



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

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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Second session

SUMMARY RECORD OF THE 19th MEETING

Held at Headquarters, New York,
on Monday, 8 August 1983, at 3 p.m.

Chairperson: Ms. IDER

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Consideration of reports and information submitted by States parties under
article 18 of the Convention (continued)

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The meeting was called to order at 3.15 p.m.

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

Initial report of the Union of Soviet Socialist Republics (continued)
(CEDAW/C/5/Add.12)

1. At the invitation of the Chairperson, Ms. Nikolaeva (Union of Soviet Socialist Republics) took a place at the Committee table.

2. Ms. NIKOLAEVA (Union of Soviet Socialist Republics), replying to the questions asked at the Committee's 14th meeting concerning, first of all, the legislative guarantees of equality women enjoyed in the Soviet Union, drew attention to article 35 of the Soviet Constitution, which stipulated that women and men had equal rights in that country. To ensure the exercise of those rights, women were guaranteed equal rights to education and vocational training, employment, remuneration for employment, and promotion in all social, political and cultural activities. Moreover, specific measures had been adopted to protect the jobs and health of women and to enable women to combine work with motherhood.

3. Criminal liability for discrimination against women was established by the Penal Codes of the various Republics. For example, the penalty for such discrimination was imprisonment for up to two years and corrective labour for up to one year. The penalty for refusing to hire or for dismissing a pregnant woman or nursing mother was corrective labour for up to one year or dismissal from the place of work.

4. Regarding the purpose and functions of the Permanent Committee of Deputies of the Supreme Soviet of the USSR on the Problems of Life and Labour of Women and the Protection of Mother and Child, she explained that, in the context of the United Nations Decade for Women, and in view of the increased role played by women and the family in the social development of the Soviet Union, it has been decided that all matters relating to women should be dealt with by a single body, the Permanent Committee, instead of by several bodies. The membership of the Permanent Committee was determined by the Supreme Soviet and comprised both women and men. The Permanent Committee could review the activities of regional committees, could require the submission of reports and could make recommendations on matters concerning women and children. Similar committees had also been established in all the Union and Autonomous Republics as well as at the local level. Members of the Permanent Committee were deputies from the Russian Soviet Federative Socialist Republic (RSFSR) and were experts on women's issues.

5. As to the question concerning the machinery established to implement the Convention, she pointed out that implementation of the Convention was monitored by all the State bodies, by the commissions of the Supreme Soviet of the USSR and those of the Union Republics, by the State committee on labour and social issues, by Party organs, trade unions and the Committee of Soviet Women, all of which maintained contacts and exchanged information to that end. Implementation of the Convention was also monitored by the judiciary and by the Procurator's Office.

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6. As to whether or not women enjoyed equal rights in legal proceedings, she stressed that women did enjoy such rights in every judicial body and at all levels.

7. Several questions had been asked about the situation of working women. Accordingly, she explained that the majority of women worked in the industrial sector, where wages were higher than in the other sectors. There was no discrimination against women with respect to remuneration: women and men were paid the same amount for the same work. A new list of the professions considered to be too arduous or harmful for women had now been issued; it was very extensive and covered all sectors of the economy. In addition, an enactment of 5 December 1981 made it illegal for women to lift or move loads weighing more than 10 kilograms.

8. Several questions had been asked about social security benefits for women and about their right to an old-age pension in the Soviet Union. In that connection, she explained that a woman who had worked for 20 years could receive a pension at age 55, irrespective of her ability to work. Women could also continue to work and to earn a salary while receiving their pension. Women who had worked for less than 20 years received a proportionately reduced pension. Pensions were based on the wage a woman had received while working and varied from 50 to 100 per cent of that wage. Moreover, pensions were not subject to taxation. Since the social security system in the Soviet Union was based on the full equality of men and women, it had been asked why women enjoyed certain advantages. Accordingly, she explained that the advantages given to women helped to guarantee that they could carry out their duties as both workers and mothers. For example, pregnancy and maternity provisions enabled them to look after young children and to be given lighter work when they were pregnant or nursing. Moreover, depending on the number of children, the age at which a woman could retire and the number of years of service required in order to receive a pension had both been reduced. Under an order issued by the Supreme Soviet of the USSR women were entitled to partially paid leave up to a child's first birthday, but either the mother or the father could obtain paid leave to care for sick children.

9. As to the requirements for entering marriage, the Marriage and Family Code stipulated that both parties must consent to the marriage and must have attained 18 years of age. Local organs could lower the marriageable age by as much as two years, but only in exceptional circumstances. The same Code stipulated that questions concerning the domestic duties of a husband and wife were to be resolved by the spouses themselves, jointly and in a friendly manner. With regard to criminal legislation concerning the raising of children, the Penal Code of the RSFSR provided that the refusal by parents to provide for their children was an offence punishable by one to two years in prison, deportation or corrective labour. The Marriage and Family Code provided that the family name could be that of either the mother or the father, selected on the basis of mutual consent. If no agreement could be reached, the State organ dealing with adoption took the relevant decision. The Marriage and Family Code also stipulated that adult men or women could adopt children. If the parties concerned were married, the consent of both partners was required.

10. As a rule, refusal to grant a divorce did not strengthen family ties. Limitations were placed on divorce in the case of pregnant and nursing women in

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order to protect both the mothers and the children concerned. In accordance with the Marriage and Family Code, in the event of divorce, the parties could choose either to retain their married name or to revert to the name they had used before marriage. The same Code stipulated that, when a marriage was dissolved, both the mother and the father retained equal rights and obligations in connection with the raising of children. If no agreement could be reached on custody, the court that had ruled on the dissolution of the marriage determined which parent had custody of the children. Regarding questions concerning paternity, the Marriage and Family Code stipulated that, in the absence of any joint statement on the paternity of a child born out of wedlock, paternity was determined by the court.

11. Criminal liability for marrying a person under marriageable age and for polygamy was established by articles 233, 234 and 235 of the Penal Code of the RSFSR. Those offences were punishable by denial of freedom for up to two years or by hard labour.

12. Replying to questions concerning prostitution and rape in the Soviet Union, she pointed out that prostitution did not exist and that the Penal Code provided for imprisonment for three to seven years in cases of rape. When rape was accompanied by the threat of murder, the penalty was 10 years in prison, and the rape of a minor or rape of an especially cruel nature was punishable by eight to 15 years in prison.

13. As to the role of women in policy-making in industry and agriculture, she drew attention to the large number of women in policy-making positions in all sectors: more than half a million women were factory and State farm directors, managers of building sites and collective farms and heads of government departments. As a result of the latest elections, the number of women members of the Supreme Soviet had increased and women currently accounted for 37 per cent of all deputies. Moreover, there were two women on the Council of Ministers of the RSFSR and nine women held ministerial positions. Many of the deputy-ministers and Chairmen of State committees were women. In the field of education, 106,000 women were either directors or deputy directors of secondary schools.

14. Women were not drafted into the armed forces in the Soviet Union but were permitted to work in the subsidiary organs of the Ministry of Defence as normally recruited workers. As to their functions in organs of national supervision, women could not work as militia inspectors or traffic directors. The Committee for National Supervision was an elected body designed to monitor the utilization of all types of resources at the local level and to take action against people who committed a breach of State discipline or State law; it could, for example, impose fines or dismiss employees.

15. Replying to a question concerning the participation of women in cultural life in the Soviet Union, she indicated that women already played a major role in the fields of science and culture and that there was clearly an upward trend in that respect. Many well-known women worked in philosophy, economics and political science, and women accounted for one half the total number of people involved in cultural activities and the arts. In addition, women were elected to the relevant Party organs at all levels. In the field of foreign policy, women worked to

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strengthen peace and to develop international co-operation, first and foremost on the relevant commissions of the Supreme Soviet. Women were also members of the Central Committee of the Communist Party and of the full range of civic organs where public opinion was formed.

16. Responding to comments made concerning a political settlement of the question of Afghanistan, she explained that Soviet women were opposed to imperialist interference in the internal affairs of that country. In 1982, Soviet women had been invited to attend the National Congress of Afghan Women and had reported to the Committee of Soviet Women that Afghan women were politically active, tackled their studies and their work seriously and fully supported their own Government.

17. As to the meaning of the title "secretary of a party organization", she explained that such people were elected political leaders and that 27 per cent of them were women.

18. Many Government delegations included women and women frequently headed delegations to international forums. Women were also trained for important posts in management, held high administrative posts in trade unions and were directors of enterprises. In such positions, they could do a great deal to promote women's rights. As to the question of whether there was any prospect of a woman becoming Head of State in the foreseeable future, she pointed out that, although such a situation was possible under Soviet laws, the Head of State must be an outstanding person with the broad experience and exceptional abilities necessary to fulfil the obligations of that position.

19. The Soviet Union had been actively training women for managerial posts, and there had been an increase in the number of women holding such posts. The party organizations were responsible for the appointment of managerial personnel, and particular attention was paid to the promotion of women, in strict compliance with the principle of equal opportunity for both party and non-party members. The labour unions were also making a great endeavour in that respect.

20. Under Soviet legislation and the statutes of the Communist Party, any office, including that of Head of State, could be held by a woman. However, it should be borne in mind that the office of Head of State could be held only by persons with outstanding qualities.

21. Soviet women were making a major effort to promote peace in the world, and an important role was played by such bodies as the office-worker collectives in policy formulation. Large-scale events such as rallies were held. Such activities were financed through the Soviet Peace Fund, and the Fund itself relied on voluntary contributions from citizens, who were responsible for deciding how its financial resources should be spent. The Convention and other United Nations instruments laying down the rights of women were vitally important, and her country would continue to work towards achieving the goals of the United Nations Decade for Women.

22. Certain questions raised by members of the Committee did not fall within the scope of the Convention and should therefore not be discussed in the Committee.

23. Ms. MUKAYIRANGA said that she had not received a satisfactory reply to her question concerning specific measures that might have been adopted by women in the Soviet Union with a view to prevailing upon their Government to comply with the United Nations resolutions concerning the peaceful settlement of disputes. She had the situation in Afghanistan and the suppression of liberation movements in mind.
24. She noted that the representative of the Soviet Union had said that women had the same rights as men regarding recourse to the courts. However, she wished to know whether Soviet women actually exercised those rights.
25. Ms. CARON said that freedom of choice was restricted in the field of labour, since the State established what types of jobs should be regarded as harmful for women. It also seemed that Soviet legislation tended to perpetuate social stereotypes.
26. She was still interested to know how many Soviet women held high-level political posts. For example, she wondered how many members of the Politburo were women and whether women could rise through the ranks to the office of Head of State.
27. Ms. PATIÑO DE MARTINEZ noted that the representative of the Soviet Union felt that certain questions that had been raised in the Committee were not within the scope of the Convention. She would therefore contact the representative of the Soviet Union privately in that connection.
28. Ms. REGENT-LECHOWICZ said that the information provided by the Soviet Union showed that that country was fully implementing the provisions of the Convention and that Soviet women played an extremely important role in the life of their nation. She therefore wished to suggest that in the report that it was to submit to the General Assembly, through the Economic and Social Council, the Committee should commend the Government of the Soviet Union for its initial report, emphasize the progress made in the Soviet Union in the field of the advancement of women and draw attention to the efforts made by Soviet women to achieve world peace.
29. Ms. MACEDO DE SHEPPARD noted that the representative of the Soviet Union had referred to a list of particularly arduous and difficult types of work from which women were barred and said that the Committee would appreciate a copy of that list. In connection with the special pension rights afforded to mothers, she wondered what were the rights of women who had had no children. Since, in the view of the representative of the Soviet Union, certain questions that had been raised by the members of the Committee were outside the scope of the Convention, she wished to point out that a number of the questions brought up, including the issue of assistance to liberation movements, had been prompted by the report of the Soviet Union itself.
30. Ms. PEYTCHIEVA said that she was entirely satisfied with the information provided by the representative of the Soviet Union and believed that the Soviet Union could serve as a model for other countries. Furthermore, she fully supported the suggestion made by Ms. Regent-Lechowicz.

31. Ms. SMITH said that she wished to know the percentage of women employed in the foreign service of the Soviet Union. She noted that Soviet women appeared to have the main responsibility for child-rearing, which constituted a career handicap. Moreover, the statement made by the representative of the Soviet Union concerning access for women to the office of Head of State was rather unsatisfactory. She also wished to point out that, although in most countries the question of how household responsibilities were to be shared was settled at home, it was not always settled amicably. Another important question was the issue of custody of children following divorce, and she would appreciate statistical data to clarify the situation in the Soviet Union.

32. In conclusion, she said that the Soviet Union was to be commended for the progress it had made towards achieving equality of the sexes.

33. Ms. CORTES noted that an extremely high percentage of women held managerial posts and wondered whether men were the victims of discrimination. She also noted that there was apparently no prostitution in the Soviet Union and would therefore appreciate clarification of the offence of procuring for material gain.

34. Ms. MACEDO DE SHEPPARD, referring to the suggestion made by Ms. Regent-Iechowicz, said that, although she was impressed by the progress made by Soviet women, she believed that it should be made clear in the Committee's report that the views in question had been expressed by some members of the Committee and not by the Committee as a whole.

35. Ms. PATIÑO DE MARTINEZ said that the Committee should take rule 45 of its rules of procedure into account.

36. Ms. VELIZ DE VILLALVILLA said that due recognition should be given to the Soviet Union for its achievement in the area of the advancement of women.

37. Ms. OESER said that the answers given by the representative of the Soviet Union were entirely satisfactory.

38. The CHAIRPERSON suggested that the representative of the Soviet Union should refer those questions which she had been unable to answer at the present meeting to her Government so that answers to them could be submitted to the Secretariat or included in the Soviet Union's next report to the Committee.

39. Ms. NIKOLAEVA (Union of Soviet Socialist Republics) expressed satisfaction at the interest which the Committee had shown in learning about life in the Soviet Union. If she had not answered all the questions that had been put to her, it was only because of the limited amount of time available and not because the Soviet Union had anything to hide. With regard to the composition of the Politburo, it was a well-known fact that no women were members of that body.

40. Generally speaking, when in the home, women should be good housekeepers; spouses should settle all domestic matters privately. While she espoused social equality, she believed that biological equality of the sexes, which in any event was an impossibility, would constitute a boring state of affairs. Men and women were biologically designed to perform different functions. Women must remain

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feminine and seek to strengthen their roles as wives and mothers; they should also provide emotional support for men and help to educate them.

41. Women in the Soviet Union were entitled to receive an old-age pension at the age of 55. Moreover women could work beyond the age of 55 and still draw their pension, which was not taxed by the Government.

42. The question which had been asked regarding the situation in Afghanistan demonstrated an incorrect knowledge of that situation; she offered to discuss the issue privately with the expert who had posed the question.

43. Ms. Nikolaeva (Union of Soviet Socialist Republics) withdrew.

Initial report of Sweden (continued) (CEDAW/C/5/Add.8)

44. At the invitation of the Chairperson, Ms. Lindgren (Sweden) took a place at the Committee table.

45. Ms. LINDGREN (Sweden) explained that, because of its opposition to discrimination on the basis of sex against men as well as against women, her Government believed that the scope of the Convention should have been broader. To illustrate her Government's position, she cited the fact that men were rarely issued widower's pensions on the decease of their spouses and the fact that women were not subject to compulsory military service despite having access to military careers as examples of discrimination against men.

46. A number of questions had been asked concerning the Equal Opportunities Ombudsman and the Equal Opportunities Commission. The Ombudsman was appointed by the Government and was responsible for ensuring compliance with the Equal Opportunities Act. The Commission, which was chaired by a lawyer and composed of representatives of labour and management, was also appointed by the Government and had the power to fine employers who did not comply with the Equal Opportunities Act. Employers could also be held liable for losses sustained and moral or other injuries done to victims of discrimination on the basis of sex. Such cases were tried by the Labour Court. The number of complaints received by the Ombudsman had increased considerably since the office had been established in 1980. The Equal Opportunities Commission was involved in a number of activities including a programme aimed at encouraging schoolgirls to consider non-traditional fields of work. The Commission was also studying criteria for legislation to prohibit sexist advertising, in publications.

47. Pregnant women were entitled to begin their maternity leave up to 60 days before the birth of their child. Either parent was entitled to take up to one year of parental leave and could elect a six-hour work day until a child reached the age of eight years. Child-care facilities were available, although in insufficient quantities to meet demands. Parents who stayed at home to care for children under the age of three remained eligible to participate in pension schemes.

48. County Councils in Sweden, which administered public health and medical services, had expanded their childbirth education programmes to include parental

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education. Parental education was intended for parents of children of all ages and had as its objective the improvement of the quality of childhood and family life. In addition, parents, rather than society, were considered to have the primary responsibility for child-rearing.

49. With regard to unemployment, figures for June 1983 showed that unemployment was slightly higher among women than among men, with young people being more seriously affected. Labour market training was paid for by the Government; the programme was free of charge for participants, who received a per diem allowance while enrolled in the programme. Unemployment insurance was administered by unemployment societies, which were linked to national trade unions. In answer to the question concerning regional employment quotas, she said that regional development assistance had been made contingent upon the earmarking of 40 per cent of all jobs for each sex.

50. Many women's organizations existed in Sweden, some dating back to the latter half of the 19th century. Those organizations had played a very important role in effecting social change in the country. As to whether a woman could become supreme commander of the armed forces in Sweden, the last restriction to women's access to all military posts had been removed in January 1983, and thus women could be considered as candidates for all posts.

51. Swedish law contained no provision for fixed-term marriage contracts. Women who had been victims of rape were referred not to the Ombudsman but to the District Attorney, who investigated the case; women could also seek redress through the Parliamentary Ombudsman. The Swedish Government had placed a ban on shows featuring live sex acts.

52. The rate of criminality among women, who constituted only 2 per cent of all prison inmates, had remained relatively stable for a number of years. The apparent inadequacy of Swedish prison facilities to accommodate women was the result of recent efforts to place all prisoners in jails near their homes.

53. She provided figures which indicated that the number of women in high-level government posts remained relatively low. However, women's representation in the Riksdag and the municipal councils had roughly doubled between 1971 and 1982, with women accounting for 47 per cent of the Stockholm Municipal Council.

54. For decades, Sweden had maintained a wage policy aimed at upgrading the salaries of workers at the lower end of the wage scale, a category which included many women.

55. The issue of child care was an important one in the context of promoting equality for both sexes. At present, the municipalities provided slightly more than one third of all child-care facilities for children up to the age of six of working parents; however, existing facilities met only 51 per cent of the demand. Facilities for children aged 7 to 12 met 28 per cent of demand, 15 per cent of those facilities being furnished by the municipalities.

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56. She provided data on the exposure of men and women to the mass media which indicated that women generally listened more often to radio than men, while men watched more television than women. There were more female than male cinema-goers under the age of 40, while women read more books than men. Men were more likely to read daily newspapers, while women tended to read weekly magazines and the popular press.

57. It was possible for single persons of either sex to adopt a child in Sweden. Any questions which she had not answered at present would be answered in the subsequent report of Sweden to the Committee; particular attention would be paid to the need for statistical detail.

58. Ms. DE REGO DA COSTA SALEMA MOURA RIBEIRO said she was impressed by the statistical data which the representative of Sweden had been able to present to the Committee and expressed her admiration for the situation of women in Sweden.

59. Ms. BERNARD observed that the Equal Opportunities Act appeared not to be observed in practice, since the percentage of women in positions of managerial and judicial responsibility was quite small. She hoped that the number of women in such positions would increase and that that increase would be reflected in the country's next report to the Committee.

60. Ms. CORTES congratulated the representative of Sweden on having presented such comprehensive data on short notice. As the Swedish approach to the question of equality was to attempt to guarantee equality for both sexes, she hoped that information concerning the number of men who took advantage of the privileges available to both sexes would be contained in subsequent reports.

61. Ms. BIRYUKOVA said that not enough information had been provided concerning the extent to which the Convention was implemented in practice. The statistics on unemployment and the data indicating the small number of women in position of managerial responsibility led her to agree with Ms. Bernard that, in practice, women were victims of discrimination in Sweden. She hoped that answers to a number of questions which had been asked concerning the actual situation of women in such areas as economic and cultural life would be contained in the next report.

62. Ms. VELIZ DE VILLALVILLA said that, while she agreed with Ms. Bernard and Ms. Biryukova that some forms of discrimination against women existed in Sweden, she wished to congratulate the representative of Sweden for the thorough information which she had provided in response to questions asked by members of the Committee.

63. The CHAIRPERSON joined other speakers in commending the representative of Sweden for the answers which she had provided and invited her to refer the Committee's requests for additional information to her Government so that that information could be forwarded to the Secretariat or included in the next report.

The meeting rose at 5.40 p.m.