegalese woman could acquire Senegalese nationality, just as an alien woman who married a Senegalese man could become a Senegalese citizen.

575. Questions were raised as to whether positive measures had been contemplated or initiated to reduce the high illiteracy rate among women, what the percentage of illiterate women was and whether education about family planning existed.

Concerning the high school drop-out rates of girls it was asked whether any programmes existed to keep women in formal education.

576. More information on the different forms of economic activity carried out by women was requested. Data on the percentage of women doing paid work were asked for, as were data on the job distribution between men and women and on the percentages of women in higher level posts and in the lower paid jobs. Questions were raised as to whether all professions were open to women and whether steps had been taken to open up new sectors for them. Information was sought on the rate of participation of women in trade unions and on the role of trade unions with respect to the elimination of discrimination. It was asked whether collective agreements existed, what the social security and health protection measures were, why certain types of protective legislation, such as the prohibition of night work, existed only for women, and what the normal working hours were. Members of the Committee asked how many women were heads of enterprises and how many were employed for short terms. A comparative table for salaries of women and men was requested. It was asked whether the principle of equal pay for work of equal value existed and was implemented in practice. Clarification was sought on statistical tables 1 and 2 in the first of the initial reports, and on the reasons for the low percentage of women in public works (0.04 per cent).

577. It was asked whether the high infant mortality rate could be related to early marriage and early pregnancies, and whether female circumcision was still practised in Senegal and could be a reason for the high rate. Information was requested on the sex education and family planning policy, the average age for a woman's first pregnancy and on how many mothers were under 16 years old.

578. It was asked what the rural development projects were that had been specifically set up for women, what advantages women had gained from them and how they affected the female unemployment rate. Questions were raised about the obstacles for rural women to reach equality, the type of social security coverage of rural women, their access to health care and maternity benefits. It was asked whether rural women had a lower status than rural men and, if so, whether that was related to the farming system in Senegal.

579. It was asked whether land in Senegal was mainly family, private or State property and whether women could own the land which they farmed. Experts also inquired what the most frequent family relationship in rural areas was. It was also asked why fishing was reserved for women. Considering the large percentage of rural women, questions were raised as to whether the Directorate for the Advancement of Women gave priority to rural women and provided them with the services required. It was inquired how the women's groups in rural areas were organized and what was the co-ordinating mechanism used there.

580. Concerning the administration of property, it was asked under which circumstances the husband could be entrusted with the wife's property and to whom the administration of property was entrusted if the husband was relieved from his function. Experts inquired who administered the property on the dissolution of marriage by divorce or death and what the situation in case of cohabitation was. It was asked whether imprisonment or fines for matrimonial offences were applied often, who cared for the family during the term of imprisonment and whether those punishments were an appropriate way of dealing with matrimonial offences and were found satisfactory by women's organizations. It was asked whether any marriage-counselling services existed.

581. Questions were raised as to whether a woman could accept paid work outside her home without the consent of her husband, as to how the difference in marriageable age for men and women of 20 years for men and 16 years for women could be justified and how it could be dispensed with. It was asked what was being done to end that system and how many women were actually married under the age of 16. It was further inquired whether the legal prohibition of repudiation was implemented in practice. Experts wanted to know how engagement contracts were enforced through the courts, whether the system of legally enforceable engagements was maintained for reasonable traditional reasons and whether women favoured that system. In case of cohabiting unions it was asked what the legal responsibilities of the parties towards each other and towards the children were.

582. Specific questions referred to the status of married women under the régime of polygamy, as it was described by the Senegalese writer Marianna Bâ. It was asked what the attitude of women in general was towards polygamy and how the younger generation reacted to it, and whether any attempts were being made to change the system. It was asked in what respect the family law was referred to as being revolutionary since men were still the heads of households.

583. Before replying the representative of the Government thanked the Committee for the objectivity and relevance of the questions asked and repeated the Government's determination to present better reports in the future.

584. The representative said that nationwide action had been taken in order to change the mentality of the population and implement in practice the concept of equality as contained in the Constitution.

585. Regarding the living conditions of rural women, she said that the Government, with the assistance of the United Nations agencies, had established income-generating projects and health facilities. Technical equipment was put at their disposal and women in rural areas were organized in groups and federations. Educational programmes were being carried out to increase the rate of literacy. During the national fortnights women at the grass-roots level could be reached with the help of the media. Women also had access to vocational training and grants and fellowships were offered to needy young women. The representative said that nationwide action had been taken in order to change the mentality of the population and put into practice the concept of equality as contained in the Constitution.

586. She further added that women in her country had always played a decisive role in agriculture. They participated in all stages of production in addition to doing household work. In the rural areas women had to fetch water and firewood from sometimes many kilometres away. They were responsible for processing milk and leather products and involved in fishing industry, crafts, textiles and marketing. Women traders could easily obtain credits. They worked individually or in trade associations and participated in national and international forums. A decree of 1972 had established equality between men and women in the allocation and use of land.

587. Since the administrative reform in 1972, rural women had been able to programme their needs and the health situation had greatly improved. Maternity clinics, pharmacies and health centres were set up with the help of the United Nations Children's Fund (UNICEF) and local women should later take over their management. She also said that many women were also the keepers of old traditional methods used for curing illnesses.

588. Rural women were disadvantaged in the field of education because girls were often prevented from going to school or dropped out from school prematurely because of household and related commitments. Rural women had no retirement benefits, but were taken care of by the community.

589. The representative further explained that the Directorate for the Advancement of Women had opened up dialogue and co-operation with all women's organizations in the country and the National Women's Committee, which incorporated representatives of women's groups, ministries, political parties and trade unions, was the best place for consultations among women. Regrettably it had not been consulted when the reports under review had been drafted.

590. Regarding women's involvement in decision making she said that women could influence policy through complaints addressed to the relevant authorities, trade unions, women's groups, or even the head of State himself.

591. When the State Secretariat for the Advancement of Women was discontinued, it did not indicate a decrease in the Government's commitment to the equality between women and men; it was done in an effort of decentralization.

592. She said that victims of sex discrimination could resort to competent courts with the assistance of the Directorate for the Advancement of Women. They could get free legal advice.

593. All political parties had programmes for the advancement of women. She further said that unlike former days, presently both spouses were responsible for the raising of the children and further education was provided by schools. Sharing of household duties was becoming more frequent, however, still less so in rural areas. The teaching of home economics had become part of school curricula for men and women.

594. Women were increasingly working outside the home and could carry out professions without the consent of their spouses. The husband could object if he thought that the interests of the family were endangered. If the objection was not justified, the woman could get court authorization to carry out her job.

595. As regards the role played by religious institutions on the advancement of women she said that some religious institutions, which had the status of non-governmental organizations, helped in raising the living standards specially in rural areas. Religious education was optional.

596. As regards violence against women, she said that no tradition approved of or tolerated it and that it was punished by severe court sentences.

597. As the Constitution gave women equal rights with men to vote and to be elected, illiterate women were not excluded from these rights. She said that two illiterate women were members of the National Assembly.

598. Senegalese law made no distinction between the sexes with regards to nationality.

599. The representative said that women were mostly found in the fields of education, health, in the hotel business, in food industry and in office work as secretaries. The only exception to the principle of equality in employment was the

ban on night work. Women were given 14 weeks maternity leave with full pay and lactating mothers were entitled to rest periods at work. Women were active in trade unions. Certain professions were forbidden for women because they were considered too dangerous, or detrimental to women's health or morality. Military schools were also open to women, and one woman had the rank of major. She also pointed out that the woman who was head of the Senegalese delegation at the Copenhagen World Conference was responsible for the restructuring of the national machinery for the integration of women in development.

600. The representative could not provide any statistics in the field of employment and said that even if statistics existed they would not have been analysed yet. She hoped that the next report would contain statistical data. She also said that she would try to see to it that during the next census specific information on women was included in the questionnaires. The representative enumerated a certain number of posts in management and decision making held by women.

601. As regards the principle of equal pay for equal work she said that the principle was not disputed, but the reality lagged far behind.

602. Abortion was only allowed if the health of the mother was in danger and if carried out by a medical doctor. Family planning and sex education were of primary concern to the Government. The goal was the well-being of the mother and child and the family, and efforts were being made to equip women with a minimum of information.

603. The revolutionary character of the Family Code consisted in giving the partners in a marriage free choice and free consent as a pre-condition to the marriage and in creating a new concept of the family. Women could freely dispose of the dowry irrespective of whether it was given by her parents or by her husband. Often it was given in kind, sometimes it had a mere symbolic value.

604. On the issue of polygamy, she said that the book by Marianna Bâ "Letter to my close friend", which had been translated into more than 10 languages, described all the negative consequences of polygamy from the point of view of an intellectual woman. Women from other strata of the society considered polygamy as something positive as it allowed them to share their manifold tasks with their peers. Many women, however, were fighting against the institution.

605. On the issue of female circumcision she said that the Government and women's groups were conscious of its detrimental effects on women's health and a growing number of women were fighting against it. But she said that traditions died hard, but with education and time the practice would be stopped. Presently female circumcision was practised only by a small minority.

606. The representative said that there were three categories of matrimonial property régimes, the separation of property, joint property and the dowry system. On the dissolution of marriages by divorce, death or separation, the property that belonged to either spouse before the marriage was not touched. A judge had to decide on the disposal of property acquired in marriage. If one of the spouses entrusted to the other the administration of the personal goods, that spouse could be held responsible under common law. If one of the spouses interfered with the administration of the goods, he was responsible for the consequence of the interference.

607. Marriage could be contracted without prior engagement and an engagement did not oblige the partners to get married. Repudiation was forbidden and divorce could only be sanctioned by a judge based on mutual consent or at the request of either spouse.

608. Experts congratulated the Government's representative on the sincere and well prepared replies and expressed admiration for the way by which Senegalese women had faced all the social problems. It reflected their determination and alertness. Members of the Committee felt sure that the goals would be achieved in respect of the dignity of women.

609. An expert commented that unless the Government took formal action to combat the practice of female circumcision, we could assume that women's dignity was not respected. Even if it was practised only by a minority, it was a barbarity that could not be condoned. The representative responded that there was no justification for that practice and African Governments undertook many efforts to make it disappear, in particular through education of the population and training of medical personnel.

### Nigeria

610. The Committee considered the initial report of Nigeria (CEDAW/C/5/Add.49 and Amend.1) at its 123rd and 126th meetings, held on 29 February and 2 March 1988 (CEDAW/C/SR.123 and 126). In introducing the initial report of the Federal Government of the Federal Republic of Nigeria, the representative stated that the Convention had entered into force on 13 July 1985 following ratification. She requested the Committee to refer only to Nigeria's report contained in document CEDAW/C/5/Add.49/Amend.1. The report submitted earlier did not conform to the guidelines issued by the Committee.

611. Nigeria's report served to indicate the progress achieved and the measures taken towards implementation of the Convention within the two years during which the Convention had been in force in Nigeria. A new Constitution had been adopted by the country in 1979 which further enhanced the role and position of women in society. The Constitution, as well as existing legislation contained provisions that sought to ensure juridical equality of men and women in all spheres of human endeavour.

612. Certain bureaucratic directives and decisions, coupled with ingrained attitudes and prejudices, behaviour patterns and tradition, had worked to create obstacles in the way of full participation of women in all spheres of national life. Women themselves, with the assistance of the federal military Government and the state governments and organs, were poised to ensure that the obstacles were broken down in the not distant future.

613. As machineries for the implementation of the objectives of the Convention and the Nairobi Forward-looking Strategies for the Advancement of Women, 7/ the federal Government had established the National Committee on Women at the federal level and the State Committee on Women at the state level. There was also the Women's Department in the Federal Ministry of Social Development, which served as a liaison between the National Committee on Women and the Government. Other sub-committees charged with the implementation of the sub-themes covered by the Convention included the Committee on Women's Education.

614. The main concern of Nigerian women was currently to match the legislative provisions with factual equality. The Constitution, namely, its section 39, afforded to women the same treatment as afforded to men, in all spheres of life. In addition, sections 14 to 22 of the Constitution established fundamental principles of State policy intended to provide a set of standards and objectives. These provided legal backing to the Government's resolve to give women, in the shortest possible time, the same rights, obligations and duties as men, both in law and in fact, as envisaged by the special areas covered by the Convention.

615. She recognized that the task ahead was enormous but that the Federal Government and various state governments would not tire of efforts aimed at improving on a continuous basis the general condition of women in Nigeria, with a view to integrating them more fully in all areas of the national economy.

616. The Committee thanked the representative for the introduction of Nigeria's initial report and commended the Government in its frankness and self-critical approach. It was clear that the Government had made a sincere effort in complying with the Convention's articles as well as beginning the process of change in spite of the many obstacles encountered. Experts recognized the complexity of the Nigerian situation, a country with vast human and natural resources, the largest in Africa, and with cultural and traditional diversities which made the setting of new social and economic standards very delicate and difficult.

617. Much was accomplished in the legislative process and experts noted that attitudes would only change with education campaigns and educational programmes, as was in fact recognized in the report. One could not just wait and expect change to happen, the Committee expressed. It was suggested that discriminatory legislation still existed.

618. The fact that Nigeria had ratified the Convention without any reservation meant that women's full integration in society remained a priority for the Government. This was proved by the Constitution which guaranteed equality before the law. But it was asked whether laws specifically drafted to protect women against discrimination were under elaboration.

619. Questions were raised on how the Convention was used at the national level, whether it could be invoked in court, and how national legislation interwove with stipulations of the Convention.

620. It was asked what action had been taken to identify those practices and customs mentioned in the report that were detrimental to women, including circumcision, early pregnancies and polygamy. Experts recognized that different kinds of customs, traditions and practices made the changes envisaged by the Government very difficult.

621. Regarding the introduction of temporary special measures to benefit women, the Government had taken steps in the field of education and employment and the Committee wished to know whether these measures would not be maintained, whether quotas had been established, for instance to accelerate women's integration into male-dominated areas.

622. Other questions related to special laws punishing rape and violence against women, laws establishing equality in marriage and divorce, steps taken to modify gender roles and stereotyping; astonishment was expressed over the statement that

the issue of paternity leave would not arise in Nigeria. Experts requested that more information be provided in the second report regarding action taken with reference to article 5, since this was an area that required special attention in Nigeria.

623. The Committee also requested additional information on the incidence of prostitution and on measures to rehabilitate women who engaged in this practice. It was noted that prostitution was not illegal and that therefore it was not considered a crime under the law.

624. It was remarked that in order for women to exercise their full political rights, an awareness campaign had to be launched, which involved not only the individual's education on rights, but also her perception of herself. In this regard, it was asked what the Government had thought about this area of self-perception, what women's organizations had proposed, and whether there were any plans or pilot projects being considered. It was also asked whether the concern of women to match legislative provisions with de facto equality was of the same concern to the Federal Government.

625. It was noted that few Nigerian women were active in politics and government but that more women were entering legal careers. Half the members of the federal Government were from the military, which indicated that in practice there was a quota in favour of men, and it was asked whether there were any plans to ensure that half of the government would consist of women. Additional statistics were requested on the composition by sex of federal and state government employees.

626. The Committee requested additional information on nationality laws since it was stated that alien women who so wished could assume their husband's nationality, which reflected that women had a lower status than men, and it was asked whether any steps were being taken to eliminate such discrimination.

627. The report established that article 18 of the Constitution guaranteed free education at the primary level of school only and it was asked what changes had occurred since then, what was the present percentage of illiterate population by sex, and what changes at the graduate and undergraduate levels had occurred since 1977. The Committee requested that the second report to be submitted should have more detailed information and statistics regarding education.

628. Regarding employment, it was asked whether there existed any protective legislation measures related to women, such as prohibition of night-work, and whether there were any plans to revise them. The report had mentioned that employment of women by the private sector was low because women represented a heavy burden to them, and clarification was requested on whether this heavy burden referred to maternity leave provisions or other factors.

629. Labour segregation between women's and men's jobs seemed to be a problem, even in the public sector, and additional statistics were requested. In addition, it was asked how the principle of equal pay for equal work contained in the Constitution was enforced in practice, and whether the equal pay for work of equal value had also been adopted.

630. The report was commended for being candid about many aspects of discriminatory practices of employment and also about sexual harassment. More information was

requested on retirement age for both sexes, unemployment rates and social security provisions.

631. No information had been provided on self-employed women and it was asked what were the laws protecting pensions in the informal sector, which in Africa consisted mostly of women entrepreneurs.

632. General questions were raised regarding provisions for health care of women, specifically prenatal and postnatal care. It was also asked whether there was any specific official population policy in Nigeria and whether abortion was legal.

633. It was asked whether the Government had established family planning programmes and whether it had established such a policy nationally.

634. A number of questions were raised regarding the assertion that women were imposed heavier taxation on their earnings than men, and clarification was sought on this provision and it was further asked what revisions were envisaged of the taxation law in order that it would not be discriminatory to women.

635. More information was requested on women's participation in the cultural life of the country. Members of the Committee were aware that there were Nigerian women artists and intellectuals but no mention of them had been found in the report.

636. Rights of women to own property, and access to credit facilities had not been clearly spelled out in the report and therefore the Committee requested additional information.

637. Generally it was also surprising that more information had not been provided on the situation of rural women, their role in traditional farms, their participation in co-operative and irrigation schemes, and government assistance to small farmers. It was asked what provisions were there to protect the women-farmers upon retirement, did they have access to pension and social security or were there other provisions that might have been overlooked by the report.

638. More information was requested on the number of women who lived under customary law and the number of marriages concluded under customary law; information in this respect was especially important, the Committee remarked, in regard to the multiplicity of marriage patterns and the relationship between Nigerian courts and the practice of customary laws.

639. Shock was expressed at the notion mentioned in the report that unmarried adults were considered immature, incomplete and not responsible and it was asked whether that was still a preponderant notion. Several discrepancies were found in the laws governing divorce where adultery by the wife was sufficient for separation, whereas adultery by the husband was not.

640. The pilot legal project on family law which had been set up by the Nigerian Institute of Advanced Legal Studies was commended. This exercise, the Committee agreed, was fruitful and needed, and it was hoped that many of the existing discrepancies affecting both men and women in the present family law would be revised in order to comply with the Convention. It was also asked whether the Government had plans to create a family court.

641. Other questions were asked regarding the term "pure polygamy", and whether the planned reduction in bride price meant that bride price would not be abolished in customary law marriages. It was also asked how many girls there were under 16 years and how many of them were mothers. It seemed that women were discriminated against with regard to adultery as a ground for divorce in customary law and it was asked how women themselves reacted to marriages other than statutory marriages.

642. The Committee thanked the representative once more for the courageous steps taken in ratifying the Convention and for presenting the first report with honesty and openness. The report was very lucid in its exposition of the obstacles encountered and this was a first step in eliminating them.

643. Before replying to the questions raised, the representative of the Government expressed thanks for the kind comments made by the members of the Committee and said that the second period report would provide replies to the questions that could not be answered immediately and would also contain further statistical data. As regards the repetitions in the report, which she regretted, she stated that the time frame for giving additional information was too short and did not allow for presenting an elaborate document.

644. She stated that any law or directive that was inconsistent with the Constitution was null and void, and if a directive was contradictory to the Convention, the person that was discriminated against could institute court action. Administrative directives had no legal force. Campaigns were being launched by government agencies to make women aware of their rights in many fields in order to incite them to take legal action, if necessary.

645. The National Committee on Women and Development was allocated adequate financial resources in the 1988 budget, and its members received annual remuneration like members of other government bodies. While the representative did not have any information on intentions of the Government to set up a Ministry of Women's Affairs, she said that plans existed to create a Directorate or perhaps a National Commission on Women Affairs. Presently, the Permanent Secretary was a woman.

646. The representative stated that the report to the Committee under article 18 of the Convention had been circulated to the various States and non-governmental organizations and the additional information, contained in CEDAW/C/5/Add.49/Amend.1, was presently being printed and would equally be disseminated across the country.

647. Concerning the issue of unequal taxes for women and men, she explained that the reason for the heavier tax burden on women was to be seen in the heavier financial loads carried by men as heads of household; but, she said, that such a view was rapidly changing. Women had launched strong campaigns against the system and a seminar was being organized to draw attention to the disparity. It was already possible for single or married women who could produce evidence of being heads of households to obtain tax relief. But the goal was for women to obtain the same tax relief as men.

648. The representative said that there was at least one woman commissioner in each of the 21 States and in some States there were more than one. In the country,

women's groups discussed women's issues through the media and men have started to realize that women were a necessary factor in national development.

649. It was stated that no temporary special measures existed to give women equal opportunity.

650. The Government had started enlightenment campaigns on the negative effects of some of the traditional practices. But the breaking of deep-rooted traditions constituted a slow process. The representative said that female circumcision was widespread in the south, but the practice was, however, slowly dying because people presently realized the health risks involved.

651. She said that violence in the family was condemned under the provisions of the Constitution; it was both frowned upon and also sometimes accepted as necessary. Cruelty was a ground for divorce, and rape was considered as an offence.

652. The incidence of sexual harassment was difficult to report on as women did not readily report on its occurrence. School education incorporated also moral education, but no educational programmes had been set up for prostitutes.

653. The representative said that women had fully participated in political activity since 1970. Women currently participated actively in the local government elections as voters and as candidates. She said that enlightenment programmes were currently being conducted to inform women of their political rights and one of the members of the national electoral committee was a woman. Women were also represented at the government level. The 1988 International Women's Day celebration was being organized by the Ministry of Social Development and women's non-governmental organizations. Women were currently also joining the military service. There was a cordial and co-operative relationship between the National Council of Women's Societies, non-governmental organizations and the Bureau, and non-governmental organizations formed pressure groups to influence the policy of the Government.

654. It was said that dual citizenship was not admitted and discrimination in the transfer of citizenship still continued.

655. Girls and boys had equal access to school education, and in some States girls in primary and secondary schools outnumbered boys. The reason for the big number of girls enrolled in law studies was not known. She said that the national education programmes were trying to arouse interest in female education in technical fields. No statistics on the illiteracy rate were available.

656. No changes in the protective legislation concerning the ban on women's night work were foreseen yet. She said that self-employed women were not protected by labour laws and young women working in the private sector were not so welcome because of possible absenteeism related to health problems and child care. However, women could be found in any type of profession. The principle of equal pay for equal work was accepted, but no statistics to show wage differentials between women and men in the private sector were available.

657. The retirement age for women and men was 55 years and leave entitlements were equal for persons of either sex. However, no paternity leave existed as yet, but sufficient domestic help was available. Women were also members of trade unions and there was a women's wing in the Nigerian Labour Congress.

658. Abortion was not generally permitted, but it was allowed if the life of the mother was in danger or following the recommendation given by a doctor. Attempts to legalize abortion were resisted by the churches and by women themselves. The average female life expectancy was between 54 and 60 years, and more women lived in rural areas and more men in urban areas.

659. The representative said that rural women did not have pension rights, but they were protected by the strong extended family system. Family planning services were available to them. Traditions and customs were an obstacle to women's access to credit facilities, but women formed co-operatives to have more easily access to credit. Land ownership was possible for women in some parts of the country. It was also said that special training courses existed for rural women, and by trying to raise the consciousness of women in rural areas the authorities in the country were trying to raise the consciousness of the Nigerian society.

660. It was said that women excelled in the cultural field, where they gained international fame. Women were also widely represented in trade and commerce.

661. The representative showed understanding for the difficulties some members had in trying to understand the three-fold Nigerian marriage pattern. She emphasized that only a mixture of the three patterns was illegal. No statistics on the different categories of marriage were available. She said that adultery committed by a woman constituted a ground for divorce, whereas an adultery committed by a man had no legal consequences, as it was claimed that men were polygamous by nature. The official age for marriage was 16 years for girls and 16-17 years for boys. No statistics were available on the number of marriages below the age of 16 and on the number of teenage pregnancies. It was said that a high-level committee had been set up by the responsible Ministry in order to deal with the problems related to early marriages and teenage pregnancies. It was explained that early marriages were a safe guaranty against pregnancies out of wedlock and that unmarried women were frowned upon because it was thought that they were either immoral or not good enough to be married. She also said that polygamy was mostly accessible only to rich men as the husband had the legal obligation to provide equal economic conditions to all wives.

662. The representative explained that the dowry had originally to be paid by the man to indicate his capability to support the wife financially; later it had to be paid to reimburse the parents of the wife for the education provided to the girl. As a result of a strong protest by women's groups, the amount of the dowry was being reduced to becoming a mere token.

663. She indicated the reasons for divorce and said that legal aid centres were accessible to men and women. No plans existed as yet to set up family courts.

664. Appreciation was expressed by the experts for the replies given. Further comments referred to the issues of female circumcision, and it was said that it was most important for the Government to take the necessary steps to eliminate those practices and foresee severe punishments. It was also asked in what way women's organizations had shown protest.

665. Questions were raised as to whether it was planned to eliminate the existing discrimination as regards acquisition and transfer of citizenship.

666. More information was sought on the food self-sufficiency programme of 1985 and on land ownership questions related to the new irrigation scheme.

667. It was also asked whether the Government was planning to unify the various marriage patterns, whether it was legally prohibited for a girl who had barely reached puberty to get married and whether women's organizations protested against polygamy.

668. The Government representative explained that vigorous campaigns were being mounted against female circumcision and efforts were being made to enlighten women on the health risks involved for their daughters.

669. Protests were also being launched by women's groups against polygamy. However, the opinion of women themselves was mixed. Some fought against it; some thought it was better to be one of several wives than not to be married at all.

670. As regards the question of land ownership, the representative said that in Nigeria the paternal system prevailed; in some parts of the country women did not own the land they were working, but they were allowed to sell the crops.

## 2. Second periodic reports

671. The Chairperson of the Committee explained that new ground was being broken in the Committee's history, since the report of Hungary was the first of the second periodic reports to be considered. The Committee had decided to follow for a time the procedures established by the Human Rights Committee for the consideration of second periodic reports. Working Group I had been entrusted by the Committee with reviewing the reports of Hungary and Sweden in order to identify those questions that should be discussed with representatives of States parties. A list of issues had been referred to the Committee and then transmitted to the government representative in writing for her or him to prepare replies before the meeting. After hearing the replies of the representatives, members of the Committee were free to raise additional questions.

### Hungary

672. The Committee considered the second periodic report of Hungary (CEDAW/C/13/Add.1) at its 124th and 127th meetings, on 1 and 2 March 1988 (CEDAW/C/SR.124 and 127).

673. Before answering the questions presented to him, the representative of Hungary distributed statistical data on topics such as the structure of the population, employment, household statistics, housing, education, social welfare, public health and employment. In introducing the report, he stressed his country's deep commitment to the Convention, which his country considered as one of the most significant parts of contemporary international law.

674. In reply to a question concerning the introduction of legal and other measures since the initial report, the representative referred to the introduction of the child-care fee in 1985, which represented a much higher level of social protection than the child-care allowance; a new family law in 1986, which gave an increased protection to marriage and family; the revision of the maternity leave provisions;

and the 1983 Act on the election of members of parliament and of councillors, which had introduced the mandatory nomination of two or more candidates.

675. Regarding the actual progress made in promoting the full advancement of women, the representative gave as examples the increase in participation of women in the socially-organized labour and the higher level of education attained by women. Further examples were an increased involvement of women in public life and continuing improvement in their living conditions. They represented 49.2 per cent of the economically active population in 1986. He also mentioned the Government's long-term demographic and social policy programmes, which included, inter alia, an increased material support to families with children, a wider network of child-care facilities, genetic counselling and improvement of pre- and post-natal care.

676. No significant changes had occurred in the status and equality between women and men since the initial report. As far as any remaining obstacles to the achievement of equality between women and men were concerned, the achievement of equality could never be considered as completed. No new institutions had been established to ensure the principle of equality.

677. Regarding the existence of any programmes to modify patterns of conduct based on the idea of inferiority or superiority of either of the sexes, he said that such an idea was incompatible with the values of the Hungarian socialist society.

678. The Convention had become part of the legal system of the country and it had been published in the Official Gazette, he said, as well as in the widely distributed publications of the National Council of Women, and was included in school textbooks. The report of Hungary to the Committee had received publicity in the daily press and in periodicals. Any similar report would receive the same treatment.

679. Anybody, without exception, could be prosecuted for violating the constitutional provisions prohibiting discrimination against women. There were no special institutions to deal with complaints by women relating to discrimination because Hungarian courts operated on the basis of the territorial principle. Judges could, however, be designated on the grounds of their competence and experience to deal with specific cases. No statistics were available about cases of complaint about discrimination and no examples could be given.

680. No answer was given to the question concerning the introduction of measures to overcome obstacles to equality arising from prejudices, customs or practices. There were no general programmes aimed at overcoming domestic violence and sexual harassment, but specific cases were always investigated and prosecuted. Regarding programmes aimed at assisting men and women in performing their dual role as earners and caretakers of the family, he referred the Committee to the information given in the report.

681. Prostitution was defined as a crime regardless of sex, but the other party was not liable to prosecution.

682. Concerning a possible increase of the number of women in legislative bodies, the representative referred the Committee to the information given in the report. No replies were provided to questions concerning the actual level of participation of women in governmental positions, managerial posts, higher courts, education boards and the direction of educational establishments, and in management of trade

unions. Figures on the membership of trade unions showed that the number of both women and men had increased. Women slightly outnumbered men in trade union executive bodies.

683. Referring to questions concerning the role played by the National Council of Women in government and legislation, the appointment of its executive members and the part played by the Council in the preparation of the report, the representative referred the Committee to the information given in the report. The presidium of 35 members was elected by the Council and the Council contributed to the advancement of women by putting out various publications. The Council had taken part in the preparation of the report.

684. Concerning the measures adopted to ensure that women were equally represented in all government boards and committees, the representative replied that an equal representation was an overall desire, but not on a pure basis of statistics and that women in some cases could be in majority. Regarding the proportion of women in the communist party, at all levels, he said that no statistics were available, but that women were quite fairly represented.

685. Referring to measures taken to involve more women at decision-making levels of management in delegations to international forums, he said that the Government encouraged women to be more and more involved in decision-making.

686. As regards any increase in the proportion of women entering training in traditionally male areas, he gave percentages of girls attending various levels of education and having completed university, secondary and vocational education. The lowest percentages of women could be seen in engineering (18.4 per cent), agricultural (35.3 per cent) and veterinary schools (14.8 per cent). Women in industry represented 30.6 per cent and their number had decreased in agriculture to 18.6 per cent. Their participation in trade, transport, public administration, post and communications and social and cultural services was continuously increasing. No specific programmes existed to encourage girls and boys to seek education and training in non-traditional areas nor were specific programmes available for family life, family health and family planning. All sporting facilities were equally open to either sex and he gave several examples of women who had accomplished outstanding performances in sports.

687. It was stated that 87.1 per cent of teachers in lower grade and 75.6 per cent in higher primary schools were women. Female teachers in kindergarten represented 99.9 per cent. The percentage of children enrolled in kindergarten had risen from 79.8 per cent in 1980 to 92.6 per cent in 1986.

688. An affirmative reply was given to the question of whether the new child-care allowance scheme reflected a pro-family policy aimed at encouraging women to have more children and stay at home. Concerning the way in which the rule that employment preference be given to pregnant women was carried out in practice, the provision was monitored by legal departments, trade unions and various organizations. No further information was given regarding the question whether restrictions on assigning work considered harmful to health applied also to men. Concerning the questions as to which measures had been taken to encourage young women to enter male-dominated professions, the representative said that the country's long-term objective had been to eliminate deeply-rooted traditions in people's choice of professions, and he gave the ratios of women in different branches of research.

689. No action had been taken to provide the same retirement age for women and men.

690. As regards the family-allowance system, he explained that the allowance depended on the number of children and served family-planning purposes. The monthly amounts, for which the corresponding figures were given, were paid to the parents or to single mothers or fathers.

691. It was explained that women's wages were about one fourth less than men's wages and some of the reasons for that phenomenon were traditions, subjectivism and the employment of women mainly in lower-paid jobs. As a result of technological developments, new job opportunities had appeared for women, in fields such as microelectronics, computer technics, telecommunication and chemical and machine industries.

692. Concerning the level of employment of women and the measures taken to increase employment opportunities for women, it was stated that the problem of unemployment did not exist for the period under review. It was further stated that during the last five years, the disproportion between women's and men's wages had decreased.

693. No significant changes were reported on with respect to birth and fertility rates, life expectancy of men and women, maternal and infant mortality. Family-planning services were available to all women free of charge and were accessible also to rural women. The Government endeavoured to increase the birth rate. A woman could have an abortion only if the Abortion Committee gave her permission. The permission was usually granted if she was not married or had at least two children or had health problems.

694. Regarding the proportion of women living in rural areas and any changes in that respect, 41 per cent of the total population lived in rural areas and the percentage had decreased by nearly 20 per cent during the last 27 years. As to the measures taken to improve the situation of rural women as a result of the implementation of the Convention, the position of rural women in some areas was even better than that of women in the cities. Concerning the access of rural women to health services, education, employment and training, similar facilities existed all over the country. The National Council for Women, in collaboration with other social organizations, paid special attention to rural women, and the members of the Committee as well as of the presidium held frequent meetings in different parts of the country.

695. After the conclusion of marriage, all property earned or purchased by husband and wife was considered joint property and there were no restrictions on the right of married women to own or sell land, as far as their own property was concerned, to enter into contracts or to obtain credit. The consent of any of the spouses for any of those transactions was only needed in case of common or joint property.

696. As regards family relations and marriage, the age of marriage had been increased for both partners to 18 years, either of the spouses could be held liable by a court decision to pay maintenance after separation or divorce and children born in and out of wedlock had the same rights. Joint property had to be divided equally between the partners if the marriage broke up and either of the partners could be obliged to pay alimony. A supplementary alimony could be requested from the man only if the woman was on maternity or child-care leave and had to face major expenses in connection with maternity. The maximum amount of maintenance was 45 per cent of the wage earned by the father if the children stayed with the mother.

697. Regarding special measures to protect women who were victims of domestic violence, it did not constitute a problem in the country, and, if needed, the offender was punished. Rape was a crime severely punished even if committed within marriage.

698. No information was provided as to whether alcoholism caused special problems for women and whether any measures existed in that respect.

699. As regards percentages on the distribution of the population by marital status or living in de facto relationships, the representative referred the Committee to the statistical data that had been distributed during the meeting. The divorce rate was 2.6 in 1980 and had increased to 2.8 in 1986.

700. Experts thanked the representative for his co-operation in the adopted procedure for the consideration of second periodic reports, which had been used for the first time on a trial basis, for having dealt with most of the questions raised by them and for having provided ample additional information. While the information provided orally and the statistical material were commended, disappointment was expressed at the way the second periodic report was presented. It was said that except for the information on the new social security measures, the new family law and some statistical data, the second report did not differ at all from the initial report. It was not sufficient to report on legal measures; the experts were interested in the results of their implementation and in the de facto situation of women. It was also said that some of the articles of the Convention were not addressed with sufficient depth by the State party. It was remarked that the repetitions in the second report were perhaps attributable to the absence of appropriate guidelines for second periodic reports.

701. Whereas most experts expressed the hope that the subsequent report would contain a more in-depth study of the situation of women in Hungary and give answers to all the remaining questions, some members of the Committee were not at all dissatisfied with the report and the replies given. Firstly, it was said that social processes were complex and lengthy and a time-span of four years was not long enough to make it possible to identify significant changes. Secondly, it was stated that at the time of presentation of the initial report, the status of women was already quite high in the country. The analysis of the report and the answers provided by the representative attested to a continuous tendency of the country towards implementing the concept of equality of the sexes. It was said that the socialist system had established the broad social framework for the advancement of women, which could be expanded even further. Not all problems had been solved yet, but the setting of goals constituted already the first step for achieving them. Given the actual status of women in Hungary and the very powerful women's movement in the country, the report was rather modest and did not describe fully the positive situation. When introducing the report, the representative of the State party should be given the opportunity to speak more at length about the underlying fundamental principles of a State.

702. Some members asked additional questions regarding the recent reforms undertaken by the Government affecting the status of women. Others wanted to learn to what extent the National Council of Women had succeeded in implementing a change of legislation in favour of women.

703. It was asked whether men participated in domestic work and whether the two parties in a marriage were being educated in sharing their household tasks through enlightenment campaigns.

704. Congratulations were expressed for the high representation of women in Parliament. It was asked, however, why the ratio had decreased since 1982 and whether consideration had been given by the country to overcoming traditional stereotypes.

705. More clarification was sought concerning statistical data on education, in particular as to the reason why the percentage of students in vocational secondary schools had risen, whereas the number of students in grammar schools had dropped. Furthermore, it was asked how the high number of undergraduates of high level education compared with the low number of diplomas obtained.

706. It was asked whether it was considered at all to grant women the same retirement age as men, and whether paternity leave existed. More information was requested on the existence of temporary special measures.

707. It was commented that sex segregation existed in education and on the labour market, which could have a negative impact on women's wages. Could it even be that women were lower paid because they often were to be found in professions dominated by women. Further information on the practical implementation of the principle of equal pay for work of equal value was requested therefore in the forthcoming wage reform, such as affirmative action programmes to integrate women in male-dominated areas.

708. More statistical material was requested and it was said that statistical data made it easier for experts to assess certain developments.

709. It was said that most of the social security measures were not a reflection of the rights of women, but rather seemed to aim at the protection of women in their function as mothers. It was felt that those measures emphasized the role of women as being reproductive machines, and it was asked whether women who were not interested in having children were given similar incentives in their conditions of work. Experts asked how the two policies of encouraging women to have more children and of improving their status of work could be reconciled. It was felt that the encouragement for women to have more children had to be met by a considerable increase in the contribution by men in performing household work and child care. It was also asked whether the years lost in child bearing were counted for seniority in job promotions.

710. Questions were raised as to whether any new legislation was contemplated to modify the family law and whether single persons could adopt children, and concern was expressed at the increasing divorce rate. It was asked whether studies on that topic existed.

711. The representative said that Hungary's third report would be prepared in such a way as to address those questions which might have remained unanswered. The repetitions between the initial report and the second were intentional. The Government wished to enable the experts to make comparisons.

712. Electoral reforms had been established in Hungary. At the present time, it was possible to nominate more than one candidate for a seat, which would certainly

open the door for women's participation in Government. Twenty-one per cent of all Parliamentary seats were held by women. If there had been a decrease in the percentage of women elected, it was not due to lack of interest, since 99 per cent of all women in Hungary voted. There were no provisions for the establishment of quotas or targets.

713. The National Council of Hungarian Women was involved in both proposing and commenting on new legislation.

714. At the present time, Hungarian legislation provided for 24 weeks of paid maternity leave. After that, either of the two parents could remain at home for three years. There were no statistics on how many fathers took advantage of that leave provision. Pension benefits were equal for men and women. However, if indeed certain positive discrimination remained, it referred to retirement age, since women could retire at 60 while men retired at 65. That was justifiable in view of her additional responsibility in child rearing and child care.

715. If there were differences in the wage levels between men and women, they were due to the unavoidable job segregation. Men would actually take jobs in foundry and mining which were better paid, while women were found in lower paid jobs as cashiers or hostesses. However, there was progress registered concerning teachers and physicians which showed that younger women were joining those careers. There had also been an increase in the number of women taxi drivers, train conductors, etc.

716. Alongside the electoral reform, a financial accounting reform had taken place introducing a system of income tax and value added tax. Those reforms would undoubtedly have an effect on the family and employment and the effects would have to be evaluated in due course.

717. Regarding family relations, there was very little any Government could do in that regard. Experience had shown that it was a matter of education as, for example, a married professional couple tended to share more of the housework with each other. The same was true of the size of the family which, as an average, was almost two children per couple.

718. He added that adoption laws did not discriminate between married or single parents. A legal requirement was to have reached majority.

719. The Committee once more thanked the representative of Hungary and noted with satisfaction that Hungary was the first country to present a second report.

#### Sweden

720. The Committee considered the second periodic report of Sweden (CEDAW/C/13/Add.6 and Corr.1) at its 125th and 127th meetings, held on 1 and 2 March 1988 (CEDAW/C/SR.125 and 127).

721. The representative of Sweden, in introducing the second periodic report, informed the Committee that the report had been prepared by the Equality Affairs Division of the Ministry of Labour in collaboration with other authorities, women's organizations and other non-governmental organizations.

722. Since the second report had been prepared, a woman Minister of Justice had been appointed. The cabinet was now composed of 6 women and 15 men.

723. In Sweden, equality in the labour market was considered to be one of the most important paths to overall equality in society. The Government had become more aware of the close relationship between family policy, labour-market policy and policy for equality between women and men. Therefore, family policy aimed at creating a good environment for children to grow up in and at providing economic support for families with children. Another important aspect was to give children and parents time for each other. It was essential to have the possibility to combine parenthood with gainful employment.

724. The above principles were fundamental to the equal opportunities policy to be presented in Parliament on 8 March 1988 by the Minister of Equality Affairs.

725. The representative explained that the policy was in fact a five-year plan of action covering the subjects of women in the economy, equality in the labour market, in the educational system and in the family, and women's representation in the decision-making and advisory assemblies.

726. The Government had announced a target of 30 per cent for women's representation in governmental decision-making bodies. The current percentage was only 16 per cent.

727. The fulfilment of Sweden's commitment to the Nairobi Forward-looking Strategies for the Advancement of Women 7/ remained a priority.

728. Developments over the last eight years, since the adoption of the Swedish Equal Opportunities Act, had been encouraging. The equal opportunities ombudsman had successfully followed the implementation of the Act and had also made recommendations to amend it. The Labour Court and the political parties had also agreed that it might be appropriate to evaluate the Act.

729. The parental insurance scheme would be increased from 12 to 18 months. It was expected that child-care facilities would be available from 1991 on for all children from 18 months of age whose parents worked or studied.

730. Equality depended upon choices by individuals and their decisions regarding education, profession or the division of work at home between the spouses. Therefore, equality between men and women could not be the subject of political decisions. Governments should strive to provide the framework within which each single person could make his or her own choices. It had to be constantly examined to keep prevailing circumstances under review, which would benefit not only women but society as a whole.

731. In her reply to questions regarding what progress or changes had occurred since the presentation of the initial report and what obstacles remained to the achievement of equality between women and men, the representative said that the policy on equality was an integrated part of a policy for full employment. In 1987, 90 per cent of women, aged 25 to 55 years, were in the labour force compared to 93 per cent of men. There was only 1.9 per cent unemployment in Sweden. The trade unions had actively fought for reduced wage differentials and women had increased their participation in the work of trade unions. Women were exercising their political rights by voting in larger numbers than men, and women made up

about one third of the members of Parliament and of elected municipal decision-making bodies. Regarding the obstacles encountered, she mentioned the sex-segregated labour market and the uneven sharing of responsibility for unremunerated housework, which accounted for the high number of women in decision-making bodies both in the private and public sectors. One expert raised the question of the regulation of the labour market, which, in her opinion, was not yet promoting equality of opportunities between men and women, since 38 professions were occupied by women and 134 by men; 88 per cent of the active female population was in teaching and the majority of women worked part time.

732. Regarding the question of which new legal remedies were available to women in courts or other tribunals in cases of discrimination in employment, in the public or in the private sphere, such as the provision of goods and services, the representative stated that there were no legal differences in the way men and women were treated in any area. A new law on legal support for victims of sexual offences had been introduced and would enter into force in July 1988.

733. Regarding the publicizing of the translation and distribution of the Convention and the question whether women's organizations had been involved in the preparation of the initial and second reports of Sweden, the representative said that the Convention before ratification had been sent for comments to authorities and organizations. Therefore, it had also been translated and further distributed to authorities, political parties, labour-market organizations, women's organizations and other non-governmental organizations. In addition, wide publicity had been given especially to the second report.

734. As to whether there were any disadvantaged groups in regard to the enjoyment of equal rights, and whether any special measures had been introduced to remedy this, the representative replied that it remained the legal provision concerning reinowers which would be revised within a year. Legally, she explained, there were no disadvantaged groups in Sweden.

735. In reply to the question whether the Commission on Equality between men and women was independent or attached to the Government, how it obtained its operational funds and how the members were appointed, she replied that the Commission was an independent authority, its budget was decided annually and all members were appointed by the Government.

736. With regard to rights for fathers to transfer their parental leave to the mother, the representative said that there were no plans to preclude fathers from this possibility. The question of introducing quotas had been discussed but deferred.

737. In reply to the information requested on pornography laws and on whether any guidelines had been issued in relation to the representation of women by the media, the representative said that a bill was pending in Parliament prohibiting the representation of sexual violence in printed material and films. The question of compulsory censorship for video films sold or hired for private use was also being considered.

738. With regard to the question whether prostitution had abated and whether rehabilitation programmes existed for prostitutes, she replied that, since 1980, there had been no survey on prostitution. Existing prostitutes were often alcoholics or drug abusers living in the large urban areas. An AIDS campaign had

been launched, including specific measures for prostitutes. There were a few treatment centres for prostitutes in Stockholm and some more were planned.

739. On the request for information on the number and proportion of women in policy-making positions, the representative stated that, in 1986, 6 per cent (or 112) of all persons in senior ministerial and executive posts were women. In the government office, 16 per cent of the higher executive staff were women; there were 108 women (31 per cent) in Parliament; 23 per cent of the judges were women; all 29 judges in the housing courts were men. In the legal aid offices, 30 per cent of the lawyers were women; however, 45 per cent of law trainees were women. No significant changes had been noticed at ambassadorial or trade union levels.

740. As to whether there had been any change in the participation of Swedish women in international organizations and international delegations, the representative replied that decisions made by the Government were based on merit alone.

741. With regard to the programmes introduced by the Equal Opportunities Commission, no formal evaluation had been carried out.

742. As to details requested on any change in the proportion of women at each level of education, including tertiary education, the representative replied that no significant change had been noted and added that, as to tertiary education, 63 per cent of all new students in culture and information were women; 54 per cent of all new students in administrative, economic and social studies were women; and 86 per cent of health students and 23 per cent of technical students were women. There had not been any significant change in the proportion of women entering vocational training in traditionally male areas since 1985. In labour-market training, 4,218 women had begun untraditional vocational training during the last year, which represented 16.5 per cent of the total of women in labour-market training. In 1987, a quota had been introduced in the vocational training for production and maintenance engineering.

743. As to whether there had been any increase in the number of women appointed to high-level teaching positions, the representative replied that only 5 per cent of the professors were women. A study was being undertaken on the procedures concerning the appointments of professors taking the question of equality into account.

744. Several questions dealt with matters of employment, salaries, hiring practices and statistical information, as well as eventual changes in the proportion of women or of married women in the work-place and in different sectors of employment. It was also asked whether goals of equal pay were being achieved and if average wages of women were between 70 and 90 per cent of men's. The differences were due to different occupations and working hours. The goal of equal pay was almost achieved but the segregation of the labour market made the wage-gap persistent. There were no new affirmative action programmes to ensure that a minimum proportion of women were employed in each sector. There were no special labour statistics by marital status but by age. Recently, the Central Bureau of Statistics had been asked by the Minister of Labour to devise a programme of persons entering the labour market by occupational groups. The Equal Opportunities Act provided the legal framework to appeal cases on grounds of discrimination. The normal procedure was to enter into mediation or conciliation before taking action in Labour Court. A total of 32 cases had been brought to Labour Court, out of which 23 had been dismissed. The

Act had been in force for eight years and the Equal Opportunitites Ombudsman had successfully seen to it that the Act was observed.

745. Several questions were raised regarding part-time employment and the representative answered that through the Parental Leave Act, parents could work six hours a day if they had children under 8 years of age. A problem, however, was that an increasing number of women were working part-time on an involuntary basis. Measures to reduce this increase were being undertaken by the Labour Market Board. One million individuals were working 34 hours or less; out of these 260,000 were men and 800,000 were women. Of all employed persons, 209,000 worked less than they wanted and 75 per cent of these were women. Benefits to workers were regulated through collective bargaining. Normally a person working 17 hours a week had the same rights as full-time workers. Very few part-time workers worked less than 17 hours.

746. With regard to the question whether the target to have child-care facilities for all who needed it by 1991 would be reached, she answered positively and stated that 80 per cent of all pre-school children had access to child-care facilities.

747. In reply to the questions whether women had the same pension entitlements as men, were the entitlements linked to earning levels and how were women who worked part-time affected, the representative answered that women and men had the same entitlements. Explanations on Sweden's pension scheme could be found in the report. If there was a difference in the supplementary pension for women, it was due to the fact that women on an average contributed less and for a shorter period to the supplementary pension fund than an average man. The pension scheme was in fact distributing resources from men to women.

748. The experts thanked the representative for a splendid and detailed report and for all the answers provided both in her introduction and to the questions asked. It was felt, however, that the format of the report showed that guidelines for periodical reports had to be elaborated by the Committee and there were areas where additional information and clarification was needed. Compliments were presented on the results that Sweden had achieved which could set precedents and become a model for many countries. It was impressive how legislative provisions were followed by concrete action.

749. Experts asked for more details regarding the report of the Ad Hoc Committee on Women's Representation, which was to be presented in 1987.

750. The experts had noted the problem of the increase in the number of women choosing part-time employment and had also noted the explanations provided by the representative, but further elaboration was requested regarding measures foreseen to solve the problem, for example, could women be helped to pursue a career while working part-time.

751. The representative was also asked to give additional details on the new policy to deal with sexual harassment at the work-place since many members of the Committee could benefit from criteria and modalities used.

752. The debate regarding sex discrimination in advertising and pornography and sexual violence portrayed in films and videotapes, versus freedom of expression, was a very appropriate and important one. It was stated that the principle of equality could not be undermined by the principle of freedom of expression, as each

freedom had its own particular obligations. With reference to article 16 of the instrument on Government and the Freedom of the Press Act, the representative was asked whether she could enlighten the Committee as to how that debate had proceeded in Sweden.

753. The view was also expressed that the formulation contained in the introduction regarding equality within the family was a very particular and delicate norm to set. It was agreed with the Swedish representative that this pertained to the realm of individual decisions within the family and could not in reality be legislated upon. All that Governments could do was to facilitate the services provided in order to make those decisions a matter of choice and not of obligation. It was also asked if women had to take up gainful employment for economic reasons.

754. Regarding occupational segregation, it was asked what additional measures were foreseen to remedy the low number of women not choosing the technical and scientific fields. Sweden was a very advanced country and it was discouraging to all that there were so few women engineers. These technical careers, it was pointed out, were the most promising at the present time.

755. Additional details were requested on the social insurance schemes, since the number of years at work did not seem to affect the final reimbursement made to pensioners. It was asked what were the widows' benefits.

756. It was noted that the goal of equal pay was allegedly almost achieved. However, it had not been stated whether reference was made to equal pay for equal work or equal pay for work of equal value.

757. The representative agreed with the Committee that there were indeed problems related to the involuntary use of part-time work by women. As a rule part-time workers received less in company training, they were less active in union work and they advanced more slowly than full-time workers. It should be remembered, however, she added, that part-time work for many women was a temporary arrangement and that women increased their working hours once children grew older. Part-time work was for many women a way to combine gainful employment with the care of children.

758. Organizational methods had been devised, especially in the health-sector where a large proportion of the employed worked part-time. It was the opinion of the Swedish Government that it was essential for both women and men to combine parenthood with gainful employment. Family was not the exclusive domain of women, extensive welfare programmes such as the Parental Leave Act made it possible for both women and men to combine parenthood with gainful employment. To obtain full supplementary pension, a minimum of 30 years of work was required.

759. In regard to the question on procedures to investigate sexual harassment, the representative agreed that this was an important and difficult question. The Swedish Work Environment Act stipulated that the working environment should be not only physically but also psychologically sufficient. Sexual harassment was primarily seen as a problem of relations at the work place, which meant that it had to be approached as other working environmental problems.

760. The question of protection against sex discriminatory advertising versus freedom of expression and freedom of the press was vital and much discussed in

Sweden. The National Board for Consumers Policies was currently conducting a special survey on sex discriminatory advertising. The question of establishing quotas in political life was much discussed. Only the new Environmental Party urged quotas. In some municipalities, the question had been raised and a quota system was used on a voluntary basis. Environmental policy was of great interest to the Swedish Society and many women were active in this important movement. Various methods were being used to increase the number of male pre-school teachers. By 1991 it was estimated that a total of 26,000 new teachers would be required if the desired increase in child care facilities was to be met.

761. As to widow's pension a reform was being suggested which will establish that men as well as women will have a right to a pension when their spouse had passed away. This reform had been heavily debated and it would reduce the widow-pensions on the one hand and increase equality on the other.

762. She agreed that segregation in the labour market was a major worry. She admitted that this was a long-term project which could only be solved by a combination of several measures targeting education choices as well as labour market conditions.

763. In cases of discrimination based on sex, a trade union member first had to contact his or her trade union. If the trade union did not want to take action, the complainant could turn to the Equal Opportunities Ombudsman who, depending on the merits of the case, could pursue it.

764. Finally, she stated that the question of equal pay for work of equal value remained an unresolved question. Comparative worth was a new instrument for equality and still under discussion in Sweden.

765. It was commented that, according to the experience of one country, men tended to share in household duties and child care in the rural areas more than in the urban areas.

766. The representative was once again congratulated for the detailed replies submitted and for the progress achieved. The Committee looked forward to the receipt of Sweden's third report.

## V. WAYS AND MEANS OF IMPLEMENTING ARTICLE 21 OF THE CONVENTION

767. At the 128th, 129th and 130th meetings, held on 2, 3 and 4 March 1988, the Committee considered draft general recommendations presented by Working Group II and discussed them at length. The Committee agreed on the subjects of nine general recommendations, of which it combined two referring to national machineries, and decided to send forward four, listed below. It was also decided that the four remaining recommendations, which were not considered a priority at the present session, should be re-examined at the next session of the Committee and held in abeyance by the Secretariat. Those recommendations concern the application of the principle of equal remuneration for work of equal value through gender neutral job evaluation; the elimination of traditional practices that were injurious to the health of mothers and children, such as female circumcision; the collection of separate statistical data on women and men, in particular, in regard to health, education, employment, political participation and land ownership; and the establishment of technical co-operation projects, including training seminars for States parties that request them in order to fulfil their reporting obligations.

768. The Committee also deferred the examination of two draft general observations concerning the retrospect of the Committee's work.

769. Following the Committee's decision at its sixth session, 8/ the general recommendations and suggestions adopted by the Committee are numbered in series. The Committee adopted general recommendations 2, 3 and 4 at its sixth session and general recommendations 5, 6, 7 and 8 at its seventh session.

### General recommendations and suggestions based on article 21 of the Convention

770. The general recommendations adopted by the Committee and sent forward at this session read as follows:

#### General recommendation No. 5 (seventh session 1988)

##### Temporary special measures

##### The Committee on the Elimination of Discrimination against Women,

Taking note that the reports, the introductory remarks and the replies by States parties reveal that while significant progress has been achieved in regard to repealing or modifying discriminatory laws, there is still a need for action to be taken to implement fully the Convention by introducing measures to promote de facto equality between men and women,

Recalling article 4.1 of the Convention,

Recommends that States parties make more use of temporary special measures such as positive action, preferential treatment or quota systems to advance women's integration into education, the economy, politics and employment.

General recommendation No. 6 (seventh session 1988)

Effective national machinery and publicity

The Committee on the Elimination of Discrimination against Women,

Having considered the reports of States parties to the Convention on the Elimination of All Forms of Discrimination against Women,

Noting United Nations General Assembly resolution 42/60 of 30 November 1987,

Recommends that States parties:

1. Establish and/or strengthen effective national machinery, institutions and procedures, at a high level of Government, and with adequate resources, commitment and authority to:
  - (a) Advise on the impact on women of all government policies;
  - (b) Monitor the situation of women comprehensively;
  - (c) Help formulate new policies and effectively carry out strategies and measures to eliminate discrimination;
2. Take appropriate steps to ensure the dissemination of the Convention, the reports of the States parties under article 18 and the reports of the Committee in the language of the States concerned;
3. Seek the assistance of the Secretary-General and the Department of Public Information in providing translations of the Convention and the reports of the Committee;
4. Include in their initial and periodic reports the action taken in respect of this recommendation.

General recommendation No. 7 (seventh session 1988)

Resources

The Committee on the Elimination of Discrimination against Women,

Noting General Assembly resolutions 40/39, 41/108 and in particular 42/60, paragraph 14, which invited the Committee and the States parties to consider the question of holding future sessions of the Committee at Vienna,

Bearing in mind General Assembly resolution 42/105 and, in particular, paragraph 11, which requests the Secretary-General to strengthen co-ordination between the United Nations Centre for Human Rights and the Centre for Social Development and Humanitarian Affairs of the Secretariat in relation to the implementation of human rights treaties and servicing treaty bodies,

Recommends to the States parties:

1. That they continue to support proposals for strengthening the co-ordination between the Centre for Human Rights at Geneva and the Centre for Social Development and Humanitarian Affairs at Vienna, in relation to the servicing of the Committee;
2. That they support proposals that the Committee meet in New York and Vienna;
3. That they take all necessary and appropriate steps to ensure that adequate resources and services are available to the Committee to assist it in its functions under the Convention and in particular that full-time staff are available to help the Committee to prepare for its sessions and during its session;
4. That they ensure that supplementary reports and materials are submitted to the Secretariat in due time to be translated into the official languages of the United Nations in time for distribution and consideration by the Committee.

General recommendation No. 8 (seventh session 1988)

Implementation of article 8 of the Convention

The Committee on the Elimination of Discrimination against Women,

Having considered the reports of States parties submitted in accordance with article 18 of the Convention,

Recommends that States parties take further direct measures in accordance with article 4 of the Convention to ensure the full implementation of article 8 of the Convention and to ensure to women on equal terms with men and without any discrimination the opportunities to represent their Government at the international level and to participate in the work of international organizations.

Suggestion 1

771. The Committee on the Elimination of Discrimination against Women recalls that, under article 18 of the Convention, States shall undertake to submit initial reports to the Secretary-General within one year of entry into force for the State party concerned. At the conclusion of its seventh session, the Committee had received 56 initial and 12 second periodic reports and considered 45 initial and two second periodic reports of States parties. For the eighth session, the Committee had already received 12 initial and 10 second periodic reports. Further, 36 initial and 36 second periodic reports are still outstanding.

772. The Committee, having only a limited time available for the consideration of reports and having to deal with them within a reasonable period after their submission and taking into account also the financial constraints affecting the

United Nations, suggests that the Economic and Social Council request the General Assembly to approve again, as an exception to the provision contained in article 20 of the Convention, eight additional meetings of the Committee in 1989, and bearing in mind the financial implications of this suggestion, to provide it with the necessary resources for those additional meetings.

## VI. ADOPTION OF THE REPORT

773. The Committee considered the draft report of the seventh session at its 130th and 131st meeting, held on 4 March 1988. As not all the documents were available in all the official languages of the Committee, the Committee was not able to adopt the entire report. It decided that the Secretariat should send the parts of the draft report that had not been adopted yet to all the members, fixing a deadline for reply. If members did not send their replies on time to the Secretariat, their comments would be ignored. The finalization of the report and the co-ordination of comments should be carried out in close consultation with the Rapporteur.

### Notes

1/ Official Records of the General Assembly, Forty-second Session, Supplement No 38 (A/42/38), sect. V, para. 580.

2/ Ibid., Thirty-eighth Session, Supplement No. 45 (A/38/45), annex III.

3/ Ibid., Forty-second Session, Supplement No. 38 (A/42/38), sect. IV, para. 577.

4/ Ibid., sect. II C.

5/ Ibid., annex IV.

6/ Ibid., annex V.

7/ Report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, Nairobi, 15-26 July 1985 (United Nations publication, Sales No. E.85.IV.10), chap. I, sect. A.

8/ Official Records of the General Assembly, Forty-second Session, Supplement No. 38 (A/42/38), sect. II, para. 56, proposal 9, and para. 59.

## ANNEX I

States parties to the Convention on the Elimination of All Forms  
of Discrimination against Women as at 4 March 1988

<u>States parties</u>	<u>Date of receipt of the instrument of ratification or accession</u>	<u>Date of entry into force</u>
Angola	17 September 1986 <u>a/</u>	17 October 1986
Argentina	15 July 1985	14 August 1985
Australia	28 July 1983	27 August 1983
Austria	31 March 1982	30 April 1982
Bangladesh	6 November 1984 <u>a/</u>	6 December 1984
Barbados	16 October 1980	3 September 1981
Belgium	10 July 1985	9 August 1985
Bhutan	31 August 1981	30 September 1981
Brazil	1 February 1984	2 March 1984
Bulgaria	8 February 1982	10 March 1982
Burkina Faso	14 October 1987 <u>a/</u>	13 November 1987
Byelorussian Soviet Socialist Republic	4 February 1981	3 September 1981
Canada	10 December 1981	9 January 1982
Cape Verde	5 December 1980 <u>a/</u>	3 September 1981
China	4 November 1980	3 September 1981
Colombia	19 January 1982	18 February 1982
Congo	26 July 1982	25 August 1982
Costa Rica	4 April 1986	4 May 1986
Cuba	17 July 1980	3 September 1981
Cyprus	23 July 1985 <u>a/</u>	22 August 1985
Czechoslovakia	16 February 1982	18 March 1982
Democratic Yemen	30 May 1984 <u>a/</u>	9 June 1984
Denmark	21 April 1983	21 May 1983
Dominica	15 September 1980	3 September 1981
Dominican Republic	2 September 1982	1 October 1982
Ecuador	9 November 1981	9 December 1981
Egypt	18 September 1981	18 October 1981
El Salvador	19 August 1981	18 September 1981
Equatorial Guinea	23 October 1984 <u>a/</u>	22 November 1984
Ethiopia	10 September 1981	10 October 1981
Finland	4 September 1986	4 October 1986
France	14 December 1983	13 January 1984
Gabon	21 January 1983	20 February 1983
German Democratic Republic	9 July 1980	3 September 1981
Germany (Federal Republic of)	10 July 1985	9 August 1985
Ghana	2 January 1986	1 February 1986
Greece	7 June 1983	7 July 1983
Guatemala	12 August 1982	11 September 1982
Guinea	9 August 1982	8 September 1982
Guinea-Bissau	23 August 1985	22 September 1985
Guyana	17 July 1980	3 September 1981
Haiti	20 July 1981	3 September 1981
Honduras	3 March 1983	2 April 1983
Hungary	22 December 1980	3 September 1981

<u>States parties</u>	<u>Date of receipt of the instrument of ratification or accession</u>	<u>Date of entry into force</u>
Iceland	18 June 1985	18 July 1985
Indonesia	13 September 1984	13 October 1984
Iraq	13 August 1986 <u>a/</u> <u>b/</u>	12 September 1986
Ireland	23 December 1985 <u>a/</u>	22 January 1986
Italy	10 June 1985	10 July 1985
Jamaica	19 October 1984	18 November 1984
Japan	25 June 1985	25 July 1985
Kenya	9 March 1984 <u>a/</u>	8 April 1984
Lao People's Democratic Republic	14 August 1981	13 September 1981
Liberia	17 July 1984 <u>a/</u>	16 August 1984
Malawi	23 March 1987 <u>a/</u> <u>b/</u>	11 April 1987
Mali	10 September 1985	10 October 1985
Mauritius	9 July 1984 <u>a/</u>	8 August 1984
Mexico	23 March 1981	3 September 1981
Mongolia	20 July 1981	3 September 1981
New Zealand	10 January 1985	9 February 1985
Nicaragua	27 October 1981	26 November 1981
Nigeria	13 June 1985	13 July 1985
Norway	21 May 1981	3 September 1981
Panama	29 October 1981	28 November 1981
Paraguay	6 April 1987 <u>a/</u>	6 May 1987
Peru	13 September 1982	13 October 1982
Philippines	5 August 1981	4 September 1981
Poland	30 July 1980	3 September 1981
Portugal	30 July 1980	3 September 1981
Republic of Korea	27 December 1984	26 January 1985
Romania	7 January 1982	6 February 1982
Rwanda	2 March 1981	3 September 1981
Saint Christopher and Nevis	25 April 1985 <u>a/</u>	25 May 1985
Saint Lucia	8 October 1982 <u>a/</u>	7 November 1982
Saint Vincent and the Grenadines	4 August 1981 <u>a/</u>	3 September 1981
Senegal	5 February 1985	7 March 1985
Spain	5 January 1984	4 February 1984
Sri Lanka	5 October 1981	4 November 1981
Sweden	2 July 1980	3 September 1981
Thailand	9 August 1985 <u>a/</u>	8 September 1985
Togo	26 September 1983 <u>a/</u>	26 October 1983
Tunisia	20 September 1985	20 October 1985
Turkey	20 December 1985 <u>a/</u>	19 January 1986
Uganda	22 July 1985	21 August 1985
Ukrainian Soviet Socialist Republic	12 March 1981	3 September 1981
Union of Soviet Socialist Republics	23 January 1981	3 September 1981
United Kingdom of Great Britain and Northern Ireland	7 April 1986 <u>b/</u>	7 May 1986
United Republic of Tanzania	20 August 1985	19 September 1985
Uruguay	9 October 1981	8 November 1981
Venezuela	2 May 1983	1 June 1983

<u>States parties</u>	<u>Date of receipt of the instrument of ratification or accession</u>	<u>Date of entry into force</u>
Viet Nam	17 February 1982	19 March 1982
Yugoslavia	26 February 1982	28 March 1982
Zaire	17 October 1986	16 November 1986
Zambia	21 June 1985	21 July 1985

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a/ Accession.

b/ Reservation.

## ANNEX II

Submission of reports by States parties under article 18  
of the Convention as at 4 March 1988

A. Initial reports

<u>States parties</u>	<u>Invitation to submit reports</u>	<u>Date due</u>	<u>Date of submission</u>
Angola	22 October 1986	17 October 1987	
Argentina	16 August 1985	14 August 1986	6 October 1986 (Add.39) <u>f/</u>
Australia	12 September 1983	27 August 1984	3 October 1986 (Add.40) <u>f/</u>
Austria	23 April 1982	30 April 1983	20 October 1983 (Add.17) <u>c/</u>
Bangladesh	2 April 1985	6 December 1985	12 March 1986 (Add.34) <u>e/</u>
Barbados	2 March 1982	3 September 1982	
Belgium	16 August 1985	9 August 1986	20 July 1987 (Add.53)
Bhutan	2 March 1982	30 September 1982	
Brazil	2 March 1984	2 March 1985	
Bulgaria	2 March 1982	10 March 1983	13 June 1983 (Add.15) <u>c/</u>
Burkina Faso	24 November 1987	13 November 1988	
Byelorussian Soviet Socialist Republic	2 March 1982	3 September 1982	4 October 1982 (Add.5) <u>a/</u>
Canada	2 March 1982	9 January 1983	15 July 1983 (Add.16) <u>c/</u>
Cape Verde	2 March 1982	3 September 1982	
China	2 March 1982	3 September 1982	25 May 1983 (Add.14) <u>b/</u>
Colombia	2 March 1982	18 February 1983	16 January 1986 (Add.32) <u>c/</u>
Congo	14 September 1982	25 August 1983	
Costa Rica	7 May 1986	4 May 1987	
Cuba	2 March 1982	3 September 1982	27 September 1982 (Add.4) <u>a/</u>
Cyprus	23 August 1985	22 August 1986	
Czechoslovakia	14 September 1982	18 March 1983	4 October 1984 (Add.26) <u>d/</u>
Democratic Yemen	24 August 1984	29 June 1985	
Denmark	7 July 1983	21 May 1984	30 July 1984 (Add.22) <u>d/</u>
Dominica	2 March 1982	3 September 1982	
Dominican Republic	14 September 1982	2 October 1983	2 May 1986 (Add.37) <u>f/</u>
Ecuador	2 March 1982	9 December 1982	14 August 1984 (Add.23) <u>d/</u>

<u>States parties</u>	<u>Invitation to submit reports</u>	<u>Date due</u>	<u>Date of submission</u>
Egypt	2 March 1982	18 October 1982	2 February 1983 (Add.10) <u>b/</u>
El Salvador	2 March 1982	18 September 1982	3 November 1983 (Add.19) <u>d/</u>
Equatorial Guinea	2 April 1985	22 November 1985	16 March 1987 (Add.50)
Ethiopia	2 March 1982	10 October 1982	
Finland	6 October 1986	4 October 1987	16 February 1988 (Add.56)
France	8 February 1984	13 January 1985	13 February 1986 (Add.33) <u>e/</u>
Gabon	28 February 1983	20 February 1984	19 June 1987 (Add.54)
German Democratic Republic	2 March 1982	3 September 1982	30 August 1982 (Add.1) <u>a/</u>
Germany (Federal Republic of)	16 August 1985	9 August 1986	
Ghana	3 February 1986	1 February 1987	
Greece	7 July 1983	7 July 1984	5 April 1985 (Add.28) <u>e/</u>
Guatemala	14 September 1982	11 September 1983	
Guinea	14 September 1982	8 September 1983	
Guinea-Bissau	25 September 1985	22 September 1986	
Guyana	2 March 1982	3 September 1982	
Haiti	2 March 1982	3 September 1982	
Honduras	13 April 1983	2 April 1984	3 December 1986 (Add.44)
Hungary	2 March 1982	3 September 1982	20 September 1982 (Add.3) <u>b/</u>
Iceland	16 August 1985	18 July 1986	
Indonesia	31 October 1984	13 October 1985	17 March 1986 (Add.36) <u>f/</u>
Iraq	15 September 1986	12 September 1987	
Ireland	24 January 1986	22 January 1987	18 February 1987 (Add.47)
Italy	11 July 1985	10 July 1986	
Jamaica	31 October 1984	18 November 1985	12 September 1986 (Add.38) <u>f/</u>
Japan	16 August 1985	25 July 1986	13 March 1987 (Add.48) <u>f/</u>
Kenya	16 April 1984	8 April 1985	
Lao People's Democratic Republic	2 March 1982	13 September 1982	
Liberia	24 August 1984	16 August 1985	
Malawi	18 May 1987	11 April 1988	
Mali	14 October 1985	10 October 1986	13 November 1986 (Add.43) <u>f/</u>
Mauritius	24 August 1984	8 August 1985	
Mexico	2 March 1982	3 September 1982	14 September 1982 (Add.2) <u>a/</u>

<u>States parties</u>	<u>Invitation to submit reports</u>	<u>Date due</u>	<u>Date of submission</u>
Mongolia	2 March 1982	3 September 1982	18 November 1983 (Add.20) <u>d/</u>
New Zealand	2 April 1985	9 February 1986	3 October 1986 (Add.41) <u>f/</u>
Nicaragua	2 March 1982	26 November 1982	22 September 1987 (Add.55)
Nigeria	14 July 1985	13 July 1986	1 April 1987 (Add.49) <u>f/</u>
Norway	2 March 1982	3 September 1982	18 November 1982 (Add.7) <u>b/</u>
Panama	2 March 1982	28 November 1982	12 December 1982 (Add.9) <u>c/</u>
Paraguay	18 June 1987	6 May 1988	
Peru	12 October 1982	13 October 1983	
Philippines	2 March 1982	4 September 1982	22 October 1982 (Add.6) <u>b/</u>
Poland	2 March 1982	3 September 1982	10 October 1985 (Add.31) <u>e/</u>
Portugal	2 March 1982	3 September 1982	19 July 1983 (Add.21) <u>d/</u>
Republic of Korea	2 April 1985	26 January 1986	13 March 1986 (Add.35) <u>e/</u>
Romania	2 March 1982	6 February 1983	14 January 1987 (Add.45)
Rwanda	2 March 1982	3 September 1982	24 May 1983 (Add.13) <u>b/</u>
Saint Christopher and Nevis	24 June 1985	25 May 1986	
Saint Lucia	17 December 1982	7 November 1983	
Saint Vincent and the Grenadines	2 March 1982	3 September 1982	
Senegal	2 April 1985	7 March 1986	5 November 1986 (Add.42) <u>f/</u>
Spain	8 February 1984	4 February 1985	20 August 1985 (Add.30) <u>e/</u>
Sri Lanka	2 March 1982	4 November 1982	7 July 1985 (Add.29) <u>e/</u>
Sweden	2 March 1982	3 September 1982	22 October 1982 (Add.8) <u>a/</u>
Thailand	10 September 1985	8 September 1986	1 June 1987 (Add.51)
Togo	9 November 1983	26 October 1984	
Tunisia	22 October 1985	20 October 1986	
Turkey	22 January 1986	19 January 1987	27 January 1987 (Add.46)
Uganda	23 August 1985	21 August 1986	
Ukrainian Soviet Socialist Republic	2 March 1982	3 September 1982	2 March 1983 (Add.11) <u>a/</u>
Union of Soviet Socialist Republics	2 March 1982	3 September 1983	2 March 1983 (Add.12) <u>a/</u>

<u>States parties</u>	<u>Invitation to submit reports</u>	<u>Date due</u>	<u>Date of submission</u>
United Kingdom of Great Britain and Northern Ireland	9 May 1986	7 May 1987	25 June 1987 (Add.52)
United Republic of Tanzania	23 September 1985	19 September 1986	
Uruguay	2 March 1982	8 November 1982	23 November 1984 (Add.27) <u>f/</u>
Venezuela	7 July 1983	1 June 1984	27 August 1984 (Add.24) <u>d/</u>
Viet Nam	14 September 1982	19 March 1983	2 October 1984 (Add.25) <u>d/</u>
Yugoslavia	14 September 1982	28 March 1983	3 November 1983 (Add.18) <u>c/</u>
Zaire	21 January 1987	16 November 1987	
Zambia	16 August 1985	21 July 1986	

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a/ Considered by the Committee at its second session, held from 1 to 12 August 1983.

b/ Considered by the Committee at its third session, held from 26 March to 6 April 1984.

c/ Considered by the Committee at its fourth session, held from 21 January to 1 February 1985.

d/ Considered by the Committee at its fifth session, held from 10 to 21 March 1986.

e/ Considered by the Committee at its sixth session, held from 30 March to 10 April 1987.

f/ Considered by the Committee at its seventh session.

B. Second periodic reports of States parties due or submitted  
as at 4 March 1988

<u>States parties</u>	<u>Invitation to submit reports</u>	<u>Date due</u>	<u>Date of submission</u>
Austria	18 December 1987	30 April 1987	
Barbados	30 January 1987*	3 September 1986	
Bhutan	30 January 1987*	30 September 1986	
Bulgaria	18 December 1987	10 March 1987	
Byelorussian Soviet Socialist Republic	12 August 1985	3 September 1986	3 March 1987  (CEDAW/C/13/Add.5)
Canada	18 December 1987	9 January 1987	20 January 1988 (CEDAW/C/13/Add.11)
Cape Verde	30 January 1987*	3 September 1986	
China	12 August 1985	3 September 1986	
Colombia	18 December 1987	18 February 1987	
Congo	18 December 1987*	25 August 1987	
Cuba	12 August 1985	3 September 1986	
Czechoslovakia	18 December 1987	18 March 1987	
Dominica	30 January 1987*	3 September 1986	
Dominican Republic	18 December 1987	2 October 1987	
Ecuador	12 August 1985	9 December 1986	
Egypt	12 August 1985	18 October 1986	19 December 1986 (CEDAW/C/13/Add.2)
El Salvador	12 August 1985	18 September 1986	18 December 1987 (CEDAW/C/13/Add.12)
Ethiopia	30 January 1987*	10 October 1986	
German Democratic Republic	12 August 1985	3 September 1986	28 January 1987 (CEDAW/C/13/Add.3)
Guatemala	18 December 1987*	11 September 1987	
Guinea	18 December 1987*	8 September 1987	
Guyana	30 January 1987*	3 September 1986	
Haiti	30 January 1987*	3 September 1986	
Honduras		2 April 1988	28 October 1987 (CEDAW/C/13/Add.9)
Hungary	12 August 1985	3 September 1986	29 September 1986 (CEDAW/C/13/Add.1)
Lao People's Democratic Republic	30 January 1987*	13 September 1986	
Mexico	12 August 1985	3 September 1986	3 December 1987 (CEDAW/C/13/Add.10)
Mongolia	12 August 1985	3 September 1986	17 March 1987 (CEDAW/C/13/Add.7)
Nicaragua	18 December 1987	26 November 1986	
Norway	12 August 1985	3 September 1986	
Panama	12 August 1985	28 November 1986	
Peru	18 December 1987	13 October 1987	
Philippines	12 August 1986	4 September 1986	
Poland	18 December 1987	3 September 1986	
Portugal	12 August 1985	3 September 1986	

<u>States parties</u>	<u>Invitation to submit reports</u>	<u>Date due</u>	<u>Date of submission</u>
Romania	18 December 1987	6 February 1987	
Rwanda	12 August 1985	3 September 1986	
Saint Lucia	18 December 1987*	7 November 1987	
Saint Vincent and the Grenadines	30 January 1987*	3 September 1986	
Sri Lanka	18 December 1987	4 November 1986	
Sweden	12 August 1985	3 September 1986	10 March 1987 (CEDAW/C/13/Add.6)
Ukrainian Soviet Socialist Republic	12 August 1985	3 September 1986	13 August 1987 (CEDAW/C/13/Add.8)
Union of Soviet Socialist Republics	12 August 1985	3 September 1986	10 February 1987 (CEDAW/C/13/Add.4)
Uruguay	12 August 1985	8 November 1986	
Viet Nam	18 December 1987	19 March 1987	
Yugoslavia	18 December 1987	28 March 1987	

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\* Invitation to submit second periodic report sent with reminder for submission of initial report.

ANNEX III

Membership of the Committee on the Elimination of Discrimination  
against Women at its seventh session

<u>Name of member</u>	<u>Country of nationality</u>
Ms. Ryoko Akamatsu**	Japan
Ms. Désirée P. Bernard*	Guyana
Ms. Marie Caron*	Canada
Ms. Ivanka Corti**	Italy
Ms. Hadja Assa Diallo Soumare**	Mali
Ms. Ruth Escobar**	Brazil
Ms. Elizabeth Evatt*	Australia
Ms. Norma M. Forde**	Barbados
Ms. Aida Gonzalez Martinez*	Mexico
Ms. Guan Minqian**	China
Ms. Zagorka Ilic**	Yugoslavia
Ms. Chryssanthi Laiou-Antoniou*	Greece
Ms. Alma Montenegro de Fletcher*	Panama
Ms. Elvira Novikova**	Union of Soviet Socialist Republics
Ms. Edith Oeser*	German Democratic Republic
Ms. Lily Pilataxi de Arenas**	Ecuador
Ms. Maria Margarida Salema*	Portugal
Ms. Kongit Singegiorgis*	Ethiopia
Ms. Pudjiwati Sayogyo**	Indonesia
Ms. Mervat Tallawy**	Egypt
Ms. Rose N. Ukeje**	Nigeria
Ms. Esther Veliz Diaz de Villalvilla*	Cuba
Ms. Margareta Wadstein*	Sweden

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\* Term of office expires in 1988.

\*\* Term of office expires in 1990.

ANNEX IV

Guidelines for the preparation of second and subsequent  
periodic reports

Recalling the guidelines it adopted at its 24th meeting on 11 August 1983 regarding the form and content of reports received from States parties under article 18 of the Convention, the Committee decided on the following guidelines to be submitted to Governments for the preparation of second and subsequent periodic reports:

1. In preparing second periodic reports, States parties should follow the general guidelines and include matters that were not covered in the initial report.
2. As a general rule, States parties in their second periodic reports should focus on the period between the consideration of their latest report up to the date of preparation of their last one.
3. In their periodic reports, States parties should have regard to the previous report and to the proceedings of the Committee concerning that report, and should include, inter alia, the following:
  - (a) Legal and other measures adopted since the previous report to implement the Convention;
  - (b) Actual progress made to promote and ensure the elimination of discrimination against women;
  - (c) Any significant changes in the status and equality of women since the previous report;
  - (d) Any remaining obstacle to the participation of women on an equal basis with men in the political, social, economic and cultural life of their country;
  - (e) Matters raised by the Committee and which could not be dealt with at the time when the previous report was considered.

## ANNEX V

### Programme budget implications relevant to Suggestion 1

1. The Committee on the Elimination of Discrimination against Women at its seventh session adopted one suggestion (see sect. V to the present report). This "Suggestion 1" has programme budget implications. Prior to the adoption of that Suggestion by the Committee, the Secretary of the Committee stated that it would entail the programme budget implications similar to those set out in annex V of the Committee's previous report. a/

2. The following paragraphs set forth the details of the relevant programme budget implications:

#### A. Requests contained in Suggestion 1 of the Committee

3. In its Suggestion 1, the Committee, having only a limited time available for the consideration of reports of the States parties and having to deal with them within a reasonable period after their submission and, taking into account also the financial constraints affecting the United Nations, suggests that the Economic and Social Council request the General Assembly:

- (a) "To approve again, as an exception to the provision contained in Article 20 of the Convention, eight additional meetings of the Committee in 1989; and
- (b) "Bearing in mind the financial implications of this suggestion, to provide it with the necessary resources for those additional meetings."

#### B. Relationship of requests to programme of work 1988-1989

4. The eighth session of the Committee on the Elimination of Discrimination against Women, to be held in 1989 at Vienna, will become a 14-working day session instead of the normal 10-working day session. This requirement will need to be reflected in the calendar of conferences and meetings for the biennium 1988-1989 and in the Secretary-General's revised estimates to the programme budget for the same biennium, for approval by the General Assembly. The resources currently approved under the programme budget for the 1988-1989 biennium do not include provision for the additional days' subsistence allowance to be paid to the members of the Committee in 1989.

#### C. Activities by which the proposed request would be implemented

5. The conference services, namely, interpretation and documentation including summary records, will be required to be provided in the six official languages. The documentation required for the additional four-day or eight meetings will be 40 pages for in-session and 30 pages for post-session, as well as eight summary records. The extended session will also necessitate an additional payment of daily subsistence allowance to each of the 23 members of the Committee for the duration of six days.

D. Requirements at full cost

6. The subsistence and conference-servicing requirements for holding in 1989 the additional four-working days of meetings are estimated, on a full cost basis, within the appropriate programme budget sections, as follows:

	<u>1989</u> (United States dollars)
I. <u>Section 6B</u>	
Additional subsistence allowance for 23 members	27 000
II. <u>Section 29</u>	
<u>Additional four-day or eight meetings</u>	
Meeting servicing - eight meetings (Languages: A,C,E,F,R,S)	48 900
In-session documentation (40 pages: A,C,E,F,R,S)	46 500
Post-session documentation (30 pages: A,C,E,F,R,S)	34 000
Summary records - eight meetings (Languages: A,C,E,F,R,S)	121 900
Requirements of the Office of General Services	<u>2 200</u>
	<u>253 500</u>
Total	<u><u>280 500</u></u>

E. Potential for absorption

7. Should the Economic and Social Council endorse the Committee's Suggestion 1 that the General Assembly decide to approve eight additional meetings of the Committee in 1989, the Assembly at its forty-third session, after consideration by the Committee on Conferences, will decide on the inclusion of the proposed meeting schedule in the calendar of conferences and meetings for 1989. There exists no possibility for absorption of the additional subsistence costs of the members of the Committee within the resources currently available for 1988-1989.

8. The estimates of the conference-servicing costs, set out in paragraph 6 above, are based on the theoretical assumption that no part of the conference-servicing requirements would be met from within the permanent capacity of the Department of Conference Services and it would require additional resources for temporary assistance for meetings. The extent to which the permanent capacity of the Department will need to be supplemented by temporary assistance resources can only be determined in the light of the calendar of conferences and meetings to be approved by the General Assembly.

9. However, as indicated in paragraph 29.6 of the proposed programme budget (A/42/6, sect. 29), the 1988-1989 requirements under temporary assistance for meetings have been estimated on the basis of a five-year average of appropriations and actual expenditures for the period 1982-1986, and included in the Secretary-General's initial estimates. In other words, provision has been made in the programme budget not only for the meetings known at the time of budget preparation but also for meetings that would be authorized subsequently, provided that the number and distribution of meetings and conferences in the next biennium is consistent with the pattern experienced over the past five years. Only on that basis, it may be assumed that no additional cost would be incurred under section 29 of the proposed programme budget for the biennium 1988-1989.

Notes

a/ Official Records of the General Assembly, Forty-second Session, Supplement No. 38 (A/42/38).

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