



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 146th MEETING

Held at the Vienna International Centre, Vienna,
on Wednesday, 1 March 1989, at 2 30 p m

Chairperson Ms GUAN Mingqian

later Ms EVATT

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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 Finland (continued) (CEDAW/C/5/Add 56)

1 At the invitation of the Chairperson, Ms Tuominen and Mr Nikula (Finland)
took places at the Committee table

2 Ms HALONEN (Finland), continuing the statement that she had begun at the previous meeting, said that incest was considered a very serious crime in her country and could incur penalties ranging from two to ten years' imprisonment. However, incest was not regarded as a serious problem in Finnish society. Victims of incest were assisted by the social welfare authorities, working in co-operation with the police, and there was also a child ombudsman who could be contacted. It must be admitted that there was a lack of the information and special training required for dealing with incest.

3 In connection with article 4 of the Convention, she said that the Ministry of Labour arranged vocational training courses for adults, and had launched a four-year project to improve the position of women in areas dominated by men. But the needs for training were increasing, and the demand for training courses was greater than the supply. The Ministry of Trade and Industry provided special courses for women involved in small and medium-sized businesses.

4 More than 80 per cent of the population had made use of the child-guidance ~~clinics, which were run by the local health authorities and had been in existence since 1925~~. The clinics organized special maternity and paternity training courses, the main purpose being to emphasize that responsibilities for child care were equal for men and women. Men were encouraged to support women during pregnancy, and in most hospitals it was possible for fathers to attend the delivery of their children, nearly 80 per cent of fathers attended the delivery of their first child.

5 Shelters for women who had suffered violence within the family were for the most part run by social organizations, but were supported financially by the Government and the municipalities. The victims of family violence were mostly women and children, but they also included elderly people in general, a few victims were males.

6 Maternity benefit, in the form of a "maternity pack", was available to all women who had been pregnant for 180 days, irrespective of their income or property. More than 80 per cent of women made use of the pack, which consisted of baby clothes and equipment needed during the first year of a baby's life. The box itself was large enough to serve as a baby's first bed, and the value of the package, which even included contraceptives, was 640 markkaa (Fmk), or double the alternative financial assistance. The package was also available to Finnish mothers living abroad, and to foreigners permanently resident in Finland.

7 Ms TUOMINEN (Finland) said that she would like to provide information about the Council for Equality (see document CEDAW/C/5/Add 56, p 3), of which she was the Secretary-General. The Council consisted of 13 members and alternate members, both women and men, reflecting the political composition of Parliament. The smallest

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political parties and groups were not represented in the Council, which was a policy-making body having the right to make proposals, raise new items for discussion and co-ordinate equality issues. Its long-term concerns were new strategies to increase the influence and participation of women in the labour market, the impact of new technology and equal pay, the co-ordination and promotion of women's studies, issues concerning women in development, and social pressure to change the role of men. Those subjects were discussed in the Council's subcommittees, but there were also ad hoc working groups that dealt with such questions as insemination. Some 100 persons were permanently involved in the work of the Council, which had a permanent secretariat consisting of a Secretary-General and four research officers. The Council met once a month in plenary session, and its budget, Fmk 280,000 for the current year, was the biggest among the 20 permanent councils in the Ministry of Social Affairs and Health, and intended to cover the cost of meetings, seminars and travel expenses. The cost of personnel, publications and research was covered from the budget of the Office of the Equality Ombudsman.

8 The Council regarded the promotion of equality as a human rights issue, but military service, for example, was not considered to be a fundamental human right. Thousands of women were employed by the defence authorities in so-called civilian jobs. The range of jobs which were not defined as military jobs should be extended.

9. Questions had been asked about the Equality Act. The initial proposal for such an Act had been made by the Council for Equality in 1975, in a subcommittee where the labour partners were represented. The employers had been against the proposal, but the trade unions had supported it. The Council had stressed that the ratification of the Convention required the existence of a legislative instrument. In 1985 the Government had submitted the Equality Bill to Parliament, but it was another two years before it had been passed, in spite of a broad political consensus in favour of it. There had been a lively discussion as to whether the Act should be sex-neutral or whether it should aim at improving the status of women.

10 Finland had been one of the first countries to study how the value of unpaid work could be reflected in national economic statistics. Although there was no generally accepted international method for evaluating unpaid work, a study currently being carried out by the Central Statistical Office would reflect the labour input of men and women by making calculations in terms of total working hours, i.e. paid and unpaid working hours taken together.

11 The new Protection of Labour Act had been in force for only six months and it was too early to assess the effects of its new features. The Council for Equality had conducted the first study of the hidden phenomenon of sexual harassment two years previously, and the equality authorities had launched a project on sexual harassment in the work-place. Sexual harassment was considered an occupational health matter as well as a matter of sex discrimination.

12 On the subject of sexist language, she said that although Finnish did not have feminine and masculine pronouns, there were some 200 professional titles in Finland in which the word for "man" was included. Those professions were open to both men and women, and efforts were being made to amend the job titles so that they were sexually neutral. Recent studies by Finnish female linguists had also revealed sexist features in the language, and as some of those linguists were members of its

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editorial staff it was to be expected that the new edition of the "Dictionary of the Finnish Language" currently being prepared would incorporate changes on the basis of their observations

13 There had been a number of questions concerning insemination, but it was not possible to provide more information than was available in the report. Despite the lack of any special legislation, insemination was available under the social security system like any other hospital treatment. A bill was being prepared in the Ministry of Justice, and one of the main problems in formulating it was whether or not a child conceived as a result of insemination should at some point during his or her lifetime have the right to know the name of his or her biological father.

14 Mr NIKULA (Finland), referring to the question of adoption, said that adoption required a court order. Adoption counselling was compulsory, and was given by the welfare authorities or by specialized organizations. The Adoption Act covered both national and international adoptions. The latter had begun as recently as 1985, when 11 children had been adopted from abroad. By 1988 that figure had reached 55, with most children coming from Africa, Central and South America and the Far East.

15 Under the Finnish legal system it was not possible for an individual to refer directly to the Convention in court proceedings, so that some of its articles had had to be absorbed into the Equality Act before the Convention could be ratified.

16 The Equality Act outlawed any indirect discrimination involving different treatment of women and men on the basis of sex, or even different treatment of two women, as, for example, in the case of an employer appointing an older woman in preference to a younger one because the latter would be more likely to take maternity leave.

17 The interest groups that had been asked to comment on the initial report included all the political parties and their women's organizations, trade unions, employers' organizations, student organizations, and groups representing women lawyers and ethnic minorities. Their comments had been taken into account in the preparation of the addendum that had been circulated to members and of the statement made in introduction of the report.

18 Anyone suspecting that she or he had been discriminated against on the basis of sex could ask for a report in writing from her or his employer. No reason had to be given for making such a request.

19 In answer to the question asked concerning relief labour services, he said that they were financed by municipalities, which were entitled to receive support from the Government to cover the costs.

20 In the consideration of women's work at farms, it was often difficult to distinguish between domestic tasks and production work. An attempt had been made to tackle the problem through pension schemes, which were funded partly by the farmers themselves and partly by the Government.

21 Under the Inheritance Act, which dated from 1965, children were entitled to inherit from both their parents whether they were born in or out of wedlock.

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22 Questions had been asked about domestic violence. The victims were usually women and children and the main cause was alcohol abuse. Approximately 17,000 cases of domestic violence were reported every year.

23 Regarding amendment of the Penal Code, he said that a complete reform of the Code was being prepared, one part of which would include new sanctions against discrimination in people's working lives in general. The Penal Code did not at present recognize rape in marriage as a crime, but that would be reconsidered in the reform. Where rape was punishable under the Penal Code, the decision to bring a case to court could be made only by the victim herself, and the public prosecutor was not able to act against the wishes of the victim, that was also likely to be re-evaluated in the reform.

24 Prostitution, AIDS and drug abuse were not difficult social problems in Finland. There were fewer prostitutes in Finland than in the other Scandinavian countries. Out of a total population of almost 5 million, the number of reported cases which were HIV positive was 243, and only 41 people were suffering from fully developed AIDS. The number of drug abusers in Finland was also low.

25 Regarding the provision that an employee could return after maternity, paternity or parental leave to his or her earlier work or to comparable work, he said that normally an employee could return to his or her earlier work, but in the case of a longer period of leave the organization of the work-place might have changed and there might no longer be any "earlier work" to return to. That was why it had been necessary to make the stipulation concerning "comparable work".

26 On the subject of arranged marriages of foreign women with Finnish men, he said that such cases came to the attention of the authorities only sporadically, but the situation was being monitored. The number of cases was estimated to be at most a few dozen a year, chiefly involving women from the Far East and the Soviet Union.

27 Regarding the equality authorities in Finland, he said that the two authorities set up under the Equality Act were the Equality Ombudsman, a post currently held by himself, and the Equality Board. The Equality Ombudsman was a civil servant who had no power as such, and could only make suggestions and investigate cases; he was appointed for a period of five years. The Equality Board, however, was able to impose fines in cases of discrimination; it had five members - one man and four women - appointed for a period of three years at a time. The Parliamentary Ombudsman monitored the observance of the law in all public authorities but was not able to intervene in issues between individuals and private organizations and employers, whereas the Equality Ombudsman was able to intervene in private relations, on the basis of the Equality Act. Cases under the Equality Act were decided by the Supreme Administrative Court in chambers consisting of five members. In one chamber there were three men and two women, while in the other there were four men and one woman.

28 There were clubs and associations in Finland with rules that only men or women could be members. That situation had been accepted by politicians in Finland.

29 In cases of pay discrimination, an employee was able to sue an employer on the basis of the Equality Act, and the court might decide that the employee had the

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right to the same pay as an employee of the opposite sex who was doing the same work or work of equal value. The Equality Ombudsman could also ensure that the Equality Board prevented the employer from continuing with the pay discrimination.

30 Under Finnish law, a woman serving a prison sentence in a penal institution had the right to have her child or children with her, provided that they were under the age of two. As far as men prisoners were concerned, the question had not arisen.

31 As for advertising that discriminated on grounds of sex, advertisers were exercising self-regulation, but there was always the possibility of legislation if the self-imposed controls were not sufficiently effective.

32 As for positive action under the Convention, such action was represented by the "equality plans" under the Equality Act. That was a new idea and the plans had not yet been implemented. However, it was expected that some of the larger cities in Finland would implement equality plans during the coming year.

33. Ms. Evatt took the Chair.

34 The CHAIRPERSON thanked the representatives of Finland for their detailed replies to the questions posed by Committee members, and praised their presentation of an excellent report which she said had been one of the best the Committee had received.

35. Ms. Halonen, Ms. Tuominen and Mr. Nikula withdrew.

Initial report of Belgium (continued) (CEDAW/C/5/Add 53)

36 At the invitation of the Chairperson, Ms. Monballyu (Belgium) took a place at the Committee table.

37 Ms. MONBALLYU (Belgium) said that government policy in Belgium was to initiate change by persuasion rather than force and the emphasis was accordingly placed on positive action. Of the two reservations made by Belgium on ratifying the Convention, only the first, that to article 7, remained. The reservation to article 15, paragraphs 2 and 3, had lapsed with the expiration of the transitional period in which spouses had been able to opt to retain the earlier discriminatory system.

38 A question had been asked about the hierarchy of measures or regulations, national, community and regional, and the binding force of the Convention. Under the Belgian legal system, the different components of the Kingdom, the State, the communities and the regions, were responsible for implementing the provisions of international law that concerned them, either through laws, at the national level, or ordinances at the community and regional level. The binding force of the Convention depended on the effect of international law on the national law of each State. In Belgium, that was determined by the courts.

39. Several questions had been asked about the mechanisms for achieving equality between men and women. She noted that of the Advisory Commissions referred to in the report the Commission on the Status of Women was no longer in existence. Those Commissions still in operation had well-defined roles. The Commission on the Employment of Women dealt only with matters relating to women's work and the

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Commissions on Education only with matters relating to the promotion of equal opportunity for boys and girls in education. The Commissions were empowered merely to advise the Minister to whom they reported. The Ministers decided what action to take and, if necessary, forwarded the advisory opinions to their colleagues. To prevent overlapping, the Secretariat of State for Social Emancipation held regular meetings with the chairpersons of the various Commissions and a representative of the Secretariat attended the meetings of each Commission. The Commissions issued a report each year giving details of the follow-up to their advisory opinions. Those reports showed that much of the related legislation had been and was still inspired by the opinions of the Advisory Commissions. The law on tax reform had been inspired by the advice of the Commission on the Employment of Women and of the Commission on Emancipation, which had recommended the separate taxation of spouses and an 80 per cent deduction from income of the cost of day care for children under three. The Advisory Commission on disputes relating to equality of treatment between men and women in the civil service had not so far been very active. Such disputes could, however, be taken to the Council of State, which could quash administrative decisions.

40 Since action to secure equal treatment for men and women was frequently interdepartmental, a Ministerial Commission on the Status of Women had been set up in 1980, presided over by the Prime Minister. It dealt with all problems relating to the status of women in society and the measures to be taken to secure completely equal treatment for men and women. Its secretariat was currently provided by the Secretariat of State for Social Emancipation, which proposed the agenda for the Committee, prepared the decisions and supervised their implementation. Matters dealt with were, for example, proposals for positive action, night work for women, and the preparation of Belgian positions on draft directives of the European Community.

41 An effective policy for the emancipation of women required a number of instruments to back it up. The Secretariat of State for Social Emancipation had worked hard to provide such an infrastructure. Steps had been taken to acquire an appropriate staff and budget. The secretariat had been allocated a budget of 12.8 million Belgian francs in 1986, and it had risen by 1989 to 65 million Belgian francs. Since September 1987, the Secretariat of State had had a temporary staff of 10, and the aim was to secure a larger and permanent staff.

42 Questions had been asked about the results of the campaigns carried out by the Secretariat of State. A major campaign had been launched in November 1986 on sexual harassment in the work-place. In addition to posters and stickers, two publications had been put out: a brochure for men and women workers and a document kit for supervisors. The campaign had received a good deal of attention and many people had written or telephoned to the Secretariat of State to report sexual harassment at their own work-place. The campaign had encouraged trade unions and employers' organizations to take up the problem. It had also encouraged the Commission on the Employment of Women to make a survey of means for legal action in cases of sexual harassment. In January 1989, the Commission had issued an advisory opinion containing proposals for adapting the law so as to provide better protection against undesirable sexual attitudes. Regulatory measures were currently being studied on the basis of the opinion.

43. As part of the campaign "Asking for trouble?", two brochures, a poster and a document kit had been distributed. That campaign had also met with a very satisfactory public response and had been welcomed by the police and the

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gendarmerie On the basis of the documents, the gendarmerie had been given new instructions for interrogating victims of sexual violence The brochures and the documents were currently part of the training materials used by the gendarmerie and the police

44 It was too soon to evaluate the campaigns to encourage girls to consider the labour market when choosing courses of study, but the many requests for material received implied considerable interest in the topic A telephone survey had shown that 42 per cent of teachers had prepared courses using the documents provided On the occasion of the local government elections in 1988, a campaign had been organized in the media with a view to increasing the number of women elected A survey held on election day showed a 2 85 per cent rise in the number of women elected Women currently constituted 13 9 per cent of the membership of local councils.

45 Several questions had been asked about Belgian policy regarding special measures of the kind envisaged in article 4 of the Convention The Secretariat of State arranged agreements with commercial firms in that connection As part of the agreement, it made an expert available to the firm The experts came from the Management Institutes of the Universities and were paid by the Secretariat of State A recent executive order for the civil service required all the services to take positive action No actual sanctions were envisaged, but a report was to be presented to the Government each year listing the advances made Particular importance was attached to positive action because it had become clear that, despite the laws against discrimination and the provisions for equal treatment, inequality of men and women in the labour market remained a fact Equal treatment was not enough to remedy that situation and a plan of positive action was needed to promote equality of opportunity and eliminate de facto inequalities

46 On the question of action taken by Belgium to improve the image of women in the media, she said that the Secretariat of State had recently signed an agreement with the television networks for positive action

47 On prostitution, she said that while prostitution as such was not prohibited in Belgium the exploitation of prostitution and the prostitution of minors were criminal offences Belgium thus accepted prostitution as a private activity but rejected organized prostitution The underlying notion was that the prostitute was a victim who should not be punished but that those who exploited her should The Secretariat of State for Social Emancipation had made a survey of prostitution and appropriate measures were being studied Priority would be given to fiscal and social security measures that could help prostitutes who wished to do so to abandon prostitution

48 There were provisions in the Penal Code for punishing rape but the definition was so restrictive that many rapes could not be prosecuted A draft law was being considered by the Chamber of Deputies, redefining the offence more broadly Rape within marriage would also be punishable under the new law The Government had proposed some technical amendments to the draft law and the appropriate special committees of the Chamber and the Senate were considering them jointly with a view to saving time

49 On the representation of women in political life, she said that, with a view to increasing the number of women in advisory and decision-making bodies, the

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Secretariat of State had prepared a draft law requiring the two-thirds rule to be respected in their composition. A working group was currently making a feasibility study of the draft.

50 Education was mixed in both public and private schools in Belgium, but parental pressure meant that single-sex schools continued to survive. In Belgium, as in other countries, co-education was beginning to be questioned on the grounds that boys and girls matured at different rates and also that, in a mixed system, girls were at a disadvantage. No school, however, could refuse to enrol a child on grounds of sex. There were problems regarding the employment of girls in non-traditional sectors. Employers were not easily persuaded to hire girls, but the Secretariat of State was seeking to alter the situation through positive action within firms. On the advice of the Commission for Education, the Minister of Education had sent a circular to all schools instructing them to avoid sexism in textbooks.

51 The Committee had asked for statistics regarding the position of women in the labour market. The percentage of gainfully employed women had risen from 33 per cent in 1970 to 40.7 per cent in 1987. The statistics for age groups showed that women were remaining longer in employment. The participation rate for the age group 25-29 years had been 49.7 per cent in 1970 and, for the age group 30-34 years, 39.3 per cent. In 1987, those percentages had risen to 77 per cent and 72.9 per cent respectively. Women were chiefly active in the tertiary sector, which accounted for 57.6 per cent of women's employment. In both the private and public sectors, the percentage of women executives varied between 10 per cent and 12 per cent. Eighty-seven per cent of part-time workers were women and part-time work for women had risen from 16.3 per cent in 1981 to 24 per cent in 1987. The unemployment rate for women was 15 per cent and for men 7 per cent. Women accounted for 64 per cent of youth unemployment and 65 per cent of long-term unemployment. Women's average wages were 25.6 per cent less than those of men.

52 On protection for maternity, she said that any woman in gainful employment could claim 14 weeks' maternity leave. For the first month, the employer paid the regular wage. After that, the rest of the leave was covered by an insurance benefit of 75 per cent of gross pay. The percentage had been established so that, given the usual withholding from gross salary, the woman received the same net income as she did at work. A career break system was also in force in Belgium. A wage-earner was entitled to a career break of at least six months and up to one year, which could be prolonged, for any reason. The maximum period was five years. In the civil service, career breaks were a right. In the private sector, the employer's agreement was required. If the person requesting a career break was replaced by one of the unemployed, an allowance was given of 10,504 Belgian francs a month. In January 1988, the amount had been increased by 2,000 Belgian francs, provided the break took effect in the 12 months following the birth or adoption of a second or later child. Currently, 30,280 wage-earners were on career breaks, of whom 84.7 per cent were women. In general, the career break took place between 25 and 39 years of age. The figures showed that in most cases it was women who used the opportunity in order to care for their children.

53 On night work for women, she said that the prohibition was currently being discussed. The social partners had been consulted, in implementation of a decision of the Ministerial Commission on the Status of Women, but had not yet reached a decision. Belgium had ratified ILO Convention No. 89 on night work for women and

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was required to comply with it. Belgian legislation on night work for women was, however, stricter than envisaged in the Convention. Accession to the Convention was subject to review every 10 years and the next review could take place in 1991. Discussions were currently taking place on whether or not Belgium should continue to abide by the Convention.

54 Regarding access by women to the army, the gendarmerie and the police, she said that changes had recently been made in the physical tests, which many women had previously failed. According to the most recent available figures, there were 3,500 women, including 165 officers, in the Belgian army. Most of them were employed on office work. There were 22 women in the gendarmerie.

55 Belgium had an extensive system of day care, through nurseries and kindergartens and through foster families. If the foster families were State-approved, they were subsidized, like the nurseries and kindergartens, by the communities. There were also many private foster families. Since the law on tax reform, 80 per cent of child-care costs were reimbursable. The Commission on Women in Employment had devoted a study day to the child-care system in Belgium. It had emerged that there were still problems in regard to care for sick children, care during holidays, and care before and after school. Attention had also been drawn to the problems that arose with the establishment of flexible working hours.

56 Questions had been asked about the problem of fertilization in vitro and about abortion. In response she quoted a statement made by the Prime Minister in Parliament in May 1988, describing the Government's intention of setting up a Scientific Council on biomedical ethics to study the first problem and of instituting measures, including sex education, family planning and special allowances to assist single and disadvantaged mothers, with a view to preventing the situations that gave rise to abortion.

57 A bill had been submitted to Parliament with a view to legalizing abortion provided that it was performed by a doctor within 12 weeks of conception, in a health centre equipped with an information service assisting and counselling pregnant women in respect of social and psychological problems, the statutory rights, support and entitlements, and the possible adoption of the child to be born. The bill further provided that the doctor must inform the woman of the medical risks inherent in the operation and draw her attention to the various options for the care of the child to be born, that the abortion must be performed six days at the earliest after the initial visit to the doctor, on the basis of a written statement of intent to be made by the patient on the day of the operation, that a qualified person from the health centre must inform the woman on contraception, that no member of the medical staff was obliged to assist in an abortion; and that after 12 weeks an abortion might be performed only in the interests of the health of the woman, or if it was established that the child to be born would suffer from a serious and incurable disorder. She was unable at the moment to give any information on the conclusions of the debate in Parliament.

58 Women's organizations played a lobbying role, and the major organizations were represented on the Emancipation Council, which advised the Secretary of State for Social Emancipation. The organizations with the largest membership were those associated with specific ideologies such as the Catholic, socialist and liberal movements. In addition, women's groups were also active within the various

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political parties, and many women's organizations focused on specific issues such as support for victims of violence or migrant women. However, many of those organizations were in financial difficulty.

59 A recent law on filiation, providing for equal treatment for all children, had eliminated the distinction between legitimate and natural filiation. Furthermore, discrimination between married and single mothers had also been eliminated since, in either case, the mother's name was recorded on the child's birth certificate, making it unnecessary for a single mother to acknowledge or adopt the child.

60 Ms TALLAWY thanked the representative of Belgium for her replies and asked her whether there was an explanation for the wide discrepancy between the unemployment rates for men and women, i.e. 7 per cent and 15 per cent respectively.

61 Ms MONBALLYU (Belgium) said that she would reply to that question in her country's next written report.

62 Ms SINEGIORGIS thanked the representative of Belgium for providing such comprehensive replies despite the short time allowed for their preparation.

63. The CHAIRPERSON, speaking on behalf of the Committee, thanked Ms Monballyu and congratulated the Government of Belgium for ratifying the Convention and taking such important measures to improve the status of women, which reflected its commitment to their cause. She hoped that the Committee had helped to highlight issues relevant to the improvement of the status of women for the further development of the Government's policies, and looked forward to its second and third periodic reports.

64 Ms Monballyu (Belgium) withdrew.

ADOPTION OF THE AGENDA AND ORGANIZATION OF WORK (continued)

65 The CHAIRPERSON announced that, owing to illness, Ms Escobar would unfortunately not be able to attend the session at all.

66 She invited the Committee to resume consideration of the report of Working Group I on organizational matters (Working Paper No 1/Rev 1), and to consider the statement of financial implications in document CEDAW/C/L 6.

67. Ms TALLAWY said that Working Group I had focused primarily on the procedure for the consideration of the second periodic reports of States parties, and reached the conclusion that a five-member pre-session working group should be set up for that purpose. The Secretariat had been requested to look into the financial implications of such a working group before the proposal was considered as a formal recommendation. In that connection it had been proposed to dispense with interpretation during the meetings of the pre-session working group in order to reduce expenditure and make the proposal more acceptable to the Economic and Social Council.

68 The CHAIRPERSON drew attention to paragraph 4 of document CEDAW/C/L 6. She invited the Committee to consider only the figures in brackets relating to a three-day session, and to disregard the statement of interpretation costs since it was proposed to dispense with interpretation.

69. Ms BERNARD questioned the need for three additional staff members for the sessions held in New York, considering that Ms Creydt would already be there in preparation for the regular sessions of the Committee

70 The CHAIRPERSON thought that typing services would certainly be required

71 Ms CREYDT said that she normally arrived in New York only one day ahead of the regular session, but that staffing requirements could conceivably be reduced to one Professional staff member and one General Service staff member to provide typing services for the three days

72 Ms TALLAWY thought that the costs stated in document CEDAW/C/L 6 were reasonable and that it would be safer to secure the services of three staff members, at least on an experimental basis, especially since besides typing, documents would have to be processed analytically

73 Ms UKEJE supported the view expressed by Ms Tallawy

74 Ms BERNARD said that although she could go along with the general view, her sole concern had been to present an acceptable figure to those responsible for clearing the financial appropriation, in the light of the Organization's financial difficulties

75 The CHAIRPERSON said she took it that the Committee approved the figures in brackets in part I of the statement of financial implications in paragraph 4 of document CEDAW/C/L 6

76 In reply to a question by Ms SCHOPP-SCHILLING, the CHAIRPERSON said that, as she saw it, the proposed pre-session working group would operate most efficiently if Committee members were to submit their questions in advance, although they could not, of course, be required to do so. In that way, by the time the session opened, members should find that their particular concerns had already been incorporated in the set of questions prepared for submission to the representatives of the reporting States

77 Ms OESER suggested that the procedure might be clarified by adding to subparagraph (b)(iii) of Working Paper No 1/Rev 1 a deadline of one or two days for the submission of additional questions during the session itself

78 Ms LAIOU-ANTONIOU thought that the new system for examining second periodic reports tried out at the present session had not proved very satisfactory. She had doubts about the advisability of the proposed pre-session working group

79 Ms ALFONSIN DE FASAN said that a five-member working group should be able to compile most of the questions before the session opened, leaving members free to raise any individual concerns during the session itself. In her view, the proposal should help to expedite the Committee's work

80 Ms SINEGIORGIS considered that the experiment tried out at the present session had worked very well, particularly in the case of the German Democratic Republic, whose replies to questions had been highly satisfactory. At the same time, she agreed that the individual input of each member was of great importance and felt that Ms Oeser's suggestion could be developed to take that factor into account. In her view, the proposal, which was similar to the procedures followed by other treaty bodies, should be given a trial at the next session

81. The CHAIRPERSON suggested that the following phrase should be added to subparagraph (b)(111)d of the report "Members should be given one or two days to propose additions to the list of questions"

82. Ms OESER said that she could agree to that suggestion. The effectiveness of her proposal would depend on the pre-session working group providing members of the Committee with the prepared set of questions on the first day of the session, thus enabling them to check whether or not their personal concerns had been covered. They could then proceed to hand in any additional questions they might wish to raise. However, she believed that the amendment fitted better in subparagraph (b)(111)e

83. Ms NOVIKOVA said that she foresaw difficulties with the proposal under consideration in view of the financial constraints under which the United Nations was at present operating. It was essential for the Committee to adopt a realistic decision. In her view, the arguments in favour of establishing a pre-session working group were not soundly based and she was yet to be convinced of the need for it.

84. Ms FORDE said that, if the financial situation made it possible to establish the proposed working group, members of the Committee should be offered a choice between submitting their questions between sessions for incorporation in advance, or handing them in during the first day or two of the session itself.

85. Ms SCHÖPP-SCHILLING said that, if additional questions were handed in after the opening of the session, a further group would be needed to incorporate them into the set of questions prepared in advance. In her view, the Committee had to set up an efficient system that was capable of coping with the backlog of reports and should therefore call upon members to submit their questions in writing in advance of each session.

86. Ms LAIOU-ANTONIOU said that, when Working Group I had been preparing the set of questions relating to second periodic reports, some proposals had been accepted for inclusion and others rejected. Generally speaking, if the proposer of a particular question had been present to explain its purpose, it had been accepted, while others had been discarded. In her view, the same process was likely to recur at meetings of the pre-session working group. Furthermore, the result would be to bureaucratize the work of the Committee and to lose the living element of interaction with the representatives of States parties.

87. Ms CORTI said that Working Group I had not in fact proceeded in quite the way described by Ms Laiou-Antoniou. In the case of the German Democratic Republic, for example, it had found a considerable degree of duplication in the questions posed and had tried to eliminate repetition. However, she agreed that there was a certain danger of bureaucratization and of losing contact with country representatives. Moreover, complex questions often became much clearer when they were presented orally. Nevertheless, she felt that the proposed new procedure, as amended by Ms Oeser, was worth a trial and supported it.

88. Ms UKEJE expressed concern over the bad impression that might be created if the Committee continuously made requests with financial implications that were subsequently turned down.

89. Ms. BERNARD said that she understood Ms Laiou-Antoniou's wish not to lose direct contact with the representatives of States parties and shared Ms Ukeje's concern over the financial constraints. There was, however, an imperative need for

((Ms. Bernard))

the Committee to find ways of expediting its work and she considered that, if the financial resources were available, a pre-session working group should be set up on a trial basis. She suggested that it might be preferable to re-word subparagraph (b)(iii) of the report in positive terms, along the following lines "Every expert will at all times retain the right to raise matters with the States parties."

90 The CHAIRPERSON recalled that a similar proposal made in 1988 by the Committee on Economic, Social and Cultural Rights, after its request for a third week had been turned down, had been accepted. With regard to the workload, nine initial reports and thirteen periodic reports at present awaited the Committee's attention. The purpose of the proposal, it should be noted, was not to bureaucratize the Committee's work, but to expedite it.

91 Ms. PILATAXI DE ARENAS said that in her view the procedure followed at the present session for the examination of second periodic reports had been positive and should be continued. As far as initial reports were concerned, she had some reservations. It seemed to her that it would be preferable to proceed as in the past, by reviewing initial reports on the basis of individual comments.

92 Ms. LAIOU-ANTONIOU said she felt obliged to state that she was not in favour of the present proposal, believing that the Committee should insist on a three-week session, however tiring it might be for members. In her estimation, that was the best solution. As several experts had pointed out, contact between the Committee and the representatives of State parties was vital to its work, and many representatives had themselves said how inspiring they found the whole process. If that direct contact was lost, the Committee would impair its own usefulness.

93 The CHAIRPERSON said that a three-week session had already been refused and was no longer under consideration. The Committee was now called upon to come to a decision on an alternative proposal put forward by Working Group I.

94 Ms. SINEGIORGIS said that all members would no doubt be delighted if Ms. Laiou-Antoniou's solution were attainable. Unfortunately, it was not. Moreover, article 20 of the Convention stated that the Committee should normally meet for a period of not more than two weeks, so the proposal for a three-week session would require an amendment to the Convention, or the adoption of exceptional measures. That being so, it was important to take a practical approach.

95 Ms. GUAN Mingqian said that the Committee had spent too much time discussing the proposal. She suggested that it be adopted on an experimental basis.

96 The CHAIRPERSON said she took it that the Committee wished to adopt in principle the report of Working Group I on organizational matters, subject to drafting changes to be incorporated at a later stage.

97 It was so agreed

98 Ms. SINEGIORGIS said that the mandate of the pre-session working group should be amended to make clear that its five members would come from different regions and would serve for a period of two years.

99 Ms BERNARD suggested that the Committee proceed to appoint members and their alternates

100 The CHAIRPERSON said that the principle of rotation and the question of membership would be the subject of informal consultations

The meeting rose at 5 10 p m