



**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 15th MEETING

Held at Headquarter, New York,
on Tuesday, 2 August 1983, at 3 p.m.

Chairperson: Ms. IDER

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The meeting was called to order at 10.45 a.m.

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

Initial report of the Byelorussian Soviet Socialist Republic

1. At the invitation of the Chairperson, Ms. Barabanova (Byelorussian Soviet Socialist Republic) took a place at the Committee table.

2. Ms. BARABANOVA (Byelorussian Soviet Socialist Republic) introduced the report of her country and said that the Convention represented an important step for international co-operation, within the framework of the United Nations, towards respect for human rights and that its adoption in 1979 by the General Assembly was in conformity with the principle enshrined in the preamble of the Charter: "to reaffirm faith ... in the equal rights of men and women". The Byelorussian SSR had ratified the Convention in February 1981, as a natural part of the extensive rights of women in all spheres of political, economic, social and cultural life that were guaranteed by the Government and Constitution of the Republic and its legislative system and which, in many respects, went beyond what was laid down in the Convention.

3. Article 38 of the Constitution enshrined one of the principal achievements of socialism: the right to work. For women, work was an essential element in the attainment of equality. The report pointed out that, in the Byelorussian SSR, women represented 53 per cent of the total number of manual and office workers, 53.9 per cent of those with higher education and 64.5 per cent of those with specialized secondary education. The literacy rate for women was 99.9 per cent. Those achievements were due (a) to the full political and economic emancipation of women; (b) to the fact that the Government created conditions which ensured true equality of rights for women with regard to access to education and vocational training, jobs in conformity with that preparation and many child-care services; and (c) to the aspiration of women themselves to attain economic independence and cultural expansion.

4. The principles of the socialist society - "from each according to his abilities and to each according to his work" and "equal pay for equal work" - were applied in Byelorussia in the case of men and women alike, but, at the same time, the legislation protected women from heavy work and during maternity. The Labour Code, taking into consideration the physiological and psychological characteristics of women, prohibited, in article 160, the assignment to women of work underground or in conditions that were difficult or prejudicial to health or that required the moving of weights of more than 15 kilograms. In Byelorussia, there was a system of laws which ruled out labour discrimination against women through control by the Government and by the trade-union organizations, which undertook to carry out technical and legal inspections of working conditions. In the past three years, non-observance of the social laws in favour of women had, in four cases, led to the loss of a management post. In the Byelorussian trade unions, there were some 163,000 voluntary inspectors responsible for the surveillance of working conditions.

(Ms. Barabanova, Byelorussian SSR)

5. The Supreme Soviet of the Byelorussian SSR, the district soviets and the Minsk municipal soviet had established commissions responsible for labour questions, the social welfare of women and maternal and child welfare. Article 15 of the USSR law on workers' collectives and their administration, enjoined the improvement of the living and working conditions of women and children. The high position attained by women in the Byelorussian Society represented a significant potential for future social development.

6. One quarter of the population of Byelorussia had died as a consequence of the Great Patriotic War. Accordingly, in the face of the alarming military build-up in imperialist circles, when women war veterans had gathered in Minsk in May 1983, in order to show their support for the World Disarmament Campaign proclaimed by the United Nations, Dr. Kashechkina, a veteran of the French resistance, had said, expressing the sentiment of all Byelorussian women, that, in 1945, it had been believed that war had been eliminated forever and that women, the life-givers, could not stand by passively in face of the new mortal danger threatening mankind.

7. The women of Byelorussia had participated in the peace march between Stockholm, Moscow and Minsk in July 1982 and participated on an ongoing basis in other demonstrations against the nuclear threat. The Byelorussian SSR would continue to co-operate with the Committee in order to achieve the elimination of discrimination against women.

8. Ms. MACEDO DE SHEPPARD asked whether the report of the Byelorussian Soviet Socialist Republic was complementary to the report of the USSR or independent of it and whether all the Soviet republics would submit reports separately. She noted also that a less detailed methodology had been followed than had been the case with regard to the report of the Soviet Union and that it was sometimes difficult to determine whether certain figures and dates related to the USSR in general or to the Byelorussian SSR in particular.

9. Ms. MUKAYIRANGA commended the lucid report submitted by the Byelorussian SSR, which bore witness to the progress of public life in Byelorussia. She asked, however, why, at the international level, it had been decided to submit a report separate from that of the USSR.

10. She noted that the report did not place emphasis on the Convention, and she asked whether the Convention might be invoked before a court.

11. Moreover, although mention was made in the report of public law provisions proclaiming equality between the sexes, no mention was made of legal aspects such as the right of a woman to transmit her family name to her children, the possibility of matrilineal, as opposed to patrilineal, inheritance and the sanctions provided for in the Penal Code or in civil law for cases of violation. She also wished to know the current situation with regard to prostitution and the provisions relating to paternity awards in the Byelorussian SSR.

12. Ms. BARABANOVA (Byelorussian Soviet Socialist Republic), replying to a question put by Ms. Macedo de Sheppard, said that the report of the Byelorussian SSR was totally independent and did not constitute a supplement to the report of the USSR, since it was submitted in conformity with legal status assumed by the Republic in ratifying the Convention. The general basis of the two reports was, indeed, similar, but that was due to the fact that the Byelorussian SSR was a republic belonging, on a footing of equality, to the Union of Soviet Socialist Republics, which embodied the unity of the Soviet people and united all peoples and nationalities in the construction of communism. That situation was reflected in the Constitution of Byelorussia and the fundamental laws of the country. It was also mentioned in those instruments that the union of the Byelorussian SSR with other Soviet republics in a single State, the USSR, had considerably augmented the potentials of the peoples of those countries for effecting radical socio-economic change, building socialism and safeguarding their vast achievements.

13. Byelorussia was one of the republics that had suffered the most during the years of the Second World War, and the rebirth of its economy had been achieved thanks to the fraternal assistance of all the peoples of the Soviet Union, and the Russian people above all.

14. With regard to the comments regarding the Ukrainian SSR, the matter of the submission of its reports was its sovereign right and a matter that lay solely within the competence of that Republic. She was speaking for Byelorussia only and in accordance with the obligations assumed by Byelorussia when ratifying the Convention.

15. Ms. DE REGO DA COSTA SALEMA MOURA RIBEIRO said that she was favourably impressed by the figures relating to the high degree of participation by women at the senior levels of political organs. Like other members of the Committee, she was interested to learn precisely what were the functions of the secretary of the Presidium of the Supreme Soviet. It was stated in the report that "women are widely represented in the administrative staff of trade-union bodies and other public organizations". The precise meaning of "administrative staff" should be spelt out. For a clearer understanding of the figures contained in the report, it would be useful to have more comprehensive data on the female population, such as the number of women in the work-force.

16. With regard to labour legislation, it was stated in the report that it was forbidden to dismiss pregnant women. The Committee should be informed about the general terms governing the dismissal of employees and about the existence of any constitutional provision stipulating that the population as a whole had a right to employment. The report referred also to the principle of equal pay for equal work. That principle was embodied in the Constitution of Portugal and had given rise to a great controversy concerning its practical implications. It would be useful for the representative of the Byelorussian SSR to clarify whether the expression "equal work" referred to work-load or output.

17. It had been stated that more favourable conditions should be created to enable women to combine vocational activities with the upbringing and education of children. The question was what responsibilities fathers had in that connection.

18. Ms. SMITH said that, according to the report, the Byelorussian Constitution stipulated that the exercise of equal rights by men and women was guaranteed through "the creation of conditions enabling women to combine work and motherhood". The report went on to outline the measures adopted to that effect. While such legislation obviously represented a major step forward, a further step would be to ensure that the opportunity to combine work with the upbringing of children was accorded to fathers and mothers alike. When a country had progressed as far as the Byelorussian SSR in the area of equality between the sexes, one might well ask whether the existence of such a provision in the Constitution did not serve to reinforce stereotypes instead of helping to eliminate traditional practices and ideas regarding the functions usually attributed to men and women. She wondered whether the Byelorussian SSR could possibly consider amending that constitutional provision.

19. While the report gave important statistics, some clarifications were called for. According to the report, in the State and economic administrative bodies and the management bodies of public and co-operative organizations, 64 per cent of the staff were women. The report failed, however, to indicate the level of the posts occupied by women. She was interested to learn whether the situation in that respect was similar to that of other countries, where women occupied the lower-level posts and men the managerial positions. With regard to the working role of women in the economy, the figures appeared to indicate that women occupied posts traditionally considered to be their province. She inquired what measures had been adopted to encourage women to occupy non-traditional posts and to eliminate the established patterns regarding the functions of the two sexes. Much attention had been paid to the training of working women to enable them to acquire a high level of vocational skills. The question was whether such measures would prove adequate. She was pleased to note that women in the Byelorussian SSR were entitled to take partially paid leave in order to undergo training. That provision was very important to enable women to enjoy equal rights in selecting occupations.

20. The report failed to include data on items referred to in several articles of the Convention, such as family law and the matters referred to in article 16. The status of women in the Byelorussian SSR could not be properly evaluated without information on the relevant legislation.

21. Ms. ILIC said that she was grateful to the representative of the Byelorussian SSR for the additional information provided to the Committee. That information was necessary. The report afforded ample evidence of the measures adopted for the advancement of women, particularly with respect to their role in society. It would be useful, however, either at the current session or in future reports, for the reporting State to give more information regarding the action taken to implement the various articles of the Convention. She believed that the situation in the Byelorussian SSR was much better than was reflected in the report.

22. It would be useful to suggest that States parties should include in their reports data on the general conditions prevailing in their countries. While all States were clearly free to choose what information they wished to supply, certain basic data could obviate the need for a number of questions and could give the Committee a clearer insight into the status of women in the various countries.

23. Ms. CORTES said that she was very favourably impressed by the special attention paid by the Byelorussian Government to the training of women, with a view to facilitating their active participation in the country's economic life. She would like additional information, however, on some related points. Reference was made in the report to the dual role of women, who were active participants in the economic, cultural and socio-political life of the Republic and, at the same time, had been elected people's deputies. She would like to know the duration of the deputies' terms of office and whether women received compensation for those functions.

24. Another section of the report gave percentages on the participation of women in various fields, in several of which they were clearly in the majority. She wished to know in what fields men were in the majority. It was stated that the principle of equal pay for equal work was systematically applied in the Byelorussian SSR and that "in accordance with their vocational training, women who perform the same work as men are paid at the same wage rates or scales as men". The reporting State should clarify whether women were accorded equal opportunities for vocational training in the fields to which men had access and, if they were, whether they were subsequently offered the same opportunities to perform the same work as men.

25. With regard to the granting of partially paid leave for the care of children, that measure, as other members of the Committee had pointed out, could be interpreted as a sign that child care was still considered to be the primary responsibility of mothers. The Convention stressed that the responsibility rested with both the mother and the father.

26. Among the additional information provided during the meeting was the reference to the disarmament campaign. It was common knowledge that the two main participants in the arms race were the United States of America and the Union of Soviet Socialist Republics. It had been stated that campaigns to promote disarmament, peace and security would enjoy the support of all women since they were the ones most affected when peace was disrupted. She was interested to learn whether the women of the Byelorussian SSR participated actively in campaigns to persuade their Government to adopt measures to promote peace, as they would participate in campaigns directed at elements outside the country.

27. Ms. BERNARD observed that, although the representative of the Byelorussian SSR had said that her country's report was independent of that of the Soviet Union, there seemed to be some similarity between the two documents, due perhaps to the fact that the two countries' constitutional provisions were similar. In her view, the report should have included information on the Byelorussian SSR's legal system, its structure and the procedure used to deal with legal problems, as well as on the number of women holding office in the legal system, the number of women judges and their participation in the higher courts. It would also be interesting for the Committee to hear whether the task of enforcing the provisions of the Convention was entrusted to the courts or to the competent administrative organs.

(Ms. Bernard)

28. Texts of any relevant laws should be attached to reports so that the Committee could see what provisions had been adopted to implement the Convention. As Ms. Lucy Smith had observed, it was regrettable that no information had been given on family law. In that connection, in the Byelorussian SSR preference was apparently given to women with several children over those with few or none. One should ask whether that was not a form of discrimination. Since it had been said that in the allocation of housing priority was given to women with large families, she would like to know how the needs of women with few children, married women without children and single women were met. She would also like to know what was the incidence of rape, how cases of rape were investigated and what steps were taken to prevent that crime or treat victims.

29. With regard to women's participation in the management of State and economic affairs, the report stated that "the Deputy Chairman of the Council of Ministers of the Byelorussian SSR, the secretary of the Presidium of the Supreme Soviet of the Republic and the directors of several ministries, departments and organizations are women". She would like the Byelorussian representative to tell the Committee how many and what proportion of such posts were occupied by women as compared with men.

30. Ms. PEYTCHEVA commended the representative of the Byelorussian Soviet Soviet Republic on the presentation of her country's report. With regard to the additional maternity leave granted to working women for the care of their children, experience in Bulgaria had shown that certain categories of women, above all those employed in rapid growth areas of science and production, preferred not to take advantage of such leave in order not to abandon their careers for too long. As a result, she would like to hear whether any research or study had been conducted in the Byelorussian SSR which indicated the percentage of working mothers who actually took such additional leave to care for their children.

31. Over the past year, considerable publicity had been given to the Stockholm-Moscow-Minsk peace march organized jointly by Scandinavian women's associations and the Soviet Women's Committee. It would be interesting for the Committee to hear about the participation of Byelorussian women in preparing for and carrying out the peace march.

32. Ms. LAMM said that the way in which the report of the Byelorussian SSR was presented was appropriate for it did not cite a whole series of legal codes or norms but was based on statistics and adopted a sociological approach. It was well known that in some countries there was a wide gap between legislation and the real situation of women. The advantage of the Byelorussian report lay in the fact that it sought to demonstrate how legal norms were being implemented and duly reflected the everyday life of Byelorussian women and their place in society. The figures given were impressive, especially those on the participation of women in the Republic's political life. The Committee should, however, be given information on the percentage of women enrolled in the various levels of education.

33. Mr. NORDENFELT observed that the report of the Byelorussian Soviet Socialist Republic was somewhat incomplete. Although a wealth of practical information had been provided on such aspects as education and the labour market - information that was important for an understanding of how the provisions of the Convention were being applied - some aspects had not been mentioned. While women represented 53 per cent of the total labour force, there was a high proportion of women in certain sectors of economic life - as much as 80 per cent in some cases - from which he assumed that women's participation in other sectors of the economy was very low. It would be interesting to have some information on those sectors. That question could moreover have a bearing on the principle of equal pay for equal work, for wages might be lower in some economic sectors and if those were the sectors in which women predominated, genuine equality between men and women would not exist.

34. The report stated that there were a large proportion of women in the political institutions of the Byelorussian SSR, especially in the executive committees of the soviets. In that connection, it would be useful to have information on any laws or bills sponsored by women. It would also be important to know what legal remedies were available to women who suffered discrimination in violation of the Constitution and laws of the Republic.

35. With regard to the benefits received by mothers of large families, he wondered why such incentives were being offered to prolific mothers since it seemed somewhat excessive, in the 1980s, to be attempting to make good the population losses suffered in the Second World War.

36. Finally, it was encouraging to note that in the Byelorussian SSR every woman could aspire to public office, regardless of her way of life. He assumed that men enjoyed the same prerogative.

37. Ms. MACEDO DE SHEPPARD said that more information was needed on the legislation guaranteeing application of the principle of equality set forth in the report. She would also like to hear about any special provisions enabling women to combine work with motherhood. She also wished to know what was the function of the Soviet Women's Committee.

38. Since it was prohibited to deny women employment on grounds of sex, she wished to know what sanctions were applicable to violations of that provision. She also wished to know what work was considered "heavy or harmful to the female organism" and what the reduced working day proposed by the Central Committee consisted of. She would also like further information on family law and on housing provisions.

39. Ms. EL-FATOUH said that, while the report gave a detailed description of women's participation in political life, it did not give details of their participation in economic and social life, particularly with reference to article 16 of the Convention. Since the second paragraph of the report referred to the "multinational workers' and peasants' State" while the eighth paragraph mentioned persons in other walks of life, she would like to know the breakdown of the population of the Byelorussian SSR by occupation. She also wished to know

(Ms. El-Fatouh)

precisely what was meant by the expression "production of ... spiritual goods" in the second paragraph. Finally, she wished to know which organ was responsible for the drafting of legislation, so that she could interpret the percentages given for women's participation in the Supreme Soviet and the district soviets.

40. Ms. PATIÑO DE MARTINZEE requested additional information on the legal and administrative aspects of the situation of women and on family legislation. Referring to the first paragraph on page 7 of the report, she asked how many women were members of the Communist Party, how many held managerial positions and what authority the Party had to issue instructions to a State Committee. She also asked what constituted the lines of production mentioned in the following paragraph and what percentage of the managerial positions in those lines of production were held by women. Lastly, she asked how many women held managerial posts in ministries, departments and the like.

41. Ms. CARON said that the report was too succinct, since it did not mention any of the legislative measures directed towards implementing the provisions of the Convention and did not provide any information on family law. She would be interested in knowing how the principles of equality set forth in the Constitution of the Byelorussian SSR were put into practice. She also asked how many women were directors of institutes of higher education and of primary and secondary schools (as compared with the number of men in the same positions) and how many women were ministers. Lastly, she asked whether the principle of equal pay for equal work was equivalent to the provision contained in article 11, paragraph 1 (d), of the Convention concerning equal remuneration in respect of work of equal value.

42. Ms. ESCUDERO-MOSCOSO said that the report should provide an overall picture of the general conditions relating to the population, the geographical size of the country and the legal and political structure, among other things, so that members of the Committee could evaluate the situation more accurately. In particular, she asked whether women in the Byelorussian SSR worked in the military industry - either in the scientific area or in the manufacture of nuclear weapons or of weapons in general - in view of the information that women played an outstanding role in the disarmament movement. Moreover, she asked whether women were prepared in the same way as men to participate in the armed forces and what positions they held there.

43. Ms. BIRYUKOVA said that she did not wish to comment on the specific questions relating to the implementation of the Convention in the Byelorussian SSR. The questions raised during the current meeting showed that all members of the Committee were interested in matters concerning the participation of women and had requested information in order to make comparisons. Accordingly, in the Committee's report to the General Assembly, the attention of States should be drawn to the need for comparable data to be submitted on the situation of women in different areas.

44. Ms. BARABANOVA (Byelorussian Soviet Socialist Republic) thanked members of the Committee for their attention and interest in the report and for their comments. In order for her to give better answers and to provide more complete information, she requested that her replies should be deferred to the Committee's next meeting.

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45. The CHAIRPERSON said that, in accordance with established practice, the representative of the Byelorussian SSR would be given sufficient time to prepare her replies.

OTHER MATTERS

46. Ms. GONZALEZ MARTINEZ asked whether there was any news about the visa for Ms. Veliz de Villalvilla, expert of Cuba, and whether the Secretariat had received any information from the Permanent Mission of the United States in that regard.

47. Ms. SELLAMI-MESLEM (Representative of the Secretary-General) said that, the previous day, she had contacted the United Nations Legal Counsel and, on his advice, had immediately sent a telegram to Ms. Veliz de Villalvilla asking her to provide all the necessary information. As soon as she received an answer she would contact the United States Mission but, thus far, she had not received any answer.

48. Ms. GONZALES MARTINEZ said that it was the responsibility of the United States Mission to explain why the visa was being delayed. She suggested that, in order to avoid such problems in future, the Secretariat should send a letter to the Mission of the United States informing it of the convening of a session and of the need for the experts to have visas. She also requested that her suggestion should be noted in the Committee's report.

49. Ms. SELLAMI-MESLEM (Representative of the Secretary-General) said that the Legal Counsel had clearly specified that no official steps whatsoever could be taken until the information had been received from the expert herself and that, on the basis of that information, the relevant steps would be taken. As to the suggestion made, she did not know whether the Secretariat was authorized to contact the United States Mission and to inform it of the convening of a meeting and of the need for visas. In any case, the Secretariat sent the experts a letter informing them of the place and date of the meetings so that they could request the necessary visas.

50. Ms. GONZALEZ MARTINEZ said that she realized that the Secretariat was fulfilling its obligation by informing the experts of the date and place of the meetings. However, it should be remembered that the experts were also engaged in other activities and that it was the Secretariat's duty to inform them of the amount of time they would need to obtain a visa and of the requirements set by the Government of the host country.

51. Ms. MUKAYIRANGA observed that, the previous day, Ms. Biryukova had implied that the United States was violating an agreement with the United Nations by failing to send a visa to a member of a United Nations committee. Information was needed on that matter.

52. Mrs. BIRYUKOVA said that, since countries had permanent representatives to the United Nations, the Secretariat could have officially asked the Permanent Representative of Cuba to explain why the expert of Cuba had not been able to attend the Committee's meetings. It must be determined whether the Secretariat could contact the Government of the United States. If not, the Committee, in its capacity as a committee of experts from different countries, could require the

(Ms. Biryukova)

implementation of agreements concluded between the United Nations and the Government of the United States on the issuing of visas to experts to attend meetings of United Nations committees.

53. Ms. SELLAMI-MESLEM (Representative of the Secretary-General) read out the text of the telegram she had sent the previous day to Ms. Veliz de Villalvilla and said that, as soon as she received an answer, she would again consult the Legal Counsel, with a view to taking the appropriate steps.

54. Ms. BERNARD said that that subject was somewhat problematical. The Committee could not do anything until it had all the facts and it must therefore await a reply to the telegram.

55. Ms. MUKAYIRANGA again requested specific information on the agreements that were being violated in the case in question.

56. Ms. SELLAMI-MESLEM said that it was difficult to answer Ms. Mukayiranga at the current stage, since no answer had yet been received from Ms. Veliz de Villalvilla. In any case, that question came within the competence of the Legal Counsel, and an answer must be received from the Cuban expert before the relevant steps could be taken.

57. The CHAIRPERSON said that perhaps the Legal Counsel should be invited to attend the Committee's next meeting in order to clarify the contents of the Headquarters Agreement concluded between the United Nations and the Government of the United States.

The meeting rose at 12.45 p.m.