



**Convention on the Elimination  
of all Forms of Discrimination  
Against Women**

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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Eighth session

SUMMARY RECORD OF THE 138th MEETING

Held at the Vienna International Centre, Vienna,  
on Thursday, 23 February 1989, at 2 30 p m

Chairperson Ms EVATT

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consolidated in a single corrigendum, to be issued shortly after the end of the  
session

The meeting was called to order at 2 40 p m

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

Initial report of Equatorial Guinea: (CEDAW/C/5/Add 50 and Amend 1) (continued)

1 At the invitation of the Chairperson, Ms Angue Ondo (Equatorial Guinea) took a place at the Committee table

2 Ms ANGUE ONDO (Equatorial Guinea), replying to questions put by members of the Committee, said that her country's colonial history, followed by an 11-year period of dictatorship, had severely restricted the social and educational aspirations of women. It was only after the overthrow of the dictatorship in 1979 that the Department for the Promotion of Women had been created, with the functions set out in the report. Its General Directorate consisted of four sections, dealing with studies and projects, rural and urban services, documentation and information and women's education. In addition, there were two regional, seven provincial and eleven local delegations, together with an adviser in each town. In 1982, the Department had come under the aegis of the Ministry of Labour and Social Security, retaining its functional autonomy and sharing in the ministerial budget of around 60 million CFA francs.

3 A survey made by the Department had indicated that the main problem facing women in Equatorial Guinea was a lack of information and training, with particular reference to health, hygiene, food and the prevention of disease. Their total lack of awareness of the laws guaranteeing them equality with men and their economic dependence on men prevented their full enjoyment of their rights.

4 Priority had therefore been given in 1983, 1984 and 1985 to training and information programmes for women, carried out in conjunction with other ministries. In 1986, seminars lasting from one week to two months had been held throughout the country. They had been attended by women from both rural and urban areas, with the consent of their husbands. From 1987, training had concentrated on income-generating activities, encouraging women to combine in order to increase production, setting up small workshops in urban areas and small agricultural groups in rural areas. Such groups sold what they produced on both national and export markets.

5 The General Directorate transmitted radio and television programmes, but they were of little use to rural women who spent most of the day working on the land.

6 The Department for the Promotion of Women had prepared a literacy project, but it could not be implemented because most adult women were unwilling to learn a foreign language. The country's political and economic situation made it impossible to draw up a literacy programme for each ethnic group in its own language, the official language of all ethnic groups being Spanish.

7 Since maternity was sacred for all ethnic groups and given the country's low population, article 42 of the Fundamental Law stipulated that it was the duty of the State to protect children from their conception and to safeguard minors.

8 There was no law in Equatorial Guinea to prevent adolescent mothers resuming their studies after birth. However, the country's predominantly Catholic background meant that in some groups families tended to be ashamed and to deny

(Ms Anque Ondo)

girls moral support when they most needed it. The Department for the Promotion of Women had taken up the matter in 1984, recommending to the Government that such girls be accepted in secondary and vocational schools after giving birth. The Department had also organized a vast consciousness-raising campaign aimed at fathers with pregnant daughters. The Government had responded favourably to the recommendation and, since abortion was contrary to local tradition, had decided to introduce a course on human reproduction in the country's educational establishments. In addition, the Ministry of Health was preparing a family planning project.

9 The country's economic situation prevented the Government from taking charge of all children in order to assist working and adolescent mothers. Nevertheless, some child care facilities were currently available in the capital, for children of both sexes from eighteen months to five years of age, and another centre had just been completed in the country's second largest city. Responsibility for running such centres was borne by the Government, while the families provided meals.

10 The Government had no knowledge of the existence of prostitution in Equatorial Guinea. It was regarded as an offence against public order and punishable by a fine of between 10,000 and 500,000 CFA francs. A national committee had been set up to combat AIDS and an awareness campaign was being conducted throughout the country.

11 With regard to article 2 of the Convention, discrimination against women was regarded as contrary to law and was punishable by fines ranging from 10,000 to 500,000 CFA francs. Application of the law was monitored by the Department for the Promotion of Women and the Ministry of Territorial Administration and National Security. Information on the Convention was disseminated through seminars, talks and discussions in the media.

12 With reference to article 4, persons wishing to marry had to be at least 18 years of age. For women who did not want to have children, the use of contraceptives was permitted, although induced abortion was prohibited. Infant and maternal mortality rates had declined sharply and priority was given to health and the improvement of health services in the country's development strategy. In the context of article 5, the State upheld a responsible attitude to fatherhood and education for the promotion of the family.

13 With regard to article 6, Equatorial Guinea regarded prostitution as a crime and punished its practitioners. All young women were integrated in their families and worked in school, in the home, on the land, in markets or in businesses.

14 As far as article 7 was concerned, article 20 3 of the Fundamental Law granted women, regardless of their civil status, the same rights and opportunities as men in all spheres of life. Article 23 of the Law gave all citizens, without discrimination, the right to vote and be elected, to be consulted as appropriate, and to occupy posts and public office. Fifty per cent of health workers and teachers were women and there were currently eight women members of parliament out of a total of 60. Other women had achieved positions of authority in local government and the country's ambassador to Morocco was a woman. All district courts had a woman member, one woman was a member of the Supreme Court and women held senior positions in local councils. However, no woman from Equatorial Guinea held a senior post in an international organization.

(Ms Angue Ondo)

15 With reference to article 9, a foreign woman marrying a native of Equatorial Guinea could acquire her husband's nationality if she so wished. An Equatorial Guinean woman marrying a foreigner could retain her nationality or adopt that of her husband.

16 With regard to article 10, classes were mixed at all levels and scholarships for university study abroad were equally available to men and women.

17 As to article 11, no figures were available for unemployment. The country had a number of occupational training centres, all of which admitted women. The principle of equal pay for equal work was set forth in article 13 of Law No 11/1984. Under article 110 of that Law, any woman in the seventh month of pregnancy, regardless of her contract of employment, was entitled to give up work on presentation of a medical certificate. Article 111 laid down that any pregnant woman worker was entitled to leave on full pay for six weeks before and after birth and that the total period of leave should not be less than 12 weeks.

18. With reference to article 12, since the protection of maternity was a duty of the State, the Ministry of Health had developed a family-planning project to inform couples about the voluntary spacing of births with a view to reducing infant and maternal mortality.

19 With regard to article 15, the Fundamental Law accorded women the same rights as men, while the General Regulation of Labour gave women the right to enter freely into employment contracts. All the citizens of Equatorial Guinea were free to move about the country and choose their place of residence.

20 In respect of article 16, there was complete freedom to enter into marriage, provided the person concerned was of age. Both sexes were free to choose a spouse. The Fundamental Law protected all marriages celebrated in accordance with the law, maternity and family property. The manner of divorce depended on the form of marriage and in the case of civil and customary marriage divorced persons could enter into other marriages. Children over the age of five years remained in the care of the father and those under that age in the care of the mother. The division of property was made in accordance with the Civil Code and traditional practice.

21. The CHAIRPERSON said that the Committee had concluded its consideration of the initial Report of Equatorial Guinea

22 Ms. Angue Ondo withdrew

REPORT OF THE MEETING OF CHAIRPERSONS OF HUMAN RIGHTS TREATY BODIES AND ACTION TAKEN BY THE GENERAL ASSEMBLY CONCERNING TREATY BODIES

23. Ms ILIC informed members that she had represented the Committee at the second meeting of chairpersons of human rights treaty bodies, convened pursuant to General Assembly resolution 42/105, concerning problems connected with the reporting obligations of States parties. She drew the Committee's attention more particularly to agenda items 4, 5, 6 and 8, as detailed in paragraph 6 of the report (HRI/MC/1988/1). All the chairpersons had reported on the work of their committees and the difficulties they had encountered, leading to a useful exchange of information. The participants had compared meeting frequency and length, the reporting situation and time and financial constraints.

(Ms Ilić)

24 Unless the financial situation improved, newly-elaborated international instruments or those in the process of elaboration would be adversely affected, and she quoted the examples of the Convention on the Rights of the Child and the Convention on the Rights of Migrant Workers, both of which were suffering from a shortage of money for the establishment of committees

25 The discussion had concentrated on reporting guidelines, periodicity of reporting, expediting the consideration of reports, technical assistance to States parties and future co-operation among chairpersons. All participants had been concerned to improve the functioning of the supervisory machinery and it was the general opinion that a proposal should be made to the Economic and Social Council and the General Assembly that all treaty bodies should be financed from the United Nations regular budget

26 The CHAIRPERSON suggested that matters arising from the report of the meeting of chairpersons of human rights treaty bodies should be referred to one of the Working Groups

27 Ms OESER said that she understood from a letter she had received from the Director of the Division for the Advancement of Women that the meeting of chairpersons had also considered the problem of overlapping between the various committees. She wondered if Ms Ilić could explain how the issue had been handled at the meeting.

28 Ms ILIC said that the problem of overlapping had been discussed on a number of occasions. States parties had been reporting on virtually the same subjects under different human rights instruments, and one suggestion for improving the situation had been to have one report from each State party containing the basic facts and at the same time referring to other relevant reports. Another suggestion had been deliberately to schedule some meetings of committees so that they overlapped, thus allowing members of one committee to see how the others functioned. It was generally thought desirable that chairpersons and secretariats should be in contact with one another, and that individual members of different committees should do more to exchange information and experience.

29 The CHAIRPERSON asked, with reference to paragraph 51 of the report, whether the manual being prepared by the Centre for Human Rights and the United Nations Institute for Training and Research would deal with all conventions or simply the two main Covenants.

30 Ms ILIC said her understanding was that the manual would contain guidelines that were, as far as possible, consolidated and harmonized. Each committee had to retain its own individuality, and she had emphasized the importance for the Committee on the Elimination of Discrimination against Women of statistics being compiled and broken down according to sex, while for other committees that was less important. The discussion formed part of a long process in which efforts were being made to improve the functioning of the United Nations supervisory machinery.

31 The CHAIRPERSON, noting that the Secretary-General had been requested by the General Assembly to prepare a manual on reporting procedures and to give committees the opportunity to comment on it, asked whether the attention of the meeting of chairpersons, and indeed of the Committee itself, had ever been drawn to the

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existence of the manuals on reporting procedures under the Convention of the Elimination of All Forms of Discrimination against Women prepared by International Women's Rights Action Watch and the Commonwealth Secretariat

32 Ms ILIC said that the meeting had not been officially informed of the existence of the two manuals. In the United Nations system consideration was usually given first of all to publications the treaty bodies themselves had prepared.

33 The CHAIRPERSON said that it might be useful for the Committee to consider the value of the two manuals, which could be helpful to States reporting under the Convention. She suggested that one of the Working Groups might be asked to recommend one or other, or even both of them.

34 Ms OESER said she understood from the report, and from Ms Ilic's remarks, that the meeting of chairpersons had been very anxious to evaluate the problems of all treaty bodies on an equal footing and to make recommendations irrespective of the differences between them relating, among other things, to their staffing and the time at their disposal to consider the reports of States parties. She asked whether the differences between the treaty bodies had been raised during the meeting, and if so, why they were not reflected in the report.

35 Ms ILIC said that they were reflected in the report and in some of the recommendations. However, with respect to the time available to treaty bodies, it had not been possible to make a recommendation because of basic differences of opinion. She had argued, using the Committee's experience, that less time was required for consideration of a State party's second or subsequent report, while representatives of other committees had said that they needed more time because with second and subsequent reports individual articles were considered in greater depth. In any case, some other committees had more time at their disposal than the Committee on the Elimination of Discrimination against Women. As for secretariat assistance, it had been emphasized that the Committee needed more, especially in New York.

36 Ms OESER asked what discussion had taken place at the meeting concerning the desirability of achieving a better balance, in terms of gender, in the membership of the various committees. The Human Rights Committee, for example, had only six female members, and should certainly have more, whereas the Committee on the Elimination of Discrimination against Women had only female members, and no men. It was a matter she had raised at the seventh session, and she wondered whether the recommendations made at the meeting of chairpersons, to which she had found only two references in the report, might in any way affect the views of other members.

37 Ms ILIC said that the question of gender balance had been discussed, but the general feeling had been that it was not for individual chairpersons to rectify the situation, but for the Governments which nominated experts to include more women. Women were very poorly represented in a number of treaty bodies, but if the membership of the present Committee was taken into account, a very different picture emerged. The meeting had made recommendations to States parties, to the Secretary-General and through him to the treaty bodies, and also to the specialized agencies, and it was understood that the process was a continuing one.

38 The CHAIRPERSON asked if there had been much discussion at the meeting of the involvement of the specialized agencies in the work of the committees

39 Ms ILIC said the matter had been discussed, and there had been a very important contribution from a representative of the International Labour Organisation, who had pointed out that one of the main items on the agenda of the International Labour Conference in 1988 had been human rights, and that there had been a special ILO report on the subject. Also, a representative from the World Health Organization had given details of its work on AIDS. There had also been discussion of the help which the specialized agencies might provide in furnishing background information that would assist committees in the preparation of general comments or the revision of guidelines.

40 Ms FORDE asked, with respect to paragraph 98 of the report, if there had been any detailed suggestions concerning publicity which Committee members might be able to introduce at the national level.

41 Ms ILIC said that some detail was given in paragraph 75 of the report concerning news conferences, articles in academic journals and the issuing of press releases. There had been general agreement that any method of spreading knowledge of the work of committees was welcome. The Working Group should discuss the report paragraph by paragraph, and adapt the recommendations to the Committee's own needs.

42 Ms PILATAXI DE ARENAS said that all treaty bodies had the same problem with respect to non-compliance with conventions and failure by States parties to submit reports. Had there been any agreement at the meeting of chairpersons as to how that problem should be tackled?

43 Ms ILIC said there had been much discussion of the problem, and as expressed in paragraph 80 of the report, the general feeling had been that it was for each treaty body to do whatever seemed most appropriate to draw the attention of States parties to the situation and encourage them to fulfil their obligations under the convention concerned. Even in the oldest treaty body in the United Nations system, the Committee for the Elimination of Racial Discrimination, some States parties had not yet submitted their initial reports.

44 The CHAIRPERSON suggested that the report of the meeting, as well as the appropriate resolutions of the General Assembly and the Third Committee report, be considered by Working Group I with a view to preparing a response which the Committee could incorporate in its report on the current session. If it were so decided, she hoped that Ms Ilić would agree to serve on that Working Group.

45 Ms OESER felt that Working Group I should not be placed under any pressure to make recommendations on all the various points at once.

46 The CHAIRPERSON said that the intention was that the Committee should prepare a response demonstrating that the matters concerned were under active consideration. She hoped that it might prove possible to reach agreement on certain specific recommendations.

47 Ms SINEGIORGIS suggested that a list of priorities be drawn up so that the Working Group could consider first those recommendations which were the most urgent.

48 The CHAIRPERSON suggested that the report of the meeting of chairpersons of human rights treaty bodies, the relevant resolutions of the General Assembly and the Third Committee report be referred for consideration to Working Group I, and that all members of the Committee should indicate to the Working Group those recommendations which were of the greatest importance

49. It was so decided.

The meeting was suspended at 3 55 p m and resumed at 4 15 p m

ADOPTION OF THE AGENDA AND ORGANIZATION OF WORK (continued)

50. The CHAIRPERSON drew the Committee's attention to the report of Working Group I on organizational matters (Working Paper No 1/Rev 1) She took it that the report was generally acceptable She would ask the Committee to approve it at a later meeting when the statement of the financial implications of the proposal to appoint a pre-session working group was available

51 Ms UKEJE (Rapporteur) asked whether the Working Group's recommendations referred to second periodic reports only, or to second and subsequent reports If the latter, the text would need to be amended

52 The CHAIRPERSON said that the suggested procedure would apply to second and subsequent reports She invited the Committee to pass on to consideration of the note by the Secretariat on the scheduling of the ninth session

53 Ms ILIC said that, of the possibilities put forward, she would prefer holding the session in New York from 22 January to 2 February 1990

54 Ms PILATAXI DE ARENAS spoke in favour of holding the session from 20 February to 2 March 1990, either in New York or Vienna

55 Ms BERNARD said that she would have preferred the later period, but since the public holiday on 19 February 1990 would limit the session to nine working days, she would support the period 22 January to 2 February 1990, which was apparently open both in New York and in Vienna

56 Ms FORDE asked whether any consideration had been given to holding a three-week session A longer session would help to reduce the backlog of reports

57. The CHAIRPERSON reminded the Committee that the General Assembly had not agreed to its request to hold a three-week session in 1989

58. Ms OESER asked whether holding the session in Geneva was an available option Under the terms of the Convention, the meetings of the Committee were normally to be held at United Nations Headquarters, which, it had been agreed, covered New York, Vienna and Geneva The Centre for Human Rights was based at Geneva and its staff would be able to service the Committee, while representatives attending the Commission on Human Rights would also be able to attend

59. The CHAIRPERSON said that, although the Committee had the right to determine the place of its meetings, she would be reluctant to re-open the question of the venue for the time being There were strong arguments in favour of holding a

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session in New York because of the presence there of Permanent Missions. She felt that it would be advantageous for the Committee to meet in Geneva at some point, but not in 1990.

60 Ms LAIOU-ANTONIOU considered that 22 January was too early in the year to allow members to leave their regular duties conveniently. She would therefore prefer the period 20 February to 2 March, although in New York that would mean a session of only nine working days.

61 Ms SOUMARE said she was in favour of holding the session from 20 February to 2 March in New York.

62 Ms CORTI agreed that the question of holding a session in Geneva should not be re-opened for the time being. She would be in favour of the period 20 February to 2 March 1990, either in New York or Vienna.

63 Ms SINEGIORGIS strongly supported the earlier dates, 22 January to 2 February 1990, for the next session. The matter could be reconsidered for subsequent sessions.

64 Ms FORDE was in favour of the period 20 February to 2 March 1990.

65 Ms UKEJE (Rapporteur) considered that a session of only nine working days would compound the technical and infrastructural problems sometimes encountered at Headquarters in New York. She would prefer the earlier period, in New York or Vienna.

66 Ms BERNARD asked whether the date of the Committee's session was necessarily linked to the meeting of States parties to the Convention that would be held in New York.

67 Ms SELLAMI-MESLEM (Director, Division for the Advancement of Women) said that Conference Services in New York would fix the date for the meeting of States parties. The timing of the Committee's session did not depend upon it, although an effort would be made to tie the meeting to one of the Committee's sessions in New York in order to avoid additional expense for Member States. She reminded members that the date of any meeting in New York would have to be confirmed by Conference Services. Only if the session was to be held in Vienna could the date be determined at once.

68 Ms LAIOU-ANTONIOU asked whether the session could take place after the meeting of the Commission on Human Rights, which was due to be held from 29 January to 9 March 1990.

69 The CHAIRPERSON said that any date later than those suggested in the note would cause difficulties for the conference servicing system. She suggested that the discussion should be adjourned for the time being. She would consult the members of the Committee individually and prepare a statement for a later meeting.

The meeting rose at 4 40 p m