

United Nations
**GENERAL
ASSEMBLY**

THIRTY-FOURTH SESSION

Official Records*



THIRD COMMITTEE
72nd meeting
held on
Thursday, 6 December 1979
at 6.30 p.m.
New York

SUMMARY RECORD OF THE 72nd MEETING

Chairman: Mr. SOBHY (Egypt)

CONTENTS

AGENDA ITEM 75: DRAFT CONVENTION ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN
(continued)

* This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of publication* to the Chief of the Official Records Editing Section, room A-3550, 866 United Nations Plaza (Alcoa Building), and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate fascicle for each Committee.

Distr. GENERAL
A/C.3/34/SR.72
21 December 1979
ENGLISH
ORIGINAL: SPANISH

The meeting was called to order at 6.45 p.m.

AGENDA ITEM 75: DRAFT CONVENTION ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN (continued) (A/C.3/34/L.75, L.77, L.78, L.80)

Preamble

1. Miss ZOURABICHVILI (France), speaking on behalf of the delegations in the Working Group on account of whose reservations certain phrases in the tenth and eleventh preambular paragraphs of the draft Convention had been placed in square brackets, said that those delegations, in a spirit of co-operation and in order to expedite the work of the Committee, would not insist on the retention of those brackets. In any case, it was their understanding that those paragraphs would be voted on separately.
2. The CHAIRMAN said that if he heard no objection, he would take it that the Committee agreed to remove the brackets in the tenth and eleventh preambular paragraphs of the draft Convention.
3. It was so decided.
4. The CHAIRMAN read out the amendment proposed by China in document A/C.3/34/L.77, as later revised. The effect of the revised amendment would be to replace the wording of the tenth preambular paragraph by the following wording:

"Emphasizing that the eradication of apartheid, of all forms of racism, racial discrimination, colonialism, neo-colonialism, foreign aggression, occupation and domination, and of interference in the internal affairs of States is essential ..."
5. The Chinese amendment (A/C.3/34/L.77), as revised, was adopted by 90 votes to 1, with 25 abstentions.
6. The CHAIRMAN invited the Committee to vote on the amendment proposed by Algeria to the eleventh preambular paragraph, as revised, the effect of which would be to replace the words "the right to self-determination" by the words "the realization of the rights of peoples under colonial and foreign domination or subjected to foreign occupation to self-determination and independence".
7. The Algerian amendment, as revised, was adopted by 90 votes to 1, with 22 abstentions.
8. The CHAIRMAN invited the Committee to vote on the Moroccan amendment to the thirteenth preambular paragraph (A/C.3/34/L.73) and said that a minor drafting change was needed in the amendment: the words "to the welfare of the family and" were to be added after the words "contribution of women".
9. The amendment to the thirteenth preambular paragraph proposed in document A/C.3/34/L.73, with the drafting change announced by the Chairman, was adopted by 85 votes to none, with 28 abstentions.

/...

10. The CHAIRMAN invited the Committee to vote on the oral amendment proposed by Argentina to replace the word "traditional" in the fourteenth preambular paragraph by the word "stereotyped".

11. The oral amendment proposed by Argentina was rejected by 26 votes to 20, with 55 abstentions.

12. The CHAIRMAN informed the Committee that he would first put to a vote all the proposed amendments to individual paragraphs or articles of the draft Convention and thereafter invite the Committee to vote separately on certain paragraphs and articles before proceeding to vote on the draft Convention as a whole.

Article 2

13. The CHAIRMAN invited the Committee to vote on the amendment to article 2, paragraph (f) proposed by Morocco (A/C.3/34/L.73).

14. The amendment to article 2, paragraph (f) proposed by Morocco (A/C.3/34/L.73) was rejected by 60 votes to 25, with 25 abstentions.

Article 5

15. The CHAIRMAN invited the Committee to vote on the amendment to article 5 of the draft Convention proposed by Morocco (A/C.3/34/L.73).

16. The amendment proposed by Morocco to article 5 of the draft Convention (A/C.3/34/L.73) was adopted by 60 votes to 1, with 54 abstentions.

Article 6

17. The CHAIRMAN invited the Committee to vote on the oral amendment proposed by Morocco to article 6 of the draft Convention, which would replace the existing text by the following: "States Parties shall take all appropriate measures, including legislation, to suppress prostitution, traffic in women and exploitation of prostitution of women in all its forms".

18. Miss RICHTER (Argentina) said that the English and Spanish versions of the text differed from the French version since the first two used the words "suppress" and "supprimer", respectively, while the French version used the word "réprimer".

19. Mr. O'DONOVAN (Ireland) said that his delegation would vote against the amendment because of its imprecise wording, particularly in the phrase "exploitation of prostitution of women in all its forms".

20. Mr. BEKELE (Ethiopia) said that he did not understand what was meant by "exploitation of prostitution in all its forms".

21. Mrs. HARZAZI (Morocco) submitted a subamendment by which the words "in all its forms" would be deleted.

22. Miss ZOURABICHVILI (France) said that she would vote against the concepts of repression and suppression because neither in the original text nor in the amendment was there any reference to male prostitution.

23. Mr. HOLLWAY (Australia) said that his delegation would vote against the amendment because the original text was much clearer. Moreover, it was illogical to refer to the suppression of prostitution and then to the suppression of the exploitation of prostitution.

24. Ms. van den ASSUM (Netherlands) said that her delegation would vote against the Moroccan amendment. The text of article 6 referred only to exploitation of prostitution of women and not to suppression of prostitution as such. In that connexion, she drew attention to the United Nations Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, which referred not to prostitution as such but only to the exploitation of prostitution of others. The Moroccan amendment introduced a new element which her delegation could not accept.

25. Mr. CARIAS (Honduras) said it was regrettable that at such a late hour delegations should be submitting oral subamendments to oral amendments submitted at the previous meeting. Also, a separate vote should be taken on the expression "all forms of" as it appeared in the original text.

26. Mr. PAPADEMAS (Secretary of the Committee) explained that in Morocco's definitive amendment the word "prostitution" was placed after the word "suppress".

27. Miss KELESCIAN (Italy) said that her delegation would vote against the Moroccan amendment for the reasons set forth by the delegation of the Netherlands.

28. Mr. CABRERA (Spain) endorsed the statement made by the delegation of Honduras and said that he would vote against the amendment, since it did very little to clarify the original text.

29. Mr. LUNGU (Zambia) said that his delegation would abstain in the vote because it had difficulty understanding the exact meaning of the words "suppress prostitution and exploitation of prostitution".

30. Mr. RIOS (Panama) asked the delegation of Morocco to withdraw its amendment, since the original text was sufficiently clear.

31. At the request of the representative of Morocco, a recorded vote was taken on the amendment proposed by her delegation.

In favour: Bahrain, Congo, Ecuador, Egypt, Guinea, Iraq, Jordan, Kuwait, Libyan Arab Jamahiriya, Mauritania, Morocco, Oman, Pakistan, Qatar, Saudi Arabia, Sudan, Syrian Arab Republic, United Arab Emirates, Yemen.

Against: Australia, Austria, Bahamas, Belgium, Burundi, Canada, Colombia, Costa Rica, Cuba, Czechoslovakia, Democratic Kampuchea, Denmark, Fiji, Finland, France, Gabon, Germany, Federal Republic of, Greece, Guatemala, Iceland, Ireland, Israel, Italy, Japan, Kenya, Lao People's Democratic Republic, Luxembourg, Mozambique, Netherlands, New Zealand, Norway, Panama, Papua New Guinea, Peru, Philippines, Portugal, Rwanda, Sierra Leone, Singapore, Spain, Sweden, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, United States of America, Venezuela, Viet Nam.

Abstaining: Afghanistan, Algeria, Bangladesh, Barbados, Benin, Botswana, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Chile, China, Cyprus, Democratic Yemen, Ethiopia, German Democratic Republic, Ghana, Guinea-Bissau, Guyana, Honduras, Hungary, India, Indonesia, Jamaica, Lesotho, Madagascar, Malaysia, Maldives, Mali, Mexico, Mongolia, Nepal, Poland, Sao Tome and Principe, Senegal, Suriname, Swaziland, Thailand, Togo, Trinidad and Tobago, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yugoslavia, Zaire, Zambia.

32. The oral amendment of Morocco was rejected by 48 votes to 19, with 46 abstentions.

Article 9

33. The CHAIRMAN invited the Committee to vote on the Argentine oral amendment by which article 9, paragraph 2, would be deleted.

34. The Argentine amendment was rejected by 58 votes to 34, with 22 abstentions.

35. The CHAIRMAN invited the Committee to vote on the oral amendment submitted by the delegation of Morocco to article 9, paragraph 2, replacing the word "women" by the words "their nationals".

36. Miss ZOURABICHVILI (France) asked if that was to be understood as meaning that men were not nationals.

37. Mr. DESKER (Singapore), speaking in explanation of vote before the vote, said that his delegation would vote against the amendment because it did not think it differed materially from the original proposal.

38. Mr. WHOMERSLEY (United Kingdom) said that his delegation would vote against the Moroccan amendment because a distinction should not be made between paragraphs 1 and 2 of article 9 and because the existing text was satisfactory and the amendment would make it imprecise and obscure.

39. Ms. van den ASSUM (Netherlands) said that she would vote against the amendment because the existing text represented a compromise solution proposed by the Netherlands the adoption of which had been preceded by a lengthy debate.

/...

40. Mr. KABIA (Sierra Leone) endorsed the opinions expressed by the delegations of Singapore and the United Kingdom.

41. Mrs. WARZAZI (Morocco) revised her amendment to read "States Parties shall grant their nationals equal rights with respect to the nationality of their children".

42. Mr. GONZALEZ de LEON (Mexico) said that his delegation would vote against the amendment because it introduced a distinction between men and women nationals and non-nationals which lent itself to confusion. The rights of nationality granted to children under various legal systems could be different, depending on whether those rights were recognized by virtue of jus sanguinis or jus soli. In his view, the existing text of paragraph 2 was entirely acceptable.

43. Mr. NYAMFYE (Ghana) said that he would vote against the amendment because he found it confusing.

44. Mrs. SEMICHI (Algeria) said that she would vote against the amendment because, as formulated, it served no purpose. Obviously all the nationals of a State had the same nationality and their children would also have it.

45. Mr. GRAY (United States of America) said that he would vote against the amendment because it was confusing. For example, it could be understood to mean that the States parties to the future convention would grant to each other's nationals equal rights with respect to the nationality of their children.

46. Mr. OULD SID'AHMED VALL (Mauritania) said that more time was needed for reflection because the paragraph under consideration was one of the most important provisions of the draft Convention and would have many practical applications. The Moroccan amendment raised new problems, but without it negative conflicts of nationality could also arise.

47. The oral amendment of Morocco to article 9, paragraph 2, was rejected by 83 votes to 10, with 10 abstentions.

48. The CHAIRMAN invited the Committee to vote on the Moroccan amendment to article 16, paragraph 1 (c), which appeared in document A/C.3/34/L.73.

49. The Moroccan amendment was rejected by 68 votes to 13, with 24 abstentions.

50. The CHAIRMAN said that, before putting to the vote the Moroccan amendment which appeared in document A/C.3/34/L.73 as an amendment to article 16, paragraph 1 (d), he would point out that, as could be seen from the wording, its purpose was not actually to replace subparagraph (d) but to insert another subparagraph between the existing subparagraphs (d) and (e).

51. The Moroccan amendment was rejected by 58 votes to 28, with 23 abstentions.

Part V of the draft Convention

52. The CHAIRMAN said that separate votes would be taken on the different proposals submitted in connexion with part V of the draft Convention. As explained

/...

by the representative of India in her capacity as Chairman of the Working Group, the Group had left the choice between the various alternatives to the Committee. It had been suggested that the Committee should begin by considering the Swedish proposal, which appeared in the middle column on pages 10-13 of annex I to document A/C.3/34/L.14. As Bangladesh had submitted an alternative to the Swedish proposal, a vote should be taken first on the alternative version proposed by Bangladesh and then on the Swedish proposal as a whole. He also explained that the Bangladesh proposal would replace paragraph (h) of the Swedish proposal, and not paragraph (g) as indicated in error on page 12 of annex I to document A/C.3/34/L.14.

53. Miss RICHTER (Argentina), speaking in explanation of vote before the vote, said that she would vote against the Bangladesh proposal, because she considered it preferable that States Parties should be responsible for the expenses of the members of the Committee. She noted that there was an obvious error in the Secretary-General's statement of the administrative and financial implications of the draft Convention, which stated that, should the Bangladesh alternative version be adopted, an additional appropriation of \$3,500 annually would be required (para. 11 of the provisional version of document A/C.3/34/L.78). That was absurd, since the Chairman of the Committee was to receive \$2,500 annually and each member \$1,000 annually, and the Committee would have at least 18 members.

54. The CHAIRMAN requested the representative of Argentina to confine herself to explaining her vote, without discussing the statement of administrative and financial implications.

55. Miss RICHTER (Argentina) said that her reference to that statement was in fact a point of order. In accordance with rule 153 of the rules of procedure of the General Assembly, no resolution or paragraph of a resolution could be recommended to the General Assembly by a committee unless the committee had received a statement of its administrative and financial implications. Receiving an incorrect statement was the same as not receiving any statement at all.

56. Mr. PAPADEMAS (Secretary of the Committee) said that there was a typing error in paragraph 11 of the provisional version of document A/C.3/34/L.78; the figure of \$3,500 would be corrected in the final version. In any event, rule 153 of the rules of procedure did not apply in the present case, because no draft resolution was being recommended to the Assembly at the present stage. The statement of administrative and financial implications would be submitted to the General Assembly at the appropriate time.

57. Mr. YEPES ENRIQUETZ (Ecuador), speaking on a point of order, said that it would not be proper to vote first on the Bangladesh proposal and only then on the Swedish proposal, because that would mean voting first on part of a proposal that had not yet been approved. Logically, a vote should be taken first on the whole and then on the alternative relating to a particular point.

58. The CHAIRMAN said that the normal procedure was to vote first on amendments and then on the text as a whole.

59. Mr. GRAY (United States of America), speaking in explanation of vote before the vote, said that he would vote against the Bangladesh proposal, one reason being that there was a clear contradiction between that proposal and article X, paragraph 3 (c), of the Swedish proposal.

60. The CHAIRMAN, supported by Mrs. RAHMAN (Bangladesh) and Mr. NORDENFELT (Sweden), said it was understood that if the Bangladesh proposal was adopted, the first sentence of paragraph 3 (c) of article X of the Swedish proposal, reading: "The secretariat of the Committee shall be provided by the Secretary-General of the United Nations", would be deleted.

61. A non-recorded vote was taken on the Bangladesh proposal.

62. The Bangladesh proposal concerning part V of the draft Convention was adopted by 72 votes to 12, with 27 abstentions.

63. The CHAIRMAN said that the Committee should now vote on the Swedish proposal as a whole, subject to the replacement of paragraph (h) by the Bangladesh alternative version and the deletion of the first sentence of paragraph 3 (c) of article X.

64. A non-recorded vote was taken on the Swedish proposal.

65. The Swedish proposals concerning part V of the draft Convention, as revised and amended, were adopted by 98 votes to 1, with 12 abstentions.

66. The CHAIRMAN pointed out that in article X, as a result of the adoption of the Swedish proposal, the word "/body/" should be replaced by the word "Committee" in the opening part of paragraph 1, in paragraph 1 (b), in the last part of paragraph 4 (a) and in paragraph 5, for which no alternatives were proposed and which were set out across the full width of pages 13-15 of annex I to document A/C.3/34/14.

67. The Committee would next vote on the tenth and eleventh preambular paragraphs, on which the representatives of the United Kingdom and France had requested a separate vote.

68. Mr. O'DONOVAN (Ireland), speaking in explanation of vote on behalf of the nine member countries of the European Economic Community, said that those countries would abstain from voting on the tenth and eleventh preambular paragraphs, as amended, because they introduced new elements which raised problems for the EEC countries.

69. Mrs. SEMICHI (Algeria) requested a separate vote on each of those paragraphs.

70. Mr. GRAY (United States of America), speaking in explanation of vote before the vote, said that he would vote against the tenth and eleventh preambular paragraphs because they reflected political influences and were not properly related to the purpose of the Convention. Moreover, expanding the text had deprived it of its previous balance.

71. Mr. DYRLUND (Denmark), speaking on behalf of the five Nordic countries, said that those countries would abstain from voting on the tenth and eleventh paragraphs because they were polemic and inappropriate. However, that did not affect their position on the substance of the question.

72. Mr. CABRERA (Spain) said that his delegation would abstain in the vote on both paragraphs, not because it disagreed with their concepts but because of their context and because they were unnecessary.

73. At the request of the representative of Singapore, a recorded vote was taken on the tenth preambular paragraph.

In favour: Afghanistan, Algeria, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian, Soviet Socialist Republic, Chile, China, Colombia, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Ecuador, Egypt, Ethiopia, Fiji, Gabon, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, India, Indonesia, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Sierra Leone, Singapore, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia.

Against: United States of America.

Abstaining: Australia, Austria, Belgium, Canada, Costa Rica, Denmark, Finland, France, Germany, Federal Republic of, Greece, Iceland, Ireland, Israel, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland.

74. The tenth preambular paragraph, as amended, was adopted by 88 votes to 1, with 23 abstentions.

75. At the request of the representative of Singapore, a recorded vote was taken on the eleventh preambular paragraph.

In favour: Afghanistan, Algeria, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Chile, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Ecuador, Egypt, Ethiopia, Fiji, Gabon, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, India, Indonesia, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Mozambique, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Sierra Leone, Singapore, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Cameroon, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia.

Against: United States of America.

Abstaining: Australia, Austria, Belgium, Canada, China, Denmark, Finland, France, Germany, Federal Republic of, Greece, Iceland, Ireland, Israel, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland.

76. The eleventh preambular paragraph, as amended, was adopted by 85 votes to 1, with 23 abstentions.

77. Mr. OULD SID'AHMED VALL (Mauritania) requested a separate vote on article 9, paragraph 2.

78. Mr. CARIAS (Honduras) said that, since the Argentine amendment seeking to delete that paragraph had already been rejected, his delegation felt that there was no need to put it to the vote.

79. The CHAIRMAN explained that there was a difference between requesting the deletion of a paragraph and requesting a separate vote on a paragraph.

80. Mrs. SEMICHI (Algeria), speaking in explanation of vote before the vote, said that she would not support article 9, paragraph 2, because Algerian law automatically granted children the nationality of the father.

81. Article 9, paragraph 2, was adopted by 61 votes to 25, with 21 abstentions.

82. At the request of the representative of Argentina, a vote was taken on "former article 23" as a whole.

83. "Former article 23" was adopted by 62 votes to 1, with 39 abstentions.

84. Mrs. SIBAL (India) read out the drafting changes and revisions to be made in parts V and VI of the draft Convention, which appeared on pages 10-18 of annex I to document A/C.3/34/14. The title of part V would be "Implementation machinery", and part V would begin with article 17. Paragraphs (a) to (f) would become paragraphs 1 to 6 of article 17; in the fifth line of paragraph (f), the words "paragraphs 2 (b), (c) and (d)" should read "paragraphs 2, 3 and 4"; paragraph (g) would become paragraph 7; the two subparagraphs of the Bangladesh alternative version would become subparagraphs (a) and (b) of paragraph 8 of article 17. Article X would become article 18; subparagraphs (a) and (b) of paragraph 3, which appeared at the bottom of the middle column on page 13, would become paragraphs 1 and 2 of article 19; the first subparagraph of paragraph 3 (c) had been deleted, but the other two subparagraphs would become paragraphs 1 and 2 of article 20 and paragraph 1 would end with the words "in accordance with article 18 above"; the two provisions proposed by Sweden for paragraph 4 would become paragraphs 1 and 2 of article 21, with the addition at the end of paragraph 1 of the text spread across page 14, in which the word "body" would be replaced by "Committee"; paragraph 5, at the bottom of page 15, would become the new article 22. Part VI, consisting of former articles 17, 20, 18, 19 and 21-24, which appeared on pages 16-18 of annex I to document A/C.3/34/14, would become articles 23-30 and the foot-note on page 16 would be deleted.

85. The CHAIRMAN, replying to a question from the Ethiopian delegation, said that, apart from the title "Implementation machinery" for part V, none of the parts had been given titles. The Committee should now proceed to vote on the text of the draft Convention as a whole.

86. Mr. GONZALEZ de LEON (Mexico), speaking on a point of order, requested clarification as to whether the text was to be adopted as a draft convention or a convention.

87. The CHAIRMAN said that the text would be put to the vote as such, and its legal status would depend on the decisions subsequently taken by the Committee on the relevant draft resolution and the amendments to it submitted by Mexico.

88. Mr. GONZALEZ de LEON (Mexico) said that, in that case, he would take it that the Committee was about to vote on a set of provisions which formed part of a draft convention.

89. Mr. SZASZ (Office of Legal Affairs) said that the explanation given by the Chairman was sufficiently clear; for the moment, the Committee would be adopting the text, the legal status of which would be determined later according to the recommendation made by the Committee to the General Assembly.

90. Mr. GONZALEZ de LEON (Mexico) insisted that his delegation preferred that the text should be transmitted to the General Assembly for adoption at its next session, which would mean that the text would cease to be a draft only in 1980 and not at the current session; his delegation did not favour the adoption and opening for signature of the Convention at the current session.

91. The CHAIRMAN pointed out that adoption of the text would not preclude the Mexican delegation's proposal.

92. Mrs. SIBAL (India) said that the Committee now had before it draft resolution A/C.3/34/L.75 and the Mexican amendments; the draft in document A/C.3/34/L.75 was incomplete and contained a reference to a text to be annexed to it. Once the text had been adopted, the Committee could adopt the original version of draft resolution A/C.3/34/L.75 or the Mexican amendments.

93. Mr. CABRERA (Spain) agreed with the Chairman. The logical course, after voting on the paragraphs of a text, was to put the text to the vote as a whole. There was no doubt that, even if draft resolution A/C.3/34/L.75 were adopted, the text of the Convention would still be a draft.

94. Mr. OULD SID'AHMED VALL (Mauritania) also agreed with the Chairman, and said that his delegation would abstain from voting on the text of the draft Convention because it had reservations concerning some articles.

95. Mr. THIAM (Senegal) said that his delegation would not be able to participate in the vote because Senegal would have to study the text before taking a final position.

96. Mrs. WARZAZI (Morocco), Mr. BOCOUM (Mali) and Mr. ERRAZURIZ (Chile) said that they would abstain in the vote, since they would have to ascertain the views of their Governments.

97. Mr. HOLLWAY (Australia) announced that he would vote in favour of the text of the draft Convention and urged other delegations to do likewise.

98. Miss NUNEZ (Venezuela) said that if the text of the draft was put to the vote as a whole her delegation would have to abstain, because it had serious reservations with respect to article 29.

99. Mrs. GUELMAN (Uruguay) announced that her delegation would not take part in the voting because it had reservations concerning the procedure that had been followed.

100. Mr. OUEDRAOGO (Upper Volta) said that his delegation had reservations with regard to a number of articles of the draft and would therefore abstain in the vote.

101. Mrs. SEM'ICHI (Algeria) said that her delegation would vote in favour of the text of the draft Convention, although it had some difficulty with articles 15 and 16, and that she would state her reservations at the proper time.

102. Miss ZOURABICHVILI (France) said she would vote in favour of the draft so that her Government would receive a text that it could consider.

103. Mr. MAKKI (Oman) indicated that his delegation would vote in favour of the text of the draft in view of the importance of the elimination of discrimination against women and their active participation in social development; moreover, that question was in keeping with the precepts of Islam on which the rights of women in all spheres were based. That did not mean that he was in full agreement with the drafting of a number of articles, and, in any event, he also needed to know his Government's view.

104. Ms. COP (Yugoslavia) announced that her delegation would vote in favour of the text of the draft, as it considered it a very important instrument that would serve as a basis for subsequent efforts to promote equality among all human beings.

105. Mrs. de REYES (Colombia) indicated that her delegation would abstain in the vote since, in its view, the text called for thorough consideration.

106. Mr. HASSAN (Pakistan), Mr. NORDENFELT (Sweden), Mr. RODRIGO (Sri Lanka), Mrs. HOUNGAVOU (Benin), Mr. SHERIFIS (Cyprus), Mr. DESKER (Singapore), Mr. NYAMEKYE (Ghana), Mr. RAMAZANI (Zaire), Mrs. HATEGA (Uganda), Mr. KAMBIA (Togo), Miss NICOLAIDOU (Greece), Mr. YEPES ENRIQUEZ (Ecuador), Mr. O'DONOVAN (Ireland), Mrs. CHATER (Tunisia), Mr. SATER (Bahrain) and Mrs. ANDERSON (Guyana) announced that they would vote in favour of the text of the draft Convention, without prejudice to the reservations or comments that their respective Governments might make after having considered it in detail.

107. Mr. NDOMBI (Congo) indicated that, although he had abstained in the vote on certain paragraphs, he would vote in favour of the text as a whole in view of its fundamental importance.

108. Mr. MOHAMMAD ALI (Bangladesh) said that he would vote in favour of the draft, even though he had serious reservations with respect to a number of provisions, and that his delegation reserved the right to give it closer consideration.

109. Mr. RAZZOQI (Kuwait) said that his delegation believed in equality between men and women in many spheres but had a number of reservations with respect to article 16.

110. Mrs. MARKUS (Libyan Arab Jamahiriya) announced that she would vote in favour of the draft even though she had a number of reservations with regard to certain articles that conflicted with Islamic law. She would state those reservations at the appropriate time.

/...

111. Mr. AL-KHULAIFI (Qatar) supported the text of the draft Convention but wished to place on record his Government's reservations with regard to a number of articles that conflicted with Islamic law.

112. Mr. AL-KUTTAB (United Arab Emirates) said that Islamic law contained elements that safeguarded the dignity of women. Although his delegation supported the text of the draft Convention, it had a number of reservations with respect to some articles that conflicted with Islamic law; it had difficulties with other provisions for reasons of State. In its view, it would be necessary to carry out a more detailed study and to draft provisions that represented a compromise solution.

113. Mrs. NAKAMURA (Japan) said she would vote for the text of the draft Convention, although she had reservations with respect to certain provisions.

114. Mr. HASSA (Jordan) expressed reservations with respect to article 6 and recalled that his delegation had voted for the Moroccan amendment. It also had reservations with respect to article 9, paragraph 2, which conflicted with his country's legislation on nationality, and article 16. In any event, it would vote in favour of the text of the draft.

115. Mr. WANG Jiechen (China) said that he would vote in favour of the text of the draft Convention, even though he had reservations with regard to a number of parts of it. In particular, the eleventh paragraph of the preamble repeated the slogan "general and complete disarmament", but as long as imperialism and hegemonism existed that slogan could not materialize. His country was in favour of genuine disarmament, as it had stated repeatedly in other forums.

116. Mr. ALAKWAA (Yemen) announced that he would vote in favour of the text of the draft Convention, since it was in keeping with the objective principles of the Revolution of 26 September, which had given women opportunities to participate in development equal to those of men. Nevertheless, he had a number of reservations, particularly with respect to article 9, paragraph 2, since children acquired the nationality of the father according to his country's legislation. He would communicate the relevant reservations to the Secretariat in due time.

117. Mr. WAHAB (Iraq) said that he would vote in favour of the text of the draft, as his country felt that the rights of women and their equality with men should be guaranteed and he endorsed in general the findings of the Working Group. However, he reserved his Government's right to express reservations with regard to certain parts of the text in due time.

118. Mr. BYKOV (Union of Soviet Socialist Republics) said that he would vote in favour of the text of the draft Convention and supported it fully and unreservedly. That text, which was the result of lengthy negotiations, would in time bring about the establishment in the various countries of national legislative norms designed to guarantee equality of men and women in all spheres and to guarantee women the right to participate in all activities on an equal basis, which would be advantageous for peace.

119. Mr. RAKOTOZAFY (Madagascar) said that he would vote in favour of the text, without prejudice to the reservations that he had with respect to article 9, paragraph 2.

120. Mr. CALERO-RODRIGUES (Brazil) said that he regretted having to abstain. Without belittling the great efforts made in drawing up the draft, he did not consider the results to be totally satisfactory. Some articles were superfluous, others badly worded, and the full legal implications of the provisions had not always been taken into account. The text required further work, and his delegation wished to study it more carefully.

121. Mrs. BIKE (Gabon) said that her delegation would vote in favour, without prejudice to any later, definitive statement by her Government on the text, which in the interim it would consider as a working document.

122. Mr. DABO (Guinea) said that his delegation would vote in favour. Yet he regretted the rejection of an important amendment aimed at combating prostitution, which was a flourishing industry in some countries. He also regretted the rejection of the Moroccan amendment which would have given the mother custody of minor children in the event of separation or divorce.

123. The draft Convention was adopted by 104 votes to none, with 10 abstentions.

124. Mr. KABIA (Sierra Leone) said that, although his delegation had originally intended to abstain, it had voted for the draft Convention, without prejudice to any reservations his Government might have following further study.

Draft resolution A/C.3/34/L.75

125. Ms. van den ASSUM (Netherlands), introducing draft resolution A/C.3/34/L.75 on behalf of the sponsors, to which were to be added the Bahamas, which had been omitted earlier due to a technical error, and Jamaica, said that a new operative paragraph 3 had been inserted:

"Requests the Secretary-General to present the text of the Convention to the World Conference on the United Nations Decade for Women for its information."

126. The draft Convention before the Committee was the result of extensive consultations held over the previous three years. In 1972, the Commission on the Status of Women had suggested that a convention on the elimination of all forms of discrimination against women be drafted. That Commission, and subsequently the Economic and Social Council and the Assembly, had had to face the difficult task of preparing a text applicable to societies of different cultural characteristics and traditions. The ways in which discrimination against women manifested itself varied from one culture to another and from one country to another. The draft Convention therefore represented a constructive compromise. In adopting draft resolution A/C.3/34/L.75, with the Convention annexed to it, the Committee would reach an important milestone in the United Nations efforts to improve the status of women in the interests of equality, development and peace.

/...

127. Mr. VOICU (Romania) recalled the contributions made by many delegations in preparing the draft Convention on the Elimination of All Forms of Discrimination against Women. He called upon the Committee to complement its earlier intensive labours by making a final effort to adopt, in a spirit of co-operation and compromise, the draft resolution before it. He was optimistic about the possibility of overcoming any difficulties and of reaching a decision which would be satisfactory to all.

128. Mr. GONZALEZ de LEON (Mexico) suggested that operative paragraphs 1 and 2 of draft resolution A/C.3/34/L.75 be replaced by the following two paragraphs: "1. Warmly congratulates the Working Group which drew up the draft Convention on the Elimination of All Forms of Discrimination against Women, which appears in document A/C.3/34/L.4 as revised, annexed to the present resolution. 2. Decides to refer the draft Convention to the Governments of Member States to allow them to submit their final observations to the Secretariat, for consideration by the Sixth Committee of the General Assembly during the thirty-fifth session, and adoption in 1980".

129. He had no difficulty whatsoever in accepting the new operative paragraph 3 proposed by the Netherlands on behalf of the sponsors of the draft resolution, but wished to amend it so that instead of "... to present the text of the Convention ...", it read "... to present the text of the draft Convention ...".

130. Mrs. SEMICHI (Algeria) said, with reference to the new paragraph 2 proposed by the representative of Mexico, that she was opposed, unless there were overriding reasons for it, to submitting the opinions of Governments on the draft Convention to the Sixth Committee for consideration, since the Third Committee had made every effort to reach that final stage. She recalled that precedents existed for the Third Committee to draft and complete important conventions and international instruments, such as the International Convention on the Elimination of All Forms of Racial Discrimination, the Human Rights Covenants and the International Convention on the Suppression and Punishment of the Crime of Apartheid.

131. Mr. RIOS (Panama) said that Mexico's proposal was very useful. Nevertheless, the final decision on the draft Convention should be taken in the Third Committee, which already had a team of experts working on the matter.

132. Mr. DABO (Guinea) suggested to the representative of Mexico that the paragraph which he had proposed should merely stipulate that the draft should be submitted to the General Assembly for adoption, without specifying either the Third or the Sixth Committee. Referring to the new operative paragraph 3 proposed by the Netherlands, he would have preferred the words "for its information" to have been replaced by the words "for its consideration".

133. Mrs. SHAHANI (Philippines) doubted whether the Sixth Committee offered an appropriate atmosphere for the consideration of a draft convention on the status of women, although she did not wish to belittle the work of that Committee in any way. In her opinion, the Third Committee should continue to consider the draft.

/...

(Mrs. Shahani, Philippines)

134. Furthermore, since a clear majority of States supported the Convention, she agreed with Romania that an appeal should be made for it to be adopted during the General Assembly's current session.

135. Mr. OULD SID'AHMED VALL (Mauritania) urged the Mexican delegation not to insist on a reference to the Sixth Committee.

136. Mr. GONZALEZ de LEON (Mexico) said that the reference to the Sixth Committee seemed to him to be in order, in view of the adoption of resolution A/C.6/34/L.21, which recognized the importance of referring legal and drafting questions to the Sixth Committee. Nevertheless, since it created difficulties for some delegations, he would agree to delete the words "the Sixth Committee of".

The meeting rose at 9.35 p.m.