



1987
Convention on the Elimination
of all Forms of Discrimination
Against Women
UN/DA COLLECTION

Distr.
GENERAL

CEDAW/C/SR.90
6 April 1987

ORIGINAL: ENGLISH

COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Sixth session

SUMMARY RECORD OF THE 90th MEETING

Held at the Vienna International Centre, Vienna,
on Thursday, 2 April 1987, at 10 a.m.

Chairperson: Ms. BERNARD

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The meeting was called to order at 10.10 a.m.

SOLEMN DECLARATION BY THE NEW MEMBERS OF THE COMMITTEE (continued)

1. Ms. Guan Minqian, who had not been present at the 84th meeting, made a solemn declaration as provided for in rule 10 of the rules of procedure (A/38/45, annex III).

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Initial report of Poland (CEDAW/C/5/Add.31)

2. Ms. JELOWIECKA said that her country's initial report had been prepared in accordance with article 18 of the Convention and submitted to the Secretary-General in 1985. The Polish Government greatly appreciated the Committee's work and particularly welcomed its constructive dialogue with States parties, which helped them to identify major obstacles to implementing the Convention.

3. The document before the Committee was an initial report and, as such, it presented the overall situation and highlighted selected issues; but it made no attempt to analyse all the subjects covered by the Convention. Fuller and more up-to-date information would be included in subsequent reports. The initial report focused on what had already been achieved; moreover, it did not cover the latest developments affecting women, so she would try to fill that gap now.

4. The system of social benefits connected with maternity had been expanded. Mothers could now obtain paid child-care leave lasting three years, and for two of those years they were entitled to child-care allowances amounting to at least 80 per cent of their regular salaries. The measure covered not only mothers but also women who had undertaken to bring up a child, who had been granted custody by a court, who were caring for their husbands' children or who were raising adopted children. Child-care leave could be extended by three years for disabled and seriously ill children, lone mothers, and multiple births. The size of the allowance depended on the family's per capita income. Single mothers received double the allowance they would have were they married.

5. There was a well-developed judicial system in the field of family law: for example, all matters related to one family were usually handled by the same judge. The social security system had been supplemented by the institution of the Alimony Fund, under which the State provided financial support to children and other needy individuals when payment could not be exacted from the individual responsible for providing alimony. The State assumed the role of a creditor, and the debtor was obliged to reimburse the Fund at a later date. Regular payments were guaranteed, whether or not the debtor was employed, could be located, and was able to pay. It was most often women who availed themselves of the services of the Alimony Fund.

6. Another significant development had been the establishment of a Government Plenipotentiary for Women's Affairs who co-ordinated the implementation of measures designed to ensure equal rights for women and improve the status of women and their living conditions, and organized co-operation with the United Nations in implementing the Nairobi Forward-Looking Strategies. The post was held by a woman with the rank of Deputy Minister: she was assisted by an advisory body composed predominantly of women and including, inter alia, university professors, teachers, editors of women's magazines and representatives of women's organizations.

(Ms. Jelowiecka)

7. Another new institution, the Constitutional Tribunal, had the task of ensuring that ordinances and other regulatory decisions adopted by the Government were consistent with the Constitution. It had so far ruled on eight cases, one of which might be of interest to members of the Committee because it had revolved around admission of women to medical schools. For a number of years, a strong trend towards excessive feminization of the medical profession had been observed. Eighty-seven per cent of pharmacists and 81 per cent of dentists were women, yet very few women chose to specialize in fields which involved considerable physical or mental strain, such as surgery and nuclear medicine. In an effort to counteract that trend, the Minister of Health and Social Welfare had decided to establish a quota of 50 per cent for the number of women admitted to medical schools. The Constitutional Tribunal had recently ruled that that decision discriminated against women, set unduly high requirements for their admission, and resulted in an unjust selection procedure. The measure had been deemed inconsistent with the constitutional principle of equal rights of all citizens, and the practice of establishing quotas had been abandoned.

8. There were 93 women among the 460 deputies to the Polish Parliament. One woman served on the Council of State, the Ministry of Education was headed by a woman, and there were three women deputy ministers and one woman Director-General. Women occupied 25 per cent of all managerial posts at the central administrative level and 53 per cent of such posts in local administration. Forty-seven per cent of managerial posts in co-operatives were held by women, and many served as heads or deputy heads of those organizations. Although women were chairpersons of district People's Councils, presidents of universities, members of the State Tribunal and heads of district courts, their participation in political life, and particularly in foreign affairs and diplomacy, was still not satisfactory. For example, there was only one woman ambassador.

9. A number of surveys were being carried out to find out more about the social status, employment rate and living conditions of women. The results were being used to design ways of improving the situation of women through, inter alia, the establishment of child-care institutions. Much remained to be done to ease the burden of housekeeping. Polish women devoted far too much time to that task, both in cities and in the countryside.

10. It was clear that the country had a long way to go in a number of areas, but the political will to make progress was not lacking: Poland was doing its best to fulfil its obligations under the Convention.

11. The CHAIRPERSON invited members of the Committee to make general comments on the initial report of Poland.

12. Ms. UKEJE said she welcomed the news that the educational quota system had been abandoned as unconstitutional. Concerning the practice of designating one judge for all matters relating to a given family, she asked whether judges who already knew the parties to a dispute were able to maintain their objectivity. Similarly, did the Alimony Fund operate in a counter-productive manner by encouraging intransigency in handling domestic problems that might otherwise be resolved fairly easily?

13. Ms. EVATT said the Polish Government had demonstrated a real commitment to improving the status of women. It was attempting to cope with the new problem of urbanization by providing social services and benefits to working women. The fact that many women were still employed in the agricultural sector was recognized as a problem, and women's organizations were particularly active in attempting to solve it. It would seem that the level of women's education was increasing, but there was a need for additional vocational training. Household management became an onerous duty under current conditions in Poland, but the report showed that efforts were being made to enable women to cope with domestic tasks, engage in professional activity and, if they so desired, participate in political life.
14. The absence of statistical data made it difficult to monitor the progress made in implementing the Convention, and she hoped that that omission would be rectified in future reports.
15. Ms. MONTENEGRO de FLETCHER said the report attested to the efforts made by the Polish Government to improve the status of women in accordance with the principles set out in the Convention. The policy being followed in respect of family life was designed to change the stereotypes that prevented women from becoming fully involved in political, economic and social affairs. Women's organizations occupied a prominent place in Polish society, but they seemed to stress the traditional roles of women and to place little emphasis on promoting active participation in all aspects of Polish society.
16. She agreed that more statistics were needed to give a clear picture of the real situation in Poland: it would be particularly useful to know how many women were members of political parties and trade unions and served on regional and municipal administrative bodies.
17. Ms. OESER said Poland had a long history of fighting for equality of men and women. Polish women had played an active role in the anti-war movement and in efforts to promote world peace. Poland had instigated the adoption of a number of international instruments in the areas of discrimination against women and world peace. The report showed that Polish legislation offered a high standard of protection against discrimination, but that the achievement of equality in practical terms, meaning in respect of family life and social participation, still had to be pursued.
18. Ms. LAIOU-ANTONIOU said the material contained in the report and the introductory statement had been most informative and pointed to a level of political decentralization which facilitated the involvement of women in the social, economic and political life of the country. An excellent infrastructure for providing services relevant to the problems faced by women had been established - she was impressed by the large number of Family Courts and the institution of Family Diagnosing and Counselling Centres. The report indicated that the infrastructure had been set up to make it easier for women to combine household and professional duties, but she wondered whether anything had been done to enable men to do the same. It was not surprising that the State was demonstrating the necessary political will to promote equality of men and women, since one aspect of socialist policy was the achievement of social equality, but she wondered whether long-standing prejudices which attributed different roles to women and men had been eradicated.

19. Ms. NOVIKOVA said the material presented to the Committee revealed the Polish Government's consistent efforts to implement the Convention and highlighted its search for new ways of solving problems involving discrimination against women. The Government's policy was supported by practical measures. The report indicated that women constituted 61.3 per cent of all judges working in district courts: that attested to an unusually high level of integration of women in a sphere not traditionally reserved for their activity and to a high degree of faith in women's efficacy in the administration of justice. Poland's success in ensuring that women had the right to work was demonstrated by the high percentage of women in the overall work-force, but further efforts would have to be made to increase the number of women occupying positions of responsibility. The large number of women representatives to the Polish Parliament was an encouraging development.

20. The report stated that women in Poland had equal rights with men, but she believed it would be more appropriate to say that women and men had equal rights: that minor linguistic change had been incorporated in her own country's constitution because it had seemed to be a more contemporary and accurate way of referring to equality of the sexes.

21. The report stated that discrimination against women was not a problem in Poland. In reality, she suspected that there must be some cases of violation of women's rights and would welcome information on institutions to which women could turn in such cases.

22. Ms. AKAMATSU said that Poland's comprehensive report (CEDAW/C/5/Add.31) and the interesting presentation by the representative of Poland indicated the active participation of women in every field of society.

23. She wished to pay tribute to the Government of Poland, which had been the fifth country to ratify the Convention on the Elimination of All Forms of Discrimination against Women.

24. She noted the information in the report (page 12) regarding the quota system of admission to medical schools. Was there not a danger of excluding capable women, was there prejudice regarding women's physical weakness and, if women were less credible in various occupational activities, was it not because of the family responsibilities that they were expected to assume to a greater extent than men?

25. Ms. ILIĆ said that she had read with interest both the report from Poland and the additional material made available to members on the situation of women in Poland. One of the documents made available indicated that it was intended to introduce the Nairobi Forward-Looking Strategies into the five-year development plan. She asked whether that had been done and how it had been done.

26. She suggested that the Committee might make a recommendation to the States parties that they should consider introducing the Strategies in their development plans and that those that had already done so should report to the Committee at some stage. She felt that that would be the way to improve the situation of women and their integration in development.

27. Ms. GUAN Minqian said that the report gave a very comprehensive picture of the history and development of the status of women in Poland. Poland had consistently shown its concern for the rights of women, both in its legislation and in practice.

(Ms. Guan Minqian)

28. The report was frank, admitting that there was scope for improvement, for example with regard to stereotypes.
29. She noted the establishment of Family Courts (page 7), and would be interested in receiving more information about their role and their relationship with other organizations in Poland.
30. She was also interested in the low rate of divorce in Poland and wondered whether that might have some connection with the existence of the Family Courts.
31. Ms. SINEGIORGIS said that the report convinced her of the commitment of the Government of Poland to the elimination of discrimination against women.
32. She was also impressed by the measures taken to eliminate stereotyped roles for both men and women and by the high number of scholarships for students in vocational schools and universities.
33. The encouragement and incentives being given to people wishing to continue their studies at night-schools were commendable.
34. Referring to the information given on page 7 of the report regarding the establishment of Family Courts, she asked why they were described as "so-called Family Courts".
35. The representative of Poland had mentioned in her introductory statement the establishment of a Government Plenipotentiary for Women's Affairs. She would welcome more details: was the Government Plenipotentiary independent or affiliated to a ministry, and how did the Government Plenipotentiary co-ordinate her activities with those of the various women's organizations in Poland?
36. Ms. EL-TALLAWY said that, as stated by the representative of Poland, her country's report focused on what had already been achieved rather than on what remained to be done. It was well known that women in Poland had moved towards equality with men and, to enable others to benefit from the Polish experience, it would have been useful to receive fuller information and statistics. A statistical analysis would be helpful. High percentages for women in work and education were mentioned, but it would be informative to have some statistics about the position of men also.
37. She welcomed the information given by the Polish representative on the court decision concerning the quota for admission to medical schools, but she wondered why it was perceived to be wrong for there to be a high percentage of women in such areas as pharmacy. Why was physical strength so important and why should biological reasons stop a woman from exercising the profession of doctor? Why did few women specialize in nuclear medicine? Were such phenomena due to household problems or financial constraints?
38. In the section of the report dealing with the legal system, it was stated (page 7) that discrimination against women was not a problem in Poland and that there was therefore no special body dealing exclusively with the protection of women's rights. However, later on the report showed that women did not occupy many

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high-level posts in the administrative and government hierarchy. That had also been found in the case of other countries, confirming the need for a study to see why women did not occupy such high-level posts.

39. Ms. SALEMA said she was interested in the new Constitutional Tribunal, and in the fact that in the matter of the admission of women to medical schools it had ruled against a decision by a minister. How was it possible that a tribunal whose members were elected by Parliament could take a decision conflicting with that of a minister also elected by Parliament? Furthermore, could women go directly to the Tribunal?

40. Such cases demonstrated that there was still discrimination, and there was a contradiction between the assertion that discrimination was not a problem and the recognized sex differentiation in occupations.

41. She would like some more clarification on the way the Tribunal operated and the sort of cases put before it.

42. She was also very interested in how the Family Courts operated. The report indicated (page 8) that the Family Court carried on a preventive activity, and she would appreciate more information on that. Did the Court act ex officio or only when cases were brought before it?

43. Ms. VELIZ de VILLALVILLA said that women had played a very important role in the difficult history of Poland, particularly during the period of reconstruction after the Second World War.

44. As had been noted, the report did contain some contradictions, and it was clear that discrimination had not yet been fully eliminated.

45. Women's organizations were very important in Polish society and made a significant contribution in providing advice, e.g., free advice on legal matters. They also participated in Parliament and women's concerns were thus brought to the attention of the Government.

46. Women's publications were very important and the content was of very high quality. Some were directed towards the family and were read by both men and women; they were playing a role in creating the modern family model mentioned in the report (page 13).

47. The CHAIRPERSON invited questions on particular articles, beginning with article 2.

48. Ms. WADSTEIN said that the report indicated commitment to the aims of the Convention, and that was confirmed by the further measures to advance women taken since the report was written.

49. She had recently met members of a Polish parliamentary committee studying the Swedish ombudsman system with a view to establishing a parliamentary ombudsman in Poland. She requested comments on that matter, and asked whether it was intended to establish a mechanism of that kind to deal with women's issues. Or was that already the responsibility of the new Government Plenipotentiary? Could the latter help in cases of sex discrimination?

50. Ms. EVATT asked whether the Constitutional Tribunal dealt with other aspects of discrimination; for example, did it consider the question of the right of women to belong to trade unions?

51. Ms. ILIĆ asked whether there were other cases, apart from the one mentioned in the introductory statement, in which women had a feeling of being discriminated against.

52. Ms. SOUMARE noted that the report concentrated on social issues. In its next report, the Polish Government should include information on improvements in the legal status of women. She would like to know about the role played by women in public health services and the level of participation in women's organizations and State bodies. How did the activities of women's organizations complement the anti-discrimination mechanisms? Were there any action programmes to implement the provisions of the Convention?

53. Ms. VELIZ de VILLALVILLA, referring to the part of the report dealing with article 3, asked for more information about women's sections in the Polish political parties.

54. Turning to article 5, she asked whether the interdepartmental team monitoring the implementation of social policies on behalf of women and the family was still pursuing its original aims, and whether it intended to work towards the implementation of the Forward-Looking Strategies. She wished to know how policies were implemented and how women's organizations worked with the ministries - through women's affairs committees or other mechanisms. Were there quotas for female members of parliament, or did women enter politics through the political parties in the usual manner?

55. Ms. WADSTEIN, speaking on the part of the report dealing with article 4, said that she had been surprised by the assertion on page 20 that there was no need for temporary special measures to accelerate the de facto equality of women. Surely legal guarantees could never be enough by themselves.

56. Turning to article 5, she said that participation by women in paid employment and in public and political life was an important yardstick for equality. Women in Poland were hampered not only by the shortage of labour-saving appliances, to which the representative had referred, but also by the attitudes of men. She asked for information on the distribution of men and women in paid employment and how much time women really had for participation in public and political life. She would also like to know about the part played by men in housework and child care, and whether the traditional male/female roles showed any signs of change in the younger generation. She would also welcome any examples of the work done by the interdepartmental team to consolidate the economic and social position of women.

57. Ms. MONTENEGRO de FLETCHER asked whether there were any plans to establish quotas for women in the higher levels of government and trade unions. She would also welcome more information on the Government's efforts to prepare young people for family life.

58. Ms. AKAMATSU asked what exactly was meant by the "special respect" accorded to women in Poland (see page 20). Such respect often turned out to be an obstacle to women's independence.

59. Ms. ILIĆ said that, although the report claimed that the Government was trying to remove traditional stereotypes, the section dealing with article 5 of the Convention seemed to refer exclusively to men and women in the context of the family. The report only once mentioned the situation of single parents: what were the Government and women's organizations doing to ensure acceptance and equal treatment for single parents?

60. Ms. GUAN Minqian asked whether the interdepartmental team was a governmental body and whether it was succeeding in dispelling traditional stereotypes. How did it encourage women to move away from the traditional female professions, and with what results? Had the attempt to portray a new type of woman in the media and the schools been successful?

61. Ms. ESCOBAR said that the "special respect" accorded to women only too often meant a restriction of their rights. To what extent had the media's portrayal of a desirable model of the family encouraged men to change their behaviour? She would also welcome more information about the composition and activities of the interdepartmental team.

62. The report gave a generalized and very rosy picture of life in Poland. Women in the socialist bloc must surely be affected by the same concerns as women in the rest of the world.

63. Ms. EVATT, speaking on the part of the report dealing with article 7, asked whether any measures had been taken to increase women's involvement in political life. It was encouraging to note that Poland intended to implement the Forward-Looking Strategies, which stressed the right of women to participate in national and international decision-making and to express their disagreement with government policies peacefully and in public. What programmes had been undertaken by the Government Plenipotentiary for Women's Affairs? Had the Plenipotentiary and women's organizations identified the obstacles hindering women's political advancement and found any solutions to them? Finally, had the report itself been disseminated in Poland?

64. Ms. CORTI said that the women's organizations referred to in the report concentrated on social rather than on women's participation in political life. Few women occupied high-level, responsible posts.

65. During the debate, there had been references to the work of Polish women's organizations in the campaign against the arms race, the militarization of space, etc. However, women throughout the world must recognize that there were two sides in the arms race and that both of them contributed to its escalation.

66. There were many internal problems in Poland which had not been mentioned in the report, and there was still too much emphasis on women's role in the family. She would like more information on the work of women's organizations, co-operatives, etc., to improve women's political status and open up access to high-level administrative posts, as well as their activities in such fields as environmental protection and the campaign against prostitution.

67. Ms. VELIZ de VILLALVILLA asked about the number of women in the political parties. To what extent were they involved in decision-making in political parties and government ministries?

68. Ms. ILIĆ referred to the section of the report dealing with article 8 of the Convention, which stated that the small number of women representing Poland abroad was of special concern to women's organizations. What was the Government doing about it?
69. Ms. GONZALEZ MARTINEZ asked whether there was any legislation to promote the integration of women into the civil service and the diplomatic and consular services.
70. Ms. AKAMATSU, referring to page 11 of the report, asked why women were so poorly represented in the category of lower-level secondary schools, and so numerous in the post-secondary schools. Were the curricula identical for boys and girls?
71. Ms. UKEJE, speaking on the part of the report which dealt with article 10, asked about the options open to women if they failed to gain entry to the profession of their choice, even after taking their case to a tribunal.
72. Ms. GUAN Minqian asked for further information about the eradication of illiteracy in Poland; that might be useful for developing countries currently facing the same problem.
73. Ms. WADSTEIN, referring to the section of the report dealing with article 11, said that the high rate of female employment in Poland was impressive; however, the report made no mention of the problem of job segregation, which often made it difficult to appraise and compare different jobs. She would like to know the proportion of women in high-level jobs, particularly in female-dominated occupations. Perhaps the representative could also provide examples of women who had been able to enter a new profession. Were women in Poland always guaranteed equal pay for work of equal value? It appeared from the report that women were excluded from certain jobs; precisely which jobs were involved and were there any plans to revise Polish legislation, as suggested in article 1 (3) of the Convention? Was sexual harassment in the work place a problem?
74. The report referred to the generous period of maternity leave available to Polish women. How many women took advantage of the full period, and did such a long break from work have negative effects such as a deterioration in working skills and lower wage levels on return to work? Was there any plan to introduce paternity leave for men? Did women, in general, see themselves as secondary earners?
75. Ms. UKEJE asked whether, in practice, the labour laws were applied in exactly the same way to women and men.
76. Ms. OESER asked whether the Polish Government had implemented programmes to bring women into technical jobs, government work, etc. Surely the situation called for the temporary special measures provided for in article 4 of the Convention? What special measures had the Government implemented to correct the over-representation of women in professions such as medicine and teaching?
77. Ms. LAIOU-ANTONIOU said that it was clear that, in Poland, while women constituted about half the total labour force, the labour market was divided into male jobs and female jobs. According to page 11 of the report, women accounted for 49 per cent of all those employed in the non-socialized sector, the majority being

(Ms. Laiou-Antoniou)

employed in non-socialized farming, i.e. on their own farms. The information given on the same page also showed that, in spite of women's considerable participation in the professions, the feminization of occupations traditionally dominated by women had become even more highly accentuated; such professions included the health service professions and those in social welfare, finance and insurance, etc. Similarly, women with higher education could mostly be found in the humanities. She also noted that, on page 12, it was stated that there were certain contradictions between the principle of free access to any type of school and employment policies, the latter being linked to economic development. In particular, it was stated that some professions had to be performed by men. She failed to understand that requirement. Overall, there was clearly discrimination against women and a failure to comply with the Convention. She also failed to understand why women could not specialize in orthopaedics or surgery, and why 50 per cent of those entering medical academies had to be boys.

78. On page 13, it was stated that the over-feminization of certain professions, e.g. in the medical services and the educational system, resulted in unwanted effects caused by women's social and biological functions. What were considered to be the special social functions of women? Why should not both women and men work in the medical services?

79. Her impression was that, in principle, boys and girls received the same education, but that society perpetuated the traditional social roles. The main problem was that social prejudices had not been overcome, so that society undid the good work done in schools. Women were oriented towards their stereotyped roles.

80. Referring to the "Modern Housewife Centres" mentioned on page 15 of the report, she wondered what was done there. On the same page, there was also a reference to "Rural Housewives' Circles", of which there were no less than 1.3 million operating in 90 per cent of the villages in the country; that was an enormous number, but what kind of training did they give to rural women? There was no reference to corresponding centres for men. What was the justification for that discrimination?

81. Ms. AKAMATSU said that she would like to know what was meant by the reference to occupations "suitable for women" on page 27 of the report, and how they differed from traditional occupations. She also wondered why the retirement age was not the same for women as for men. That would always lead to discrimination in matters of promotion. Finally, she would be grateful if additional statistics could be provided in certain fields, and especially in the field of employment.

82. Ms. GONZALEZ MARTINEZ endorsed the remarks made by other experts with regard to the difference in retirement age and the question of biological functions. What was the justification for the difference in retirement age and was there also a difference in pensions?

83. It was stated on page 29 that the child-care allowance could be extended up to three years in the case of a woman bringing up a child by herself; she assumed that that referred to divorced women and widows, but did it also apply to unmarried women? According to page 28 of the report, maternity leave began after birth. Was no maternity leave granted before birth?

(Ms. Gonzalez Martinez)

84. She would like to know whether any system for the training of working women on the job existed, as it did elsewhere. That was important from the point of view of improving women's skills and increasing their chances of promotion.

85. Ms. EL-TALLAWY, referring to the difference in retirement ages mentioned on page 27, said that, in her view, that represented unacceptable discrimination. What were the reasons for that state of affairs? Women were unlikely to reach decision-making levels until the age of 40 to 50, and if they retired at 55 they would have only a short time at those levels. The life expectancy of women was about 10 years greater than that of men, and women in that age-group no longer had problems associated with pregnancy, for example, so why should they be forced to stop work and stay at home? It might be said that it was to enable them to rest after working for many years, but in fact it prevented them from occupying important posts. In Egypt, the women's organizations had been opposed to a lower retirement age for women precisely because it prevented them from occupying important positions. She felt that what seemed like normal humanitarian measures did not really protect women. The report also stated that women should be given work most appropriate to their health, but would that not have an impact on their careers?

86. Ms. FORDE wondered how much freedom women had in choosing jobs or whether they had to follow the traditional pattern and take the opportunities offered. How was the reference on page 27 of the report to occupations "suitable for women" to be interpreted, in the light of the statement made at the bottom of page 26 to the effect that the Labour Code provided for full equality between men and women, or was it just a question of administrative practice?

87. Ms. EVATT said that the information provided with regard to family planning and contraception services showed that there had been a decline in the number of abortions. In her view, it was important to know the actual number of abortions, and she noted that there was a very high abortion rate in Poland. According to the report, abortion was subject to certain legal restrictions. However, it was important that women should have free access to safe services and that the need for abortion should be reduced to the minimum by the provision of other means of contraception. She would also like to know what the fertility rate was, what the figures were for maternal and child mortality, the number of abortions and any decrease in their number, and whether prosecution for abortion was possible under Polish law.

88. Ms. GUAN Minqian asked whether Polish law gave women complete freedom with regard to abortion. It was indicated on page 34 of the report that article 154 of the Penal Code made it a crime to perform an abortion, even with the consent of the pregnant woman, if it was in violation of the law. She wondered whether a woman who wanted an abortion, not for medical, social or legal reasons but simply because she did not want another child, would be punished. What was the opinion of the public, and especially the opinion of women, with regard to those legal provisions?

89. Ms. UKEJE noted that divorce was not granted if it adversely affected the interests of the children. How much consideration was given to the interests of the parents, and especially to those of the woman? She was not advocating divorce, but it was sometimes necessary. She would like to know whether the interests of the woman were totally subordinated to those of the children.

90. Ms. EVATT, referring to article 16, welcomed the establishment of the Alimony Fund; that was a very innovative concept. She also welcomed the information that the Family Court aimed to reconcile spouses in conflict, but would like some further information on the operation of the Court. It was not clear from the information presented on page 37 of the report what happened to a couple when divorce was refused by the court on the grounds that it was in conflict with the well-being of the children; were they obliged to resume cohabitation or could they live apart?

91. It was clear from the report and from information that she had seen elsewhere that Polish women spent many hours each day on domestic functions. It was good to see the development of services and supplies of household equipment as part of the goal adopted by Poland under the Nairobi Forward-Looking Strategies, but she hoped that that would be combined with programmes for changing attitudes with regard to the social roles of men and women and programmes aimed at increasing the sharing of responsibilities; that could be achieved only by involving men in those responsibilities.

92. Ms. LAIOU-ANTONIOU raised the question of the difference in the minimum age for marriage, namely, 21 years for a man and 18 for a woman; that perpetuated the tradition that the man must be the older and stronger of the spouses in order to protect the wife. Would it be possible to change that provision so that men and women would start on an equal footing?

93. Ms. AKAMATSU said that, according to page 36 of the report, there was equality of spouses with regard to choosing a name. She would like to know how that provision operated in practice, and how many women exercised the right to choose their own name? A similar provision existed in the civil code in Japan, but in reality nearly all women changed their name on marriage.

94. Ms. GUAN Mingqian noted that the divorce rate in Poland was remarkably low, namely only five per thousand; she would like further information on that question. She also noted from the report that the courts paid great attention to the well-being of the children in considering divorce cases. Was mutual affection between the spouses also considered? Had any analysis of the reasons for divorce been made? As a member of the Society for Marriage and Family Problems in China, she was very interested in that question; the divorce rate was a very important problem.

95. The CHAIRPERSON, speaking in her personal capacity, said that she was very interested in the Alimony Fund; that was something that could be commended. However, she wondered whether it was abused by husbands and might not encourage them to abdicate their responsibilities. It appeared that, once the Fund was available, husbands were no longer obliged to provide alimony themselves. How were payments made from the Alimony Fund recovered from the husband?

96. Ms. JELOWIECKA (Poland) thanked members of the Committee for their comments on the report. She would do her best to answer all the questions raised and to provide more information on the situation of women in Poland.

The meeting rose at 12.55 p.m.