



Convention on the Elimination
of All Forms of Discrimination
against Women

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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Tenth session

SUMMARY RECORD OF THE 172nd MEETING

Held at the Vienna International Centre, Vienna,
on Monday, 21 January 1991, at 2.30 p.m.

Chairperson: Ms. TALLAWY

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The meeting was called to order at 2.45 p.m.

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

Initial report of Italy (CEDAW/C/5/Add.62)

1. At the invitation of the Chairperson, Ms. Anselmi (Italy) took a place at the Committee table.

2. Ms. ANSELMI (Italy), introducing her Government's initial report, said that it reflected the results that had been achieved and at the same time drew attention to the goals that remained to be pursued. As the National Commission for the Achievement of Equality between Men and Women had noted in its assessment of the situation, even when the principle of equality had been formally recognized in law, ground lost at the cultural level could make what had already been achieved ineffective. The Commission intended to concentrate its action, therefore, on expanding the participation of women in political institutions and society at large in the belief that such participation was not only a right but a duty. The report listed the numbers of women in Parliament and local political institutions. Unfortunately, although the political parties had been encouraged to put forward more women candidates, women voters, being themselves victims of centuries of prejudice against women in political life, had not shown sufficient confidence in them. The same was true of all the non-traditional roles which involved the exercise of power. However, Commissions for Equality were being set up at all the territorial levels (regional, provincial and communal) and in workplaces (ministries, public institutions, banks, firms). Increasingly, such commissions offered thousands of women an opportunity for involvement. Such involvement was a very effective means of eliminating the most persistent cultural obstacles to the presence and participation of women. The new National Commission currently being organized, in which most women's organizations would be represented, would co-ordinate the many strands of local participation.

3. The Commission attached great importance to an experiment under way since November 1990 whereby members of the public, men and women alike, had been invited to report to the Commission positive or negative images of women presented by the mass media. The experiment had brought such a response that it had been decided to extend it and to publish the results. A "sour prize" and a "sweet prize" were to be awarded to the most negative and the most positive image, respectively. The interest, as well as the alarm, aroused by the initiative showed how timely it was.

4. The Commission for Equality set up by the Ministry of Education was also doing very important work, not only by investigating text books, with a view to seeing that more space was given to the role of women in history, but also by monitoring the image of women produced by the school system as a whole. Plans were afoot to provide scholarships and organize university courses in women's studies.

5. As a result of its work among women, the National Commission had been able to see how often women were in fact ignorant of the laws enacted for their protection. It was therefore planned to publish and distribute a manual entitled "Women, Know Your Rights!", with the aim of reaching women in all the communes of Italy. The Chamber of Deputies had recently unanimously adopted legislation on "positive action" to achieve equality between men and women in the workplace. The law, currently awaiting Senate approval, required proof of the absence of discrimination. Trade unions had already succeeded in having provisions for "positive action" included in contracts of various kinds, which could lead, in

(Ms. Anselmi)

specific situations, to the elimination of direct and indirect discrimination. Without the commitment of the social forces, the law would probably not be implemented.

6. Also in connection with employment, the Chamber of Deputies was discussing a bill on parental leave and the Senate was about to give final approval to a law on the maternity rights of women in the liberal professions. Other bills had been put before Parliament in connection with the goals of the Third Plan of Action for Women of the Commission of the European Communities.

7. In connection with the Plan, the National Commission had organized an international seminar at Rome in November 1990, in which many politically active women had participated. The seminar had examined the problems posed by the European single market and concluded that it offered women a great opportunity but also a great challenge. It would give them broad new openings, provided they were well prepared and provided that policies were put into effect whereby work and family could be combined, with men taking a greater share of family responsibility. Although there had been positive changes in Italy in the last three years, when more girls than boys had entered first employment, further action was needed in respect of vocational qualifications. More girls than boys completed higher education, but they did less well and there were fewer of them in those courses that led to the professions.

8. She noted that, in present-day Italy, feminist organizations were less visible than in the past and the question of the status of women had to some extent lost its original interest. Women active in the political parties and trade unions and political life in general were well aware that, whatever their differences, they needed to be able to unite again if they were to ensure, as in the past, progress for Italian women.

9. Ms. AKAMATSU congratulated the Government of Italy on its comprehensive and interesting initial report (CEDAW/C/5/Add.62). The history of progress in the status of women in Italy since the Second World War was very similar to that in Japan. In both countries, great progress had been made, both de jure and de facto, in the mid-1970s, largely under the positive influence of the United Nations. It was satisfying to learn from the report, and the introductory statement, of the existence of a strong women's movement in the political parties and the trade unions. Japanese women had been impressed by the reference made by the Italian representative at a recent meeting of non-governmental organizations at Tokyo to the magic word "solidarity", which had made progress possible for women in Italy and many other countries of the world.

10. Ms. OESER congratulated the Italian representative on her excellent introductory statement. The Italian Government's initial report followed the Committee's guidelines and recommendations for the preparation of reports and gave a convincing outline of the ideas of the various institutions involved in its preparation. She asked whether the reference on page 2 of the report to the expanded membership of the Interministerial Committee on Human Rights set up by the Ministry of Foreign Affairs meant that women's organizations, as well as the National Commission for the Achievement of Equality between Men and Women attached to the Office of the Prime Minister, had been able to take part in preparing the report. The report contained an impressive list of the international agreements and instruments ratified by Italy, but she wondered why there was no reference to

(Ms. Oeser)

the International Covenant on Political and Civil Rights. She asked whether the amendment approved by the Senate on offences committed against the person which took the form of sexual violence had finally been adopted by Parliament, and how it was phrased. That initiative could serve as an example for other countries as well as for the Committee itself in preparing general recommendations for the implementation of the Convention.

11. Ms. LAIOU-ANTONIOU congratulated the Italian representative on her presentation of the report and her personal contribution to the fight for women's rights in Italy. The report showed that impressive advances had been made towards equality in Italy although the Constitution still contained important vestiges of discrimination. It also showed, however, that women did not yet enjoy equal opportunities to enjoy their legal rights, especially in the south of the country, largely because of the segregated labour market and the failure of men to take equal responsibility for child care and housekeeping. The report also showed that Italian women lacked a social infrastructure, in the form of day care facilities and so on, and did not participate equally in decision-making. She noted, however, that the employment rate of women had recently doubled. She would like more information on the current situation in the south and the problems encountered in narrowing the gap between south and north. She regretted the lack of statistics, particularly comparative gender statistics, in regard to employment, education and participation in economic, social and political life. She had been surprised to see that the report had been prepared by the Committee on Human Rights of the Ministry of Foreign Affairs rather than the National Commission for the Achievement of Equality and asked why that was so. In her view, women's issues involved more than human rights.

12. Ms. BERNARD congratulated the Italian Government on its initial report and its efforts to improve the status of women in Italy. Clearly, however, much remained to be done to enhance the participation of women in the higher levels of the political, administrative and judicial fields. She asked for a definition and explanation of the term "communes" as used in the report. She would like to know the purpose of the communes and how they operated.

13. Ms. EVATT said that the report followed the Committee's guidelines well and gave a clear picture of the struggle to eradicate laws and practices which discriminated against women in Italy. There had clearly been an enormous effort in the last 20 or 30 years to transform Italian society and to promote equality in education and elsewhere. The report also revealed the obstacles to progress and the difficulties encountered in de facto terms. It was clear that Italy, like many other countries, faced the impenetrable obstacle of attitudes and cultural practices which perpetuated stereotyped roles for women. She noted that violence had been identified as a problem that required further action. She asked whether the National Commission for the Achievement of Equality possessed a set of goals for the next few years in regard to employment opportunities and political participation. She felt it was important to set such goals in order to be able to monitor progress towards them.

14. Ms. SINEGIORGIS said that she was impressed by how much had been done to improve the status of women in Italy since 1945. She asked whether any non-governmental organizations had been consulted in preparing the report and whether difficulties had been encountered in translating the resolutions and directives of the European Economic Community into practice. The creation of

(Ms. Sinegiorgis)

Commissions for Equality at the regional level was an important step forward. She particularly commended the plan to publish a Manual on women's rights. She asked for an explanation of the various terms, unfamiliar to her, mentioned in the paragraph on page 11 (English text) referring to Law No. 442 of 1981. She also asked why the amendment regarding sexual violence, referred to on page 12, had taken so long to be approved. In conclusion, she asked for information on the situation of migrant workers in Italy, many of whom were from Ethiopia.

15. Ms. NIKOLAEVA said that the important and informative report of the Italian Government offered a serious and in-depth analysis of the situation and the problems of women in Italy. She commended the personal contribution of the Italian representative to the fight for women's rights in her own country and internationally. She asked what had caused the recent apparent weakening of the women's movement in Italy.

Article 2

16. Ms. LAIQU-ANTONIOU expressed surprise that the Constitution of the Italian Republic, which generally recognized no distinction before the law on grounds of sex, nevertheless made two exceptions: the family, where limits were set to secure the unity of the family, and labour where equal treatment was subject to an evaluation of the work performed by women. Article 37 of the Constitution provided that conditions of work must make it possible for women to fulfil their essential family duties and provide for the adequate protection of mothers and children (CEDAW/C/5/Add.62, p. 16). She asked why only women were required to fulfil essential family duties. She would like further information on that matter and wondered whether there was an intention to eliminate such exceptions from the Constitution in order to comply with article 2 of the Convention.

17. Ms. EVATT noted that a comment on page 14 of document CEDAW/C/5/Add.62 described the concept of discrimination as implying differential treatment between persons in the same situation. She asked whether Italian constitutional law allowed differential treatment, i.e. positive discrimination, in order to achieve the aims of the Convention. She wondered if there had been any cases in law initiated by women or other disadvantaged groups. She also wished to know whether the proposed change to article 37 of the Italian Constitution had been implemented yet.

18. She asked whether the 1986 Plan of Action of the National Commission for the Achievement of Equality had been updated, and if so what were its proposals and to what extent had they been implemented.

19. Finally, she asked whether the reports of the Committee had been published and made available to women in Italy in order to make them aware of their rights.

Article 3

20. Ms. ALFONSIN DE FASAN asked how the work of the National Commission and other bodies concerned with equality between men and women were co-ordinated. She requested information on how the actions of the National Commission for the Achievement of Equality between Men and Women, established in 1984, had been evaluated and what the remaining obstacles were.

Article 4

21. Ms. AKAMATSU said that, while she was impressed by the provisions of the Italian labour legislation to protect maternity and working mothers, she wondered whether the length of leave of absence was not excessive. The mandatory period totalled five months, two before childbirth and three after. She thought that a mandatory eight weeks' leave after childbirth and an optional six weeks prior to birth were normally acceptable, considering the physical condition of women. She expressed concern that the imposition of exceptionally long maternity leave might result in disadvantages to women, such as missed promotion opportunities. The optional period of six months' leave was acceptable provided that the father was also entitled to it. She felt there was a risk that maternity protection exceeding what was reasonable might result in discrimination, and would be interested to hear the comments of the representative of Italy on that point.

22. Ms. ALFONSIN DE FASAN asked what were the targets of the Plan of Action and the time period fixed.

23. Ms. BUSTELO GARCIA DEL REAL said that it was important that countries which had plans of action, involving a special body responsible for equality of men and women, should give complete information on the results, achievement of targets, difficulties encountered and successes achieved, and the relationship with other government agencies and non-governmental organizations. The countries of the European Economic Community should co-ordinate their plans in the context of the Nairobi Forward-looking Strategies for the Advancement of Women.

24. She asked whether there was a second plan of action, and if not what were the reasons. She would also like further information on the parliamentary committee concerned with equality. With regard to temporary measures, she would like to know what was being done to ensure greater participation by women in politics, whether any political parties had established quotas for women, what had been the successes and failures, and to what extent women were represented in political parties and trade unions, at senior level.

25. She requested information on the protection of maternity, particularly with respect to women in domestic service.

26. Ms. EVATT asked whether the temporary measures were limited to employment and maternity. The areas of political participation and education were also areas where it was important to apply special measures. She inquired whether any had been tried and how effective they had been.

27. Ms. QESER welcomed the intention referred to on page 12 of document CEDAW/C/5/Add.62 to combat de facto discrimination. She wondered whether the Government of Italy intended to strengthen the social infrastructure, for example by the provision of kindergartens or education of both sexes on equality. She would also like to know what special measures were envisaged for the next period.

Article 5

28. Ms. AKAMATSU, noting that language was an important element of sexist social structure, asked what were the detailed results of the research into sexist forms in the Italian language at the grammatical and structural level, and as used in newspapers and periodicals, for example.

29. Ms. ALFONSIN DE FASAN said that language did create prejudice. It was necessary to educate people in the complementarity of the sexes, the need for co-operation both at work and in the family to avoid the double working day of women.

30. Ms. ILIC said that what was missing from the report was details of the de facto situation. The report identified obstacles but provided no examples of them or of remedial measures to remove them. Education had a very specific role in the changing of stereotypes of women and cultural attitudes. Concerning the publication "Women, Know Your Rights!", she thought that it should be addressed not only to women but also to men, who also needed to know what rights women had. What was needed was communication not only between women but also between men and women on the subject.

31. Ms. BUSTELO GARCIA DEL REAL commended the important work done in Italy on language and the promotion of a better image of women. She would like to know to what extent the ten proposals on pages 34 and 35 of document CEDAW/C/5/Add.62 had been implemented, and the results, obstacles and difficulties encountered. On the matter of sharing of family responsibilities, she would like to know if there had been recent studies on the division of time of men and women in their working life, domestic life, the bringing up of children and the care for small children. She also wished to know if there were legislation or collective agreements making it easier for men as well as women to obtain leave to look after sick children.

32. Ms. EVATT said it was true that the matters discussed in relation to article 5 were only some of the matters which were important in that connection. However, the language and media image issues on which it concentrated were very important. She asked whether the parliamentary bill concerning the use of the female body for the sale of merchandise had passed into legislation yet. If so, she wondered how progress would be monitored. Perhaps there was or would be a complaint mechanism.

33. Ms. FORDE expressed interest in the parliamentary bill described on page 35 of document CEDAW/C/5/Add.62; she would like to see the full text, setting out what was permissible and what was not. If the legislation had already been enacted, she would like to know whether the reaction of advertisers was co-operative or whether they had raised objections. She would also like to know how the culture of equal opportunity could be promoted in advertising, and the results achieved.

34. Ms. AQUIJ said that it was not only men who were responsible for cultural resistance. In Mediterranean and southern countries, cultural resistance occurred among women, who accepted or were resigned to their role and, furthermore, transmitted it to their children.

Article 6

35. Ms. AKAMATSU requested clarification of the reference in the final paragraph on page 37 to prostitution as "a practice which is itself no longer deemed to constitute an offence". Further, she would like to know whether it was really impossible to ascertain the extent of prostitution in Italy. Were there no statistics from women's organizations on the matter?

36. Ms. BUSTELO GARCIA DEL REAL said it was difficult to analyse prostitution owing to the absence of reliable statistics. Nevertheless, an effort should be made to produce quantitative and qualitative data on prostitutes: how many were there, and what sort of background did they come from - foreigners, women in difficult economic or family situations, for example? What measures were being

(Ms. Bustelo Garcia del Real)

implemented to deal with prostitution among minors? How did the authorities ensure that the legislation on the subject was given effect? Finally, she would like to know whether prostitutes were being informed about ways of preventing the spread of AIDS.

37. Ms. FORDE said that the report showed the Italian Government was attempting to control prostitution but gave no indication of whether attempts were being made to counsel or rehabilitate prostitutes, especially young women and minors. She would like to know if there were any programmes for those purposes and for protecting young women from falling into prostitution. Was there a connection between drugs and prostitution? What about the interrelationship between HIV infection, AIDS and prostitution?

Article 7

38. Ms. EVATT said that an important statement appeared in the section of the report on article 7, on page 40, to the effect that a new culture that accepted the presence of women in the institutions of public life must be promoted. One could only agree with that statement, but she would like information on how such a new political culture was to be created. What specific steps were being taken to overcome traditional attitudes and thereby to modify the roles of women and men in politics?

39. Ms. UKEJE noted that the statistics on women candidates for public office showed a remarkably low rate of election and inquired about the reasons for that poor showing. What measures were being taken, by the Government and by women themselves, to stimulate their interest in political activity? According to the report, voting rights had been extended to women by a decree of 1 February 1945, and Italy thus had a fairly strong basis for political action among women; their relative lack of involvement therefore seemed all the more surprising.

40. Ms. LAIOU-ANTONIOU, referring to the statement on page 39 of the report that the basic reason for the weak presence of women in public institutions was women's general disinterest in active politics, asked whether any attempts had been made to investigate the reasons for that situation. Had research been done, for example, on the effect on women's participation in politics of the constitutional provision that women were responsible for preserving family unity, or of the lack of adequate social structures, including kindergartens? She would also appreciate information on the feminist movement in Italy: whether many young women were joining it and whether it had sufficient funding.

41. Ms. AQUIJ said that the remarkably low level - only around 10 per cent - of women's participation in politics raised the question of whether men were actually taking women seriously enough. She would like to know whether any studies had been done to determine the reasons for that low percentage: did the burden of domestic duties, lack of interest among women themselves, or disillusionment with political parties that perhaps sought to involve women only when they needed their votes, have anything to do with women's low level of political participation?

Article 8

42. Ms. AKAMATSU requested an update of the information on women in the diplomatic service; specifically, she wished to know whether there were now any women ambassadors.

Article 9

43. Ms. EVATT requested clarification of the Italian Government's current position with regard to questions of nationality. The report did not clearly explain the ultimate effect of the decisions made by the Constitutional Court. Which law now applied to the personal relations between the spouses? She found it hard to understand why "the national law of the husband at the time when the marriage took place" should prevail (CEDAW/C/5/Add.62, p. 52).

Article 10

44. Ms. EVATT said the report showed that considerable achievements had been made in improving levels of literacy and school attendance, particularly attendance of high schools and universities. The choice of career and vocational training still seemed to be segregated on the basis of sex, however. It would be useful to have more statistics and information on the positive steps being taken, above and beyond curriculum reform, to achieve a better balance of professional men and women. It would also be useful to know whether any programme was being carried out to monitor the impact of the educational reform measures.

45. Ms. LAIQU-ANTONIQU noted that a recent ILO report indicated that women in Italy, particularly in the south, lacked vocational training and specialization. She asked whether any programmes were being carried out to counteract those deficiencies.

Article 11

46. Ms. AKAMATSU requested more information on the unemployment rate among men, broken down by age group to facilitate comparison with unemployment rates among women, which seemed high and showed no sign of abating. She thought that Law No. 903/77 on equal employment opportunities for men and women (CEDAW/C/5/Add.62, p. 607) was an extremely important measure, and would like to have more information on it.

47. Ms. ALFONSIN DE FASAN asked whether any efforts were being made to acquaint women with the job market in various areas before they chose their careers.

48. Ms. EVATT asked for more up-to-date figures on the average earning levels of men and women. She would like to know whether Italy had considered ratifying the ILO Convention on Workers with Family Responsibilities, and whether Italy subscribed to the notion of "parental" rather than "maternity" leave.

49. Ms. OESER noted that Italian legislation provided for special penalties in order to ensure equality in all aspects of work: for example, there was a fine of up to 1 million lire for violation of the prohibition of discrimination in work (CEDAW/C/5/Add.62, p. 62). She would like to know if that measure was really applied in practice, and if so how it had been used. It might be useful for other countries to contemplate such measures.

50. It was to be noted that, in cases of discrimination in access to employment, the judge of first instance could act as a labour arbitrator and order the perpetrator of an offence to cease the illegal conduct and eliminate its effects. She would like to know whether the goal of putting a rapid end to the unlawful conduct was usually reached, whether the procedure was often applied and whether the measure truly helped women to defend their rights.

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51. Ms. LAIOU-ANTONIOU noted that the statistics on unemployment dated back to 1987, and requested an update. She would also be interested in the unemployment rates in the south as compared with the north, as the southern part of Italy was known to be an economically depressed area.

52. According to an ILO report published in 1990, the number of women seeking employment had increased in recent years, but they tended to look for jobs in the tertiary and service sectors. She wondered what accounted for the gravitation of women towards low-paid jobs. The ILO report also pointed out that women employed in domestic services were not accorded maternity protection benefits. Was that still the case?

53. A great many women worked in family enterprises, but it was not clear whether they received social security benefits and pensions. She had also noted discrepancies in the wages of male and female police staff and would like to know whether they still existed.

54. The occupational classification mentioned in section 11.1(c) dealing with free choice of profession and employment was a very interesting measure. It would be useful to have a copy of it - other countries might be urged to apply similar measures - and she would like to know how that measure worked out in practice.

55. The statistics in the report revealed that the number of child care facilities had levelled off: could the Italian representative provide more recent data? The status of women was obviously affected by immigration, and she knew that Italy, like her own country, had a serious immigration problem. What was the current situation with regard to immigration?

56. It would be interesting to see statistics on the life-styles chosen by young women, especially in rural areas: did they marry early, seek work in their home towns or migrate to cities? And it would be useful to have information on the participation of women in the trade union movement.

Article 12

57. Ms. ALFONSIN DE FASAN asked whether women in low-income groups and in risk groups for the spread of AIDS had access to contraceptive devices free of charge.

58. Ms. BUSTELO GARCIA DEL REAL said the report referred to a wide range of measures to protect women against cancer of the reproductive organs, and she would like to know whether such measures were available to women in all geographical areas, including rural areas, and if so in what way. She would welcome statistics on the number of adolescent pregnancies. Was that a health problem in Italy, were adolescent pregnancies on the rise, and were there any measures designed to deal with the phenomenon? It would also be useful to know whether the number of abortions was increasing, and the ages of women who had abortions. She would like to know Italy's position on the abortion-inducing drug RU486, which had been approved in France but had raised controversy elsewhere. Was it being tested in Italy, and what were the chances of its being approved?

59. Ms. EVATT noted that the report indicated that women were entitled to "health aid" - which she took to mean information on contraception and abortion - even in the event of separation from a spouse (CEDAW/C/5/Add.62, p. 90). That raised the question whether such information was available to women who were not married, to young women, etc.

60. Ms. SINEGIORGIS asked for the workings of the abortion law to be elaborated. In a predominantly Catholic country like Italy, were possible loopholes in the law exploited to prevent women from seeking abortion?

Article 13

61. Ms. EVATT said the report stated, in respect of article 13, that women suffered no discrimination in the areas concerned. In practice, however, did women have equality of access to loans and other financial services? Did women who were heads of families have the same social benefits as men? Finally, were the same resources allocated to sports facilities for women as to those for men?

Article 14

62. Ms. ALFONSIN DE FASAN, referring to page 104, second paragraph, expressed the view that it would be of assistance if article 230 bis of the Civil Code and article 48 of Law No. 203 on agrarian contracts could be implemented in the short term.

63. Ms. LAIOU-ANTONIOU, noting the high proportion of women among agricultural workers in the rural sector following the drift of male workers to the north and the additional burden that that situation laid on them, asked if courses were available to train such women in new technologies. She wondered how they could cope if there were none. Women apparently did not participate in the decision-making bodies responsible for planning the development of the south, and she asked if local or national committees were taking any steps to help the women concerned to take part in the making of decisions concerning them. Referring to page 104, sixth paragraph, she regretted that Italy's legislation regarding co-operatives appeared to discourage rural women from participating in them since only the owners of farms, mainly men, could participate in them directly.

64. Ms. AQUIJ asked whether problems arose concerning land ownership for women, whether there were specific policies concerning land ownership for women in Italy, and whether there was a specific programme for women with family responsibilities or a programme for the feminization of rural labour.

Article 16

65. Ms. AKAMATSU thought that progress made in legislation concerning article 16 was of particular interest in Italy, a society with a long patriarchal tradition in which it was extremely difficult to change the status of women in the home since discrimination against women was carried out in the name of the protection of the family.

66. She had therefore examined the report on the Italian family code with particular interest. She had noted from the last two paragraphs on page 108 that it was not possible to choose one's family name in Italy, and that women, when they married, added the family name of their husbands to their own names. That appeared to be a clear case of inequality. She asked what argument was put forward in favour of those legal provisions. The right of the father, rather than the mother or both parents, to take urgent measures when there was immediate danger of serious harm to a child (page 108) seemed anomalous also. She would be interested to learn whether there was any possibility of revising the Civil Code on those two points.

67. Ms. ALFONSIN DE FASAN asked whether any economic or other support was made available to women seeking abortions.

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68. Ms. ILIC, referring to the discussion in the third and fourth paragraphs on page 108 concerning the question of immediate danger of serious harm to a child, asked whether there was any provision in the Civil Code to the effect that the mother was entitled to take urgent measures in the absence of the father.

Secondly, she asked what measures were taken to enforce or accelerate the payment of alimony and how long the procedure could take.

69. Ms. EVATT asked whether there were any grounds for the dissolution of marriage other than separation, how the reasons for separation could be relevant to the determination of alimony and how the "direct personal financial contribution made by each of the spouses" could be taken into account (page 107). She thought that family law should take into account the financial and career disadvantages that marriage could give rise to in that connection. What principles guided the allocation of alimony? How were the standards of living and the contribution made taken into account? What action could a mother take if danger to a child resulted from the father's action? She was surprised by the restrictions laid on the choice of family names for married women and by the fact that, as indicated on page 109, fourth paragraph, in the giving of a name to a natural child preference was sometimes to be given to the name of the father; she asked if any changes had been proposed in that connection. She would welcome clarification of the different régimes for the administration of property during marriage.

70. Ms. LAIOU-ANTONIOU said that the Code might state that women and men were considered on a basis of equality, but that they did not appear to be so in practice. The third paragraph on page 109 illustrated that point clearly.

71. Ms. FORDE, referring to the provisions concerning community of property described on page 109, which showed certain advantages for women, and specifically to the last paragraph, asked whether women could choose to modify a property régime. She also asked how de facto unions were dealt with, how property questions were legally settled if such unions broke down, how the law protected the children of such unions and what were the inheritance rights of the partners of such unions and their children.

72. Ms. BERNARD asked for a clarification of the penultimate paragraph on page 107 concerning restrictions on the payment of alimony, and particularly who determined what were "objective reasons".

73. Ms. AQUIJ, referring to the same paragraph, asked what objective reasons had led Italy to adopt a law such as Law No. 74/87 which worked against the interests of women, particularly women heads of households.

74. The CHAIRPERSON said that the Committee had clearly made a very careful study of the Italian report. Speaking as a member of the Committee, she hoped that the representative of the Italian Government would understand her when she said that the report appeared to stress the de jure aspect a great deal more than the de facto aspect. Italy was an advanced country and it would have been interesting and helpful for other countries if the report had indicated more specifically what obstacles remained and where improvements had been made.

75. She thanked the representative of Italy for her very interesting report and said that she would look forward to the additional information supplied in response to the questions raised.

ORGANIZATION OF WORK

76. The following programmes of work for the Working Groups were approved:

Working Group I (non-exhaustive list):

- (a) Questions arising from CEDAW/C/CRP.16 (overdue reports, analysis of reports, procedures for considering information);
- (b) Issues arising from the report of the pre-session Working Group;
- (c) Reports to be considered at the Committee's eleventh session;
- (d) Views on conclusions and recommendations of the meeting of chairpersons of human rights treaty bodies;
- (e) Views on the forthcoming world conference on human rights (1993);
- (f) World conference on women (1995);
- (g) Modification of paragraphs 196 and 213 of the report on the ninth session to reflect more accurately the discussion on the United Kingdom's report;

Working Group II:

- (a) General recommendations held in abeyance for consideration at the Committee's tenth session;
- (b) Proposals concerning the form and structure of the Committee's recommendations and the way in which it analysed the material submitted to it under the articles of the Convention.

The meeting rose at 5.40 p.m.