



Convention on the Elimination
of all Forms of Discrimination
Against Women

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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Ninth session

SUMMARY RECORD OF THE 161st MEETING

Held at Headquarters, New York,
on Monday, 29 January 1990 at 3 p.m.

Chairperson: Ms. EVATT

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The meeting was called to order at 3.05 p.m.

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

Initial report of Turkey (CEDAW/C/5/Add.46 and Amend.1)

1. At the invitation of the Chairperson, Ms. Dogramaci (Turkey) took a place at the Committee table.
2. Ms. DOGRAMACI (Turkey) introducing her country's initial report said that the principle of equality of men and women had formed part of the ideas of Kemal Atatürk, founder of the Republic of Turkey. That principle had been embodied in the 1926 Civil Law, which had abolished polygamy and recognized civil marriage only. It had also granted women the right to sue for divorce, have guardianship of their children and own and inherit property on equal terms with men. In 1934, universal suffrage for everyone aged 21 years and over and the right to stand for Parliament for everyone aged 30 and over had been introduced. Recently, the voting age had been lowered to 18 years.
3. The Turkish Constitution prohibited discrimination between men and women, and indeed discrimination of any kind, as a concept foreign to the Turkish temperament and to Islamic tradition. However, it was not the law itself that was important but its interpretation and implementation. In practice, there was a striking difference in the status of women between the various regions. In western Turkey, where living standards were higher and there was a large urban population women enjoyed a position of equality with men. In the eastern part of the country, however, the stereotyped role of women in society tended to persist although motherhood was honoured.
4. Interestingly, Turkey had not become as conscious of women's rights as other countries. In part, that might have a linguistic cause: job advertisements were not gender specific because there was only one word to identify members of both sexes. Moreover, there was no differentiation between "Mrs." and "Miss": a woman's title was the same whatever her marital status.
5. The status of women in Turkey was closely related to other questions, such as rapid population growth, which had kept women in the home and prevented them from realizing their full potential, and they had also suffered the adverse effects of worsening economic, education and health service problems. From 13.6 million in 1927, Turkey's population had increased to over 50 million by 1985. Great efforts had been made to educate the population about family planning and in the use of birth control but, despite large-scale nation-wide campaigns, little progress had been made in rural areas, where illiteracy was still prevalent. Although the population was still increasing, however, the growth rate was slowing.
6. The problem of illiteracy in Turkey had, inevitably, been magnified by the rapid increase in population, which had resulted in an increase in illiteracy between 1975 and 1980. Women accounted for most of the illiterate population, a

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factor which prevented them for realizing their full potential. After the 1980 general literacy campaign, however, the figures had gone down in both absolute and relative terms. In 1985, 32 per cent of women had been illiterate as compared with 45 per cent in 1980. The aim was to reduce the rate to 10 per cent by the early 1990s.

7. At the school level, the difference between the male and female population was less obvious. Figures pointed to an increase in the percentage of girls completing the various levels of education. A larger percentage of women than men completed formal primary and middle school education but a greater percentage of men than women completed high school or university education. Other types of educational facilities were attracting girls and women, however, such as schools of applied handicrafts, adult literacy centres and ceramics training centres. There were also television programmes specially designed for women to help raise their level of social and formal education.

8. The number of women in higher education was just over half that of men. Since entrance to university was determined by competitive examination, however, the candidate's sex was not taken into consideration. Almost all university students were entitled to State scholarships.

9. The distribution of students in the various subject areas suggested that women preferred some disciplines while men preferred others. There were more women than men studying literature, languages and art. Men predominated in the technical sciences and the social sciences, although there were more women than men pursuing mass communication and media studies.

10. With very few exceptions, there was no discrimination in Turkish legislation between men and women with respect to employment, and there was equal pay for equal work. Very few top-level jobs, however, were held by women. That was partly because of the lower educational level of the average woman and partly because fewer women received vocational training. None the less, that could also be attributed partly to what might be called Turkish women's "poverty of desire". Married women, in particular, preferred work which was not too demanding and would allow them to fulfil their roles as wives and mothers too.

11. One very obvious place where there were few women was Parliament. In the first Parliament elected after the granting of universal suffrage, there had been 18 women, and that figure had never been matched since. There were probably various reasons: it might be partly due to the fact that Turkish women had not had to fight for the right to be elected or to the fact that political parties were not confident in the ability of women candidates to attract votes. Turkey now had, for the first time, a woman minister - the Minister of Labour and Social Security - chosen from among representatives of the Government party. Whether that situation of inequality could be ignored and left to correct itself, or whether active measures should be taken to encourage more women to enter politics, was a subject which deserved serious consideration. Various efforts had been made to introduce legislation whereby, in elections, 20 to 30 per cent of each party's candidates would be women, but that recommendation had yet to be accepted.

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12. In other areas, there were women in posts of great responsibility. In the country's 29 universities, there were women rectors, deans and heads of department and, according to the latest statistics, women made up 34 per cent of the teaching staff. Women had also distinguished themselves in the legal profession, as doctors, surgeons, bank managers and senior administrators, and in the world of business. Since the founding of the Republic in 1923, the distribution of women in the work force had changed radically. There had been a gradual shift from agriculture to industry and technical occupations which reflected the general economic trend in the country.

13. There was almost no discrimination against women in employment, with the exception of the armed forces. Women could, and did, join the armed forces and hold officer rank, but their participation was limited to educational and administrative spheres. Apart from that, there was only one post that, by law could not be held by a woman - that of regional governor ("Kaymakam"). The law in question was an old law upheld by tradition. It was clearly an anachronism, since women could hold other, more senior, administrative posts, and it was now in the process of being changed. There were also certain types of heavy or dangerous work for which it was illegal to employ women. That was not a question of discrimination against women, but of protection. Women could not be employed in underground or under-water work, on road or railway construction, in foundry work or in work using explosives. There were special rules for the protection of women who worked at night, particularly for their safe transportation to and from work.

14. Certain privileges were also granted to pregnant women and nursing mothers. Women had the right to six weeks' paid leave before giving birth and six weeks after delivery. If they wanted to, they could take a further six months' unpaid leave. Husbands were entitled to three days' paid leave. Nursing mothers also had certain rights; for example, they were given two half hours off each day, counted as working time, to feed their babies. Any establishment employing more than 100 women must have a special nursing room and, if there were more than 300 women, must provide a nursery. Free maternity and paediatric services were run by the State. More and more organizations provided crèches and pre-school facilities for the children of their employees.

15. Employment legislation attempted to establish a balance between two important constitutional principles: everyone had the right and the duty to work; and the family was the foundation of Turkish society. Regarding social and economic benefits, all public and private sector employees had the same rights to retirement, a pension and health services. Housewives benefited from the new "Bag Kur" insurance system and, by paying a monthly contribution regulated by law, had the right to retirement, to receive a pension and to health services. Furthermore, when one of the spouses was unemployed, the other received a larger family allowance. There were also subsidies for the education of children at all levels.

16. With regard to Turkey's reservations to articles 15 and 16 of the Convention a committee had recently been established in Parliament to review the entire Civil Code and to propose to Parliament all the changes necessary in the provisions which

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discriminated against women. The Civil Court had just ruled in favour of the right of married women to retain their maiden name. She was sure that all reservations would be withdrawn before the second periodic report was submitted.

17. The CHAIRPERSON, speaking as a member of the Committee, pointed to the tremendous differences in the status of rural women, despite the fact that almost half of the population of Turkey lived in the countryside. She requested more information on those differences, particularly in relation to the education and health of rural women.

18. Ms. FENGER-MOLLER pointed to the discrepancy between the text of the Constitution of Turkey, which established equality between men and women, and the comments made by the representative of Turkey regarding the provisions of the Civil Code. Although the introduction of amendments to the Code was being studied, it was important for the Committee to know what was being done and what was planned for the future. The report and its amendment showed up those discrepancies, especially with regard to the right to work, since Turkish women must ask their husbands' permission in order to exercise a right that could be used as grounds for divorce. She asked about the consequences of divorce for the children, what the woman could do in such a case and where she would live if the husband had the right to the family home and, as head of the family, made all decisions regarding it. She also asked how the right to work could be considered an option for women under those conditions. That reservation related to equality under the law, equality in marriage and in the home and the right to work. She wondered how a right which depended on another person's permission could be guaranteed. She requested further clarification of the meaning of paragraph 35 of the amendment to the report, given Turkey's intention of withdrawing its reservations.

19. Ms. LAIOU-ANTONIOU noted the contradictions of the report, which gave the impression that Turkish women had been left to themselves in their struggle for equality. The majority of Turkish women were oppressed by illiteracy, social prejudice, lack of information, lack of social infrastructures and legal barriers and discrimination. They did not receive equal pay for equal work, nor did they have equal access to employment. The number of working women had declined, since women were considered "dependent" persons, like minors. Some parts of the report did not do justice to Turkish women and blamed them for not wanting to hold senior positions, especially married women for not wanting more demanding work. Such a statement could only be made if women had sufficient day-care centres to meet their needs, if men shared responsibilities equally and if women enjoyed equal opportunities in education and employment. She wondered whether the report had been studied by women's organizations.

20. Ms. OESER commented that problems related to the economic system affected not only women, but society as a whole. She requested clarification of the statement in the report that women might receive more favourable treatment than men and asked whether the reservations entered by the Government of Turkey, on ratifying the Convention, to the various paragraphs of article 15, above all those regarding the right to enter into contracts, the rights of both sexes in marriage, and the

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surname used by the wife must perhaps be analysed in that context. That could in no way be considered as favouring women. Regarding the wife's surname, she requested more information on the explanation given in the report regarding court decisions, and asked how that represented a more favourable situation when the report referred at one point to ideal equality and later on to equality in practice, and in another paragraph stated that the situation would be ideal once some legal provisions were amended. What was meant by those contradictions: was there equality or inequality, what was ideal about the situation and what had been the basis for the Government's reservations?

21. Ms. CORTI said that the 1984 Constitution of Turkey was a setback compared to the one adopted in the days of Atatürk, because the role of women remained subordinate to that of the family. She requested an explanation with regard to the literacy rate, given the statistical inconsistencies of the report. There was no mention in the report of the instruments responsible for implementing equality of the sexes, or of the role of women's organizations. It would be important to know what those organizations were doing for rural women. Regarding the review of rights described as discriminating in favour of women, she asked whether that review was a positive or negative one.

22. Ms. PILATAXI DE ARENAS endorsed the comments made by earlier speakers. She asked why, as stated on page 3 of the report, Turkish women still had some unsolved problems which were closely bound up with the changing economic system and social structure, and why the pessimistic statement was made that many new problems would arise for women in the near future. She requested clarification about the changes planned in the Civil Code and their current legal status.

23. Ms. AKAMATSU expressed disappointment at seeing so few women in the streets of Istanbul during her recent visit to that city, bearing in mind that women comprised half the population of Turkey and, according to the report, many were studying at the universities. She asked whether Turkish women were active socially, if there were prohibitions on walking in the streets or if it was considered dangerous for them to do so.

24. Ms. GUAN Mingqian agreed with the analysis of the experts who had already spoken to the effect that, notwithstanding the official position in Turkey, in practice manifestations of discrimination against women could be observed, although the report stated that it was dangerous to generalize because of the substantial differences existing between different areas of the country.

25. She congratulated Turkey on recent advances in the status of women, such as, for example, the creation of a national agency dedicated to women, the concession to married women of the right to retain their own names and the substantial reduction in the rates of illiteracy among women.

26. She referred to the statement on page 3 of the report to the effect that "Turkish women today have some unsolved problems", which were closely linked to "the changing economic system and social structure". She inquired what those problems were.

27. Ms. GONZALEZ-MARTINEZ agreed fully with the comments of Ms. Fenger-Moller.
28. Ms. SCHOPP-SCHILLING said that she shared the concern of previous speakers at the reservations to the Convention made by Turkey.
29. Although Turkey was a secular State in which there was separation between State and Church, it was known that in recent years Islamic movements which supported the strictest application of Islamic law had sprung up in the country. She would like to know how important such movements were in Turkey and how they influenced the situation of women in education, employment and other areas.
30. Ms. NOVIKOVA referred to the statement in paragraph 6 of document CEDAW/C/5/Add.46/Amend.1, that "discrimination ... is basically foreign to the Turkish temperament". In fact, the status of women was determined by cultural traditions, by the political and socio-economic situation, by the characteristics of the country and by historical factors; the reference to "temperament" was not sufficient and touched only one aspect of the problem. In the report presented by Turkey, there seemed to be a tendency to make women responsible for their own inequality. The report was the first submitted during the current year in which such a tendency had been noticeable and clearly reflected an uncritical analysis of the situation. In addition, she agreed with the statement at the end of paragraph 6 that "it was not however the law itself that is of paramount importance, but the interpretation of the law and its implementation". She therefore requested additional information on the means whereby the Government proposed to implement the concept of equality.
31. She had known many Turkish women, particularly members of the trade union movement and had been surprised by their heroic efforts to enter the labour market and to be given equal treatment.
32. In paragraph 8 of the report it was stated that "Turkey has not yet become conscious of 'women's rights' as have many countries. This may, in part, have a simple, linguistic cause." That was clearly one of the factors which had influenced the situation of women but it could not be regarded as the only cause of that situation. She would like to know what Turkish men and women thought about their rights because the attitude of public opinion determined to a large extent the awareness of women.
33. In paragraph 16 of the report it was alleged that the reason why women did not occupy more managerial posts was their "poverty of desire". Such a statement reflected a superficial analysis of the problem. It was not their fault that they faced difficulties in making progress; it would be very easy to blame them for not occupying positions of responsibility. The situation of women depended completely on the conditions created by society. Women could only advance if society helped them and gave them proper protection. She wished to know if studies on the status of women were being undertaken in universities and research institutions.

34. Ms. LAIOU-ANTONIOU, referring to article 2 of the Convention, cited article 50 of the Constitution of Turkey in which it was declared that "no one shall be required to perform work unsuited to his age, sex and capacity. Minors and women ... shall enjoy protection with regard to working conditions". In her view, that provision raised the possibility of different forms of discrimination against women, bearing in mind that the sex of a person was an important factor in connection with the provision of protection, hiring and other matters. In addition, in the current case, minors and women were placed in a situation of equality which could prove to be an obstacle to the employment of women. The provision was not consistent with article 2 of the Convention. She would like the representative of Turkey to clarify the point.

35. It was also stated in the report that "the woman has been given a special importance and priority from the viewpoint of her duties and functions within the family and the society, in view of her natural characteristics." It would seem that no provision existed which referred to the duties and responsibilities of the men in the family: the report made no reference to the function of men in the family structure and society. The reference to the "natural characteristics" of women opened the door to discrimination and accordingly she would welcome the comments of the representative of Turkey.

36. Ms. GUAN Mingian referred to article 10 of the Turkish Constitution which guaranteed the equality of all before the law. Later in the report it was stated that "some points [of the Turkish Constitution and Codes] that derange the equality between two sexes cannot be ignored". She would like to know exactly what those points were.

37. The CHAIRPERSON, speaking as a member of the Committee, said that the reports of a number of non-governmental organizations had claimed that some Turkish women who were in prison had been subjected to torture and rape. She would like to know if women in Turkey had the same rights as men to be represented by lawyers, to be tried in a court and to be protected against torture.

38. Ms. OESER, in connection with article 3 of the Convention, referred to a comment in the report to the effect that, notwithstanding the regulations, "there are some trends that prevent women's appointment as governor for cities and towns". She would like to know what those trends were and why it was considered that "only some time is necessary" before they disappeared.

39. In general, article 3 of the Convention should be interpreted as an obligation assumed by States Parties to adopt measures in all areas in order to advance the full development of women. Clearly, that assumed the active participation of those same women. She would like to know if women's organizations exercised political influence in Turkey and if the Government and authorities had consulted them before adopting decisions or measures relating to the application of the Convention.

40. Ms. GUAN Mingian referred to the statement that the disappearance of a number of traditional trends was only a question of time. In the experience of China, it was very difficult to eliminate traditional trends and more time was needed for that purpose than was required to promulgate a law or regulation. She would welcome the comments of the representative of Turkey in that connection.

41. Ms. LAIOU-ANTONIOU, referring to article 3 of the Convention, expressed satisfaction that a national agency for women had been established; she would like however to receive hard information on the budget, staffing and degree of decentralization of the relevant body.
42. Ms. CORTI, referring to article 4 of the Convention, said that the information presented in the report was very meagre. In the relevant paragraph it was stated that "there are a few special and legal decisions of the Court of Appeal to accelerate the 'ideal' equality between the rights of men and women". She would like to know what was considered to be "ideal equality".
43. As a further example of the article's application, it was stated that married women were entitled to use their maiden names. It would, however, be useful to know of other ways in which that article was applied, it being a most important provision, particularly if that type of equality was not already enshrined in law or in practice. She also wished to know if the Turkish Government intended to take provisional measures to implement article 4.
44. Ms. BUSTELO GARCIA DEL REAL, referring to article 5 of the Convention, requested additional information on measures adopted to change social and cultural patterns in women's employment, with a view to eliminating the prejudices and habitual practices which accorded stereotyped roles to men and women in society. That article of the Convention was fundamental in complementing other measures mentioned in the report, such as those relating to the better integration of women in education and the employment market. In specific terms, she believed that some of the information and comments contained in the report reinforced social and cultural patterns which impeded the advancement of women or indicated a certain complacency on the part of public opinion in that regard.
45. The section of document CEDAW/C/5/Add.46/Amend.1 on education stated that certain areas were favoured by women and others by men; that was apparently seen as something natural which did not require any change. According to the findings of research and studies, women chose certain professions because they were encouraged to do so by traditions, and those professions were generally the lowest paid or the least respected in society. With regard to employment (para. 16), there was a reference to the "poverty of desire" of the Turkish woman. She wished to know whether Turkish women endorsed that judgement, what men and the Turkish Government thought in that respect and whether there were plans to take measures so that men and women would have similar responsibilities in respect of family and children.
46. The initial report of Turkey stated that Turkish women who gave up their jobs on marriage were entitled to an indemnity. She wished to know whether the indemnity was granted only in the case of women and, if that was considered to be an advantage for women, on what that opinion was based. According to the report, women were also prohibited from engaging in certain types of work and, in the armed forces, women could rise only to a certain level. She wished to know the reason for such prohibitions and whether there were any plans to amend them. She also wished to know if women were prohibited from carrying out certain types of jobs for health reasons and whether any types of jobs were prohibited to men.

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47. In conclusion, she expressed her surprise that the list of events in Turkish history demonstrating the progress of women towards equality should include the election of Miss Turkey as Miss World in 1936. That indicated a lack of clear ideas as to the roles which men and women must play in society if equality was to be brought closer.

48. Ms. PILATAXI DE ARENAS said that she, like the previous speaker, wished to know what measures the Government had adopted to change social and cultural patterns in order to promote equality for women. She would also be interested to know whether the Convention was invoked in civil and legal issues arising in Turkey and which Government body oversaw the implementation of women's rights.

49. Ms. LAIOU-ANTONIOU requested details of the television programmes specially designed for Turkish women to help to raise the level of their social and formal education.

50. Ms. FORDE said that Turkish leaders were apparently prepared to promote the equality of women and were endeavouring to ensure the harmonization of policies and practices, in the hope of achieving better results. The section of the report on population and family structure referred to the role of women in the family and to measures adopted to defend that role; reference was also made to that role in the section concerning legislative achievements in favour of Turkish women. She wished to know the exact nature of that role, whether there was sufficient recognition of a woman's right to keep her children, ask for a divorce and decide how many children she wished to have, and whether the role she played in the family was of a primary or secondary nature.

51. Ms. BUSTELO GARCIA DEL REAL, referring to article 6 of the Convention, said that, according to the corresponding section of the report, exploitation of prostitution was already under the control of the State through articles of the Penal Code and that, in order to prevent the spread of prostitution, the Police Duties and Responsibilities Act had been extended. She wished to receive information on regulations governing the practice of prostitution and the exploitation and treatment of women as prostitutes, and to know if special treatment was accorded to juvenile prostitution, whether there were any plans to punish prostitutes' clients and whether information was available on movements in the number of women engaged in prostitution in Turkey.

52. Ms. SCHOPP-SCHILLING wished to know what the connection was between rape and prostitution, since paragraph 438 of the Penal Code stated that if, in a case of rape, the woman was proved to be a prostitute, the culprit was subject to a penalty equivalent to one third of the penalty applicable in other cases. The Turkish Constitutional Court had recently issued a judgement recognizing that paragraph as constitutional. She wished to know the repercussions of that provision, not only from the point of view of the human rights of prostitutes, but in all cases of rape. In the future, lawyers defending a rapist could try to prove that the woman was a prostitute and the victim, in her turn, would have to prove the contrary, which was very humiliating for a woman. She was therefore interested to know who

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had brought the case before the courts, what the reaction of public opinion had been to the verdict, what the current possibilities were for an amendment of the provisions of paragraph 438 of the Penal Code and whether there were groups within the political parties which could submit draft laws to that end.

53. Ms. FENGER-MOLLER, referring to article 7 of the Convention, asked what had been done to increase the number of women participating in Turkey's political life and why the legislation whereby at least 20 to 30 per cent of the candidates of each party should be women (para. 17 of CEDAW/C/5/Add.46/Amend.1) had been unsuccessful. She also wished to know what percentage of women held, as indicated in the report, posts of very high responsibility and requested more explicit clarification of what was meant in that connection.

54. Ms. CORTI endorsed the comments of the previous speaker and asked what political parties were doing with respect to the number of female members of parliament. She also asked how religious conviction related to the political decision taken by a woman when voting, given that she was doing so in a secular country. She was disappointed to receive the impression that there was no political pressure from women's movements for the active participation of women in the country's political life and requested confirmation of that impression.

55. Ms. BUSTELO GARCIA DEL REAL asked for more specific details on the participation of women in political parties and trade unions.

56. Ms. GUAN Mingian wished to know more about women's organizations in Turkey and their role in the elimination of discriminatory stereotypes.

57. Ms. EVATT wished to know if a limit had been placed on the number of women who could serve as judges.

58. Ms. AKAMATSU said, with respect to article 8, that she would appreciate further details on the number of women holding public office, and particularly those serving in high-level posts as ambassadors, ministers, etc.

59. Ms. NOVIKOVA said she did not understand how the report could state that there were no restrictions on the representation of women at the international level if, on the other hand, the Government itself said that the number of women holding public office was insufficient.

60. Ms. FORDE requested, in connection with article 9 of the Convention, clarification as to whether mothers could legally pass on their nationality to children in the same way as men.

61. Ms. PILATAXI DE ARENAS, referring to article 10, asked whether the Turkish Penal Code provided for sanctions against fathers who cut short the education of their children and whether the age at which young people were married, which in certain cases required judicial authorization, was not considered premature. With regard to higher education, she asked why, if entry to university was based on

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(Ms. Pilataxi de Arenas)

competition, there was such a disparity between men and women. She also wished to know which applied handicrafts were offered to girls between the ages of 10 and 14, because in her opinion they would encourage girls to abandon their formal studies. She praised the progress made in the field of literacy and asked for details of the literacy plan which was being implemented.

62. Ms. WALLA-TCHANGAI said it seemed to her that women were caught in a vicious circle: their wages were low because they did not have the same educational opportunities as men and they married very young. She asked how the law establishing the minimum age of marriage at fourteen was applied in the rural sector and whether it did not constitute an obstacle to education.

63. Ms. FENGER-MOLLER asked what was being done with regard to the high rate of illiteracy among women and, in connection with compulsory education, whether parents did not permit their sons to go to school or that applied only to daughters, and what the distribution of boys and girls was between the private and public schools.

64. Ms. LAIOU-ANTONIOU asked whether education was completely compulsory and what the travelling women's courses (CEDAW/C/5/Add.46, p. 9) consisted of. She asked whether there had been changes in the stereotypes contained in school textbooks and why the illiteracy rate was declining for men but rising for women.

65. Ms. ALFONSIN DE FASAN emphasized the importance of educational programmes in changing the stereotypes appearing in textbooks, and asked whether there was any programme to encourage women to take up non-traditional careers and if sex education stressing family planning and responsible parenthood was given in schools so that girls did not marry so early and their child-bearing was spaced out. She also asked whether the spirit of the Convention, which was not aggressive and promoted the sharing of men's and women's functions rather than changing them, was being disseminated.

66. Ms. SAYOGYO asked whether there had been changes in the distribution of students in recent years and whether efforts had been made to correct the great imbalance between men and women.

67. Ms. AKAMATSU expressed surprise at the large number of women pursuing higher education, especially engineering (table 4) and the high percentage of students in mass communications and media (table 5). She asked whether women could find employment in their areas of specialization after graduation.

68. Ms. GONZALEZ-MARTINEZ asked for more information on the great disparity in the illiteracy rates for men and women, whether there was a difference in the literacy programmes which favoured men and what happened in the case of women belonging to minorities, such as Kurdish women.

69. The CHAIRPERSON, speaking as a member of the Committee, asked for information on the differences between urban and rural literacy rates.

70. Ms. CORTI said, in connection with article 11, that specific information seemed to be lacking on the situation of women in employment. She would like a comparison between the remuneration of women and men and an explanation of why the percentage of family workers without wage (81.2 per cent) was so high. She asked for more information on what workers were referred to under this category and on the figures given for employment in the public sector. She would also point out that no mention had been made of the conditions of part-time work or of emigrant women.
71. Ms. OESER noted that, on page 10 of the report, the percentage of wage-earning women was given as 15.3, and a sharp drop in the proportion of women in the labour force to 36.4 per cent was noted, while on page 11 the proportion of unpaid family workers was given as 81.2 per cent. On which of those figures did the Turkish Government base its assertion on page 12 that the proportion of unemployed women in 1980 was 19.9 per cent?
72. In connection with maternity leave, she asked how many women took advantage of the rights referred to on pages 16 and 17 of the report and whether they had a right to return to work or the labour contract was terminated when they took paid leave.
73. Ms. FENGER-MOLLER, referring to the statement in the report that there was no discrimination with respect to employment, asked how Turkey had achieved something that had not yet been attained in other countries. In connection with the principle of equal pay for equal work, she asked whether that principle was guaranteed in the public or private sectors by legislation or collective contracts. Whatever the case, Turkey would constitute the only place in the world in which the principle was applied.
74. Ms. LAIOU-ANTONIOU noted that the figures given in the report were contradictory and asked for information on the overall unemployment rate and the rate for women in particular. She asked whether the principle of equal pay for equal work was guaranteed by law or by other means. She also asked for information on the number of rural women working in family enterprises without pay or social benefits and the number of women working in family enterprises relating to tourism, such as hotels and restaurants, and whether there were laws for the protection of those women.
75. She also asked whether fathers had a right to paid paternity leave, whether sexual harassment in the work place existed, and, if so, how that problem was dealt with. She would also like information on the voluntary insurance of housewives referred to on page 20 of the report.
76. Ms. ALFONSIN DE FASAN asked if there was a reluctance to employ women because of the regulations concerning nurseries and whether, if the work place of the woman had no nursery, the child had access to the nursery of the enterprise in which the husband was employed. She also asked whether any training programme existed for women returning to their employment, whether women were adequately represented in the trade unions, and whether a husband's complaint that the wife was working without his consent constituted grounds for divorce.

77. Ms. SAYOGYO asked what happened in the case of family agricultural enterprises when the husband emigrated to the cities and whether it was the husband who had the privilege of making decisions.

78. Ms. AKAMATSU said that the action taken to ensure equality of opportunity for women in access to employment, promotion, etc., seemed inadequate and asked whether Turkish legislation had been adapted to the text of article 11 (a), (b) and (c) of the Convention.

79. Ms. ILIĆ noted that the report was vague with respect to some unspecified rights and asked whether women had the opportunity for training and if so whether they had the same opportunities as men. The report referred to general education, but not to training or vocational training for young people; however, the number of women engaged in handicrafts was strikingly large. The information on working conditions was also vague. No reference was made to unmarried women. She asked why such an early retirement age for women, which was inappropriate to modern times, had been established. It was almost inconceivable that women should retire at 35, when they were at the height of their powers. She asked for more information on the right to employment and said it would be helpful if a clearer picture of the status of Turkish women were provided. It was important to know what measures the Turkish Government was taking with the countries of emigration in order to improve the situation of migrant women workers.

80. Ms. GONZALEZ MARTINEZ asked what the Turkish Government was doing to encourage women to take training courses or what women had to do in order to be enrolled in such courses.

81. Ms. SCHOPP-SCHILLING asked what percentage of the population, particularly women, was not covered by social security or the health system and whether women were not automatically covered by social security. With regard to the possibility of housewives being covered by social security from the age of 15, she asked what percentage of women took advantage of that right. She asked whether, in the case of repatriated women still of working age who had received training abroad and knew other languages, the Government had any programmes for providing employment for them and enabling them to contribute to the country's economy.

82. Ms. LAIOU-ANTONIOU, referring to article 12 of the Convention, asked how abortion worked in practice, what happened afterwards and how many family planning centres there were in Turkey. She also asked what the percentage of rapes was and whether there was any legislation that dealt with that subject. She asked whether there were shelters for abused women and whether there were any laws which characterized that offence.

83. Ms. BUSTELO GARCIA DEL REAL said that the report did not provide any data on instances of violence or abuse directed against women and asked whether those subjects were discussed publicly in Turkey.

84. Ms. NOVIKOVA was interested in the revision of the retirement system for civil servants and asked what had led to the adoption of that measure as well as the establishment of a theoretical retirement age of 33 in 1981. She wondered whether, legally speaking, that law had become a dead letter and, in any case, what percentage of women had availed themselves of that entitlement since it was approved in 1981.

85. Ms. FENGER-MOLLER asked the representative of Turkey to clarify what her country was doing to implement article 13 of the Convention with regard to women's opportunities for obtaining bank loans, mortgages and other forms of credit. The report did not present adequate information on that subject, and she wished to know whether there was any difference between men's and women's rights in that regard.

86. Ms. PILATAXI DE ARENAS, referring to article 14, asked for demographic data, particularly on the number of births in recent years, in order to measure the success of family planning programmes being implemented in Turkey.

87. Ms. WALLA-TCHANGAI said that her questions had been asked by the previous speaker.

88. Ms. CORTI said that Turkey continued to be an essentially agricultural society, yet the report paid little attention to women working in the countryside. She wished to know what percentage of women worked in the agricultural sector and what rights they had, what was being done to make rural women literate and what benefits they enjoyed. She also wished to know what kind of social security scheme existed for rural areas and whether that scheme covered all agricultural workers, including women who were self-employed in family businesses.

89. Ms. SAYOGYO said that efforts to organize the agricultural sector had reduced the labour force, including unpaid family members. Consequently, she wished to know what measures the Government was taking to help unemployed rural women and what resources were being allocated for extension activities dealing with their situation.

90. The CHAIRPERSON, speaking as a member of the Committee, said that the data given to the Committee indicated that there were 5 million women unpaid family workers in Turkey, as compared with 2 million men in the same situation, and that many of those women were involved in carpet-weaving. She wished to know how many women were involved in that activity and what benefits they received, either in the form of payments or social security benefits, and what percentage of rural family incomes was derived from carpet-weaving. She also wanted to know the age at which women took up that activity and whether it interfered with their education. She agreed that it would be useful to have more information about the situation in rural areas.

91. Ms. PILATAXI DE ARENAS referred to articles 15 and 16 together because she felt that women's rights under both articles had not been respected where the granting of work permits, a married woman's domicile, family guardianship in the event of a dispute between husband and wife, and married women's names were

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concerned. Such cases of discrimination were alarming precisely because they corresponded to the reservations formulated by the Turkish Government. While the fact that the Government was considering withdrawing those reservations was positive, it was disturbing that that might be done on the basis of technical considerations, since the withdrawal of reservations could only be based on substantive considerations.

92. Ms. FENGER-MOLLER drew attention to paragraph 26 of the second part of the report, in which a reference was made to article 159 of the Turkish Civil Law, according to which a married woman needed her husband's consent to work or engage in a profession, a situation which contradicted the provisions of article 15 of the Convention. In addition, paragraph 28 of the document in question stated that "in point of relationship between husband and wife there is perhaps some disparity, but this should not be exaggerated." She had difficulty understanding the meaning of that statement as well as the provisions which stipulated that the husband was the head of the family, and that he had responsibility for choosing the family's domicile and supporting his wife and children in a degree commensurate with his means, which could be construed as a moral obligation but did not constitute an obligation per se. She wished to have more information on that subject.

93. Ms. AKAMATSU said that article 15, paragraph 4, of the Convention accorded women equal rights with regard to choice of domicile and family residence, yet Turkish law contradicted what was set out in the Convention. It would be desirable for the Turkish Government to amend the laws in question.

94. Ms. FORDE said she wished to have detailed information on the new provisions of the Civil Law, particularly those pertaining to the family, including de facto families.

95. Ms. GONZALEZ-MARTINEZ said that the reservations concerning articles 15 and 16 prevented women's exercise of their legal capacity before the law, which ran counter to the very purpose of the Convention. The report indicated that the Turkish Government justified its reservation on the basis of article 152 of the Civil Law and that the choice of a couple's domicile was made by the husband. In connection with that provision, she wished to know whether married women had the right to travel within Turkey or abroad, or whether they needed the authorization of their husbands or a judge; likewise, she wished to know whether single women required the authorization of their father or a brother to travel.

96. Ms. DIALLO SOUMARE asked for information about the family planning options available to Turkish women and wished to know whether women could plan their families freely or whether they had to have their husband's authorization. Also, she wished to know how estates were divided between men and women.

97. Ms. AKAMATSU said that, with regard to article 16 of the Convention, it would be helpful if the law requiring that wives should take their husband's name, currently under review, could be modified along with the relevant legislation so that the reservation to that article could be withdrawn.

98. Ms. BERNARD asked what the causes of divorce were and whether they were the same for men and women; she also wished to know the incidence of divorce in Turkey.

99. The CHAIRPERSON, speaking as a member of the Committee, asked whether Turkey had set specific targets in the areas of education, health, employment and women's participation in politics.

The meeting rose at 6 p.m.