

**REPORT
OF THE COMMITTEE
ON THE
ELIMINATION OF DISCRIMINATION
AGAINST WOMEN**

(Ninth session)

GENERAL ASSEMBLY

OFFICIAL RECORDS: FORTY-FIFTH SESSION

SUPPLEMENT No. 38 (A/45/38)



UNITED NATIONS

New York, 1990

Best Copy Available

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[6 June 1990]

CONTENTS

	Paragraphs	Page
LETTER OF TRANSMITTAL		Vi
I. INTRODUCTION	1 - 15	1
A. States parties to the Convention	1 - 2	1
B. Session of the Committee	3 - 11	1
C. Membership and attendance	12	2
D. Agenda	13	3
E. Report of the pre-session working group of the ninth session	14 - 15	3
II. ORGANIZATION OF WORK	16 - 48	4
A. Working groups	17 - 21	4
B. Action taken by the Committee on the report of Working Group I	22 - 41	5
1. Reports of States parties to be considered at the tenth session of the Committee	23 - 26	5
2. Date Of the Committee's tenth session	27	7
3. Pre-session working group for 1991	28 - 32	7
4. Consolidated guidelines for the initial part of the reports of States parties	33 - 37	8
5. Updating of the report of the Committee on the achievement ⁶ of and obstacles encountered by States parties in the implementation of the Convention submitted at the Nairobi World Conference	38	9
6. Priority issues at the tenth session	39 - 41	9
C. Action taken by the Committee on the report of Working Group II	42 - 48	10

CONTENTS (continued)

	Paragraphs	Page
III. CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION	49 - 436	12
A. Introduction	49 - 50	12
B. Consideration of reports	51 - 436	12
1. Initial report6	51 - 324	12
Federal Republic of Germany	51 - 92	12
United Republic of Tanzania	93 - 129	19
Malawi	130 - 166	25
United Kingdom of Great Britain and Northern Ireland	167 - 213	30
Thailand	214 - 251	41
Peru	252 - 283	48
Turkey	284 - 324	52
2. Second periodic reports	325 - 436	59
Ukrainian Soviet Socialist Republic	327 - 349	59
Mexico	350 - 369	64
Mongolia	370 - 385	68
Egypt	386 - 409	71
Canada	410 - 436	75
IV. WAYS AND MEANS OF IMPLEMENTING ARTICLE 21 OF THE CONVENTION	437 - 438	80
General recommendations based on article 21 of the Convention	438	80
General recommendation lo. 14 (ninth session, 1990)	438	80
General recommendation No. 15 (ninth session, 1990)	438	81
V. ADOPTION OF THE REPORT	439	83

CONTENTS (continued)

	Page
<u>Annexes</u>	
I. States parties to the Convention on the Elimination of All Forms of Discrimination against Women as at 2 February 1990	84
II. Submission of reports by States parties under article 18 of the Convention as at 2 February 1990	87
A. Initial reports due or submitted as at 22 January 1990 .I,.....	87
B. Second periodic reports of States parties due or submitted as at 2 February 1990 *. *	91
III. Membership of the Committee <i>on</i> the Elimination of Discrimination against Women at its ninth session	94
IV. Programme budget implications of the proposal of Working Group I on organisational matters of the Committee on the Elimination of Discrimination against Women	95

LETTER OF TRANSMITTAL

2 February 1990

Sir,

I have the honour to refer to article 21, paragraph 1, **of** the Convention on the Elimination of All Forms of Discrimination against Women, according to which the Committee **on** the Elimination of Discrimination against Women, established pursuant to the Convention, "shall, through the Economic and Social Council, report annually to the General Assembly of the United Nations on its activities".

The Committee on the Elimination of Discrimination against Women held its ninth session from 22 January to 2 February 1990. It adopted the report of that session at its 170th meeting, held on 2 February 1990. The report is herewith submitted to you for transmission to the General Assembly at its forty-fifth session.

Accept, Sir, the assurances of my highest consideration.

(**Signed**) Elizabeth EVATT
Chairman of the
Committee on the Elimination of
Discrimination against Women

His Excellency
Mr, **Javier Pérez de Cuéllar**
Secretary-General of the United Nations
New York

I. INTRODUCTION

A. States parties to the Convention

1. On **2 February** 1990, the closing date of the ninth **session** of the Committee on the Elimination of Discrimination against Women, there were 100 States parties to the Convention on the Elimination of All Forms of Discrimination against Women, which was adopted by the General Assembly in resolution **34/180** of 18 **December** 1979 and **opened for** signature, ratification and accession in New York on 1 March 1980. In accordance with article 27, the Convention entered into **force** on 3 September **1981**.

2. A list of States parties to the Convention is contained in annex I to the present report.

B. Session of the Committee

3. **on** **of** **Women**
ninth session from 22 January to 2 February 1990 at United Nations Headquarters in New **York**. The Committee held 19 (**151st** to 170th) meetings.

4. The ninth session of the Committee was **opened** by the Chairman of **the** Committee elected at the eighth session, Ms. Elizabeth Evatt (Australia), who welcomed the member **s**. She stated that a conference had just **been** held in New York by the International Women's Rights Action Watch to celebrate the tenth anniversary **of** the adoption of the Convention. The Committee played an important role in making **the** Convention effective. Its questions, define the scope of the Convention and the obligations **of** States parties. The process **of** constructive dialogue helped States to find the best means to give effect to their obligations.

5. In her welcoming address, the Director-General of the United Nations Office at Vienna said that, at a time of radical changes in many countries, the Convention and its implementation was one of the few really bright spots in what was often **a** picture of loss of momentum **for** the advancement of women. Although there were grounds for celebrating the Convention's tenth anniversary, **there** was no time to be complacent. It was the Committee's work that would determine the **success of** the Convention and strengthen national effort-;

6. Reminding the Committee members of the fact that the **programme** budget for the biennium 1990-1991 had been set on the basis of no real growth and mentioning **the** cut **of** Professional staff in the Division **for** the Advancement **of** Women, she reported on what had been done within the Division to assist the Committee in its work especially in the field of policy research, such as violence against women and on traditional practices and dissemination of statistical information. She stressed the fact that the servicing **of** the Committee must remain the responsibility of the Division for the Advancement of Women because the Convention, unlike other human rights instruments, had an organic relationship with institutions dealing with women's issues and was in reciprocal connection with the Nairobi Forward-looking Strategies for the Advancement of Women.

7. **While** mentioning the secretariat resources brought from Vienna to New York for the session, she stressed that that minimal level of staff was far below what the Division would have **been** able to make available in Vienna, in addition to the lack **of** reference material which was **collected** in Vienna but could not be transmitted to New York. It might **be** useful if the Committee, as has been the practice of the Commission on the Status of Women, made known to the Secretariat in advance the general issues it would like to address so that the Secretariat could provide related information **in** the inter-sessional periods.

8. The Director-General **reported** on several events that had taken place and would take place during 1990 to commemorate the tenth anniversary of the adoption **of** the Convention and paid a tribute to the tireless work **of** non-governmental organisations. **She** also reminded the Committee of the forthcoming tenth anniversary of the entry into force of the Convention in 1991 and invited the **Committee** to think of ways to **use** that date to **focus** further attention on the Convention. The improvement of the lot of women who had not yet been touched by the Convention should underlie the concerted work **of** the Committee at the present session.

9. The Director of the Division for the Advancement of Women noted that four additional countries had become States parties to the Convention and that there were now 100. She noted **events** that marked the tenth anniversary of the adoption of the Convention, which, according to a statement made by the Secretary-General of the United Nations, provided an agenda for action by countries "to guarantee rights for women".

10. She **mentioned** in particular the new sales publication entitled **The Work of CEDAW**, which was launched at Vienna on 18 December, and whose goal was to make the Committee's work more visible and accessible to scholars, legal specialists and the public who already knew about the Committee and the United Nations work to contribute to the elimination of discrimination against women. For the mass media, the non-governmental organisations and the public at large, the Department **of** Public Information launched an information kit on the Convention, which provided information on the Convention in very simple language.

11. She also adverted to a seminar held at Tashkent, Union of Soviet Socialist Republics, in September 1990 and another regional seminar in October 1990 for She
also reported briefly on the regional training seminar on the Convention in
United Nations for the Spanish-speaking countries of the region.

C. **Membership and attendance**

12. At the commencement of the session, **21** **the** Committee were present.
Ms. Grethe Fenger-Moeller arrived on 26 January 1990.
Ms. Carlota Bustelo Garcia del The membership of

D. Agenda

13. At its 151st meeting, on 22 January 1990, the Committee adopted the provisional agenda (**CEDAW/C/19**) as the agenda of its ninth session. The agenda as adopted was as follows:

1. **of**
: States parties under United Nations instruments on human rights.
2. Consideration of reports submitted by States parties under article 18 of the Convention.
3. Implementation of article 21 of the Convention.
4. Adoption of the report of the Committee on its ninth session.

E. Report of the pre-session workinggroup of the ninth session

14. At its 154th meeting, on 23 January, the Chairman of the pre-session working group, Ms. **Mervac** Tallawy, introduced the report of the pre-session working group that had met from 17 to 19 January 1990 (**CEDAW/C/CRP.12**). She said that the report was guided by the existing guidelines for second periodic reports, the examination **of** the initial **and** second periodic reports of the countries concerned, and the desire to maintain a certain uniformity as to the number of questions to be asked of each country. The pre-session preparatory work had proved to be a very positive experience that should be repeated at the next session. It might, however, be necessary to extend the pre-session preparatory work by one or two **days, considering** the larger number of **second** periodic reports that would be considered by the Committee at its tenth session.

15. At its 156th meeting, on 24 January, the Committee agreed on the list of issues to be raised with the States parties, in connection with the second periodic reports to be considered at the current session.

II. ORGANIZATION OF WORK

16. The Committee considered its organization of work at its 151st and 168th meetings, on 22 January and 1 February (CEDAW/C/SR.151 and 168). In connection with this item, the Committee had before it the following documents:

(a) Organisation of work (CEDAW/C/CRP.7), prepared by the Secretariat in consultation with the Chairman of the Committee;

(b) Report of the Committee on the Elimination of Discrimination against Women on its eighth session; 1/

(c) Draft consolidated guidelines for the initial part of States parties' reports (CEDAW/C/CRP.9);

(d) General guidelines and recommendations adopted by the Committee regarding the form and content of periodic reports (CEDAW/Background Paper/L.18);

(e) Resolution 3313 of the Commission on the Status of Women;

(f) Economic and Social Council resolution 1989/44;

(g) General Assembly resolution 44/73;

(h) Report of the pre-session working group (CEDAW/C/CRP.12).

A. Working groups

17. At its 151st meeting, the Committee agreed on the composition of its two standing working groups: Working Group I to consider and suggest ways and means of expediting the work of the Committee and Working Group II to consider ways and means of implementing article 21 of the Convention.

18. Working Group I was composed of the following members of the Committee:

Ms. Desirée Bernard (Co-ordinator),
Ms. Byoko Akamatsu,
Ms. Elizabeth Evatt,
Ms. Norma Forde,
Ms. Aid8 González Martínez,
Ms. Zagorka Ilic,
Ms. Guan Mingqian,
Ms. Mervat Tallawy,
Ms. Rose Wkeje.

19. Working Group II was composed of the following members:

Ms. Hanna B. Schoepp-Schilliag (Co-ordinator),
Ms. Ana Maria Alfonsin de Fasan,
Ms. Ivanka Corti,
Ms. Hadja Assa Diallo Soumare,

MS. Ruth **Escobar**,
MS. **-Moeller**,
Ms. Chryssanthi Laiou-Antoniou,
MS. **Elvira Novikova**,
Ms. **Edith Oeser**,
MS. Lily Pilataxi de Arenas,
Ms. Pudjiwati Sajogyo,
Ms. Kongit Sinegiorgis,
Ms. **Kissem Walla-Tchangai**.

20. As the Committee had agreed at its sixth session, the membership of the working groups was kept flexible and open-ended so that other **members** could attend them.

21. Working Group I was entrusted with the consideration **of the** following items:

(a) Consideration and **recommençation** concerning the consolidated guidelines for the initial part of **States** parties' reports and proposals for simplifying general guidelines for the preparation of reports, taking into account general recommendation No. 2 made at the Committee's sixth session, in **1987**;

(b) A discussion as to which initial and which second periodic reports should be **considered** by the Committee at its tenth **session**;

(c) Updating the report of the Committee on the achievements of, and obstacles encountered by, States parties in implementing the Convention, originally prepared **for** the Nairobi Conference (**A/CONF.116/13**);

(d) Procedural matters, including also the dates for the next session of the Committee.

B. Action **taken by the Committee on the report of Working Group I**

22. At the end of its closed meetings, held on 22, 25, 26 and 29 January, the Co-ordinator of the Working Group presented to the Committee the **report** of the Working Group at the 168th meeting, on 1 February 1990.

1. **Reports of States parties to be considered at the tenth session of the Committee**

23. The Working Group had before it 5 initial and 18 second periodic reports. Following the Working Group's proposal, the Committee agreed to consider at its tenth session no more than five initial and seven second periodic reports. There were two initial reports, the reports of Honduras and Romania, which had been on the Committee's agenda at previous sessions. The Committee decided that Romania should be invited to present its report at the tenth session and at the same time given an opportunity to submit an amendment or bring its report up to date, if it so desired, prior to its consideration by the Committee. Honduras had submitted the **initial** and the second periodic report. Both reports would **be** listed together for consideration.

24. Following the Working Group's propoaal, the Committee decided to consider the following reports at its tenth session:

Initial reports

CEDAW/C/5/Add.61	Democratic Yemen
CEDAW/C/5/Add.63	Guyana
CEDAW/C/5/Add.62	
CEDAW/C/5/Add.44	
CEDAW/C/5/Add.45	Romania

Reserve reports

Second periodic reports

CEDAW/C/13/Add.14	Denmark
CEDAW/C/13/Add.12	
CEDAW/C/13/Add.9	
CEDAW/C/13/Add.15	Norway
CEDAW/C/13/Add.17	
CEDAW/C/13/Add.16	
CEDAW/C/13/Add.13	Rwanda
CEDAW/C/13/Add.18	

Reserve reports

CEDAW/C/13/Add.19	Spain
CEDAW/C/13/Add.22	Portugal
CEDAW/C/13/Add.23	Yugoslavlva

26. All the above countries, and in particular El Salvador and Rwanda, were to be asked whether they were willing to proceed to Vienna in 1991.. If any State was unable to confirm, inquiries were to be made with the reserve States. It WA'; recommended that no more than 12 reports be considered at the next session.

2. Date of the Committee's tenth session

27. The Committee did not accept **the** dates originally proposed by the Secretariat for the tenth session and asked that the dates of 21 January to 1 February 1991 be considered, **preceded** by the meeting of the **pre-session** working group **from** 14 to 18 January 1991, pending the decision by the Committee on **Conferences**.

3. Pre-session working group for 1991

28. Before discussing the possibility of holding a pre-session working group, the Committee was presented with a statement on the **programme** budget implications of holding a pre-session working group (see annex IV). Following the proposal made by the Working Group and in view of the success of the pre-session working group at its ninth session and the large number of periodic reports awaiting consideration, **the** Committee decided at its **168th** meeting, on 1 February, that a pre-session working group be convened before the tenth **session** in 1991 and, before each subsequent session in accordance with the decision **of** the Committee at its eighth session, **2/** that it be constituted as for the ninth session of five members, with five alternates, **to** meet **for** five days to consider seven reports. Upon the nomination of the working group for the tenth session, the members would meet to **determine** the primary responsibility for preparing preliminary draft questions for each country.

29. The report of the pre-session working group should indicate its analysis of the second periodic reports and should cover the following matters;

(a) Matters which members had asked to be included in the second periodic reports when **the** first report was considered, if any;

(b) Matters in respect **of which** the second periodic report showed important progress for women or significant change, including withdrawal of reservations;

(c) Remaining **obstacles** revealed by the **second** periodic report;

(d) Matters in respect **of** which further information should be provided.

30. It was decided that members should submit draft material to the Secretariat under the above headings at least one month before the **date** of the convening of the pre-session working group. The Secretariat would continue to provide the comparative analyses of initial and second periodic reports. It **was suggested** that the pre-session working group send their report directly to the States parties concerned. Members should formulate their questions in accordance with the general guidelines and the articles of the Convention and refrain from duplicating questions between articles. Members should also refrain from requesting additional **statistics** from States parties which were already supplied unless the request was sent well in advance so that they could be obtained from the State party's capital. It was further decided that members should conform strictly with the **stated** deadline for submission of questions to the pre-session working group and not deviate from them,

31. It was suggested that in selecting members for the pre-session working group Committee members who were being considered for re-election ought not to be included. There should be rotation of membership, but at least one member should remain for the purpose of continuity.

32. At its 169th meeting, on 2 February, the Committee agreed upon the membership **and** the alternates **for** the pre-session working group, as follows;

<u>Region</u>	<u>Member</u>	<u>Alternate</u>
Af rice	Me. Kongit Sinegiorgis	Ms. Kissem Walla-Tchangai
Asia	to be nominated by the Chairman	to be nominated by the Chairman
Eastern Europe	Me. Edith Oeser	Ms. Zagorka ilíc
Latin America and the Caribbean	Ms. Ana Maria Alfonsín de Fasán	Ms. Norma Forde
Western Europe	Ms. Chryesanthi Laiou-Antonfou	Ms. Carlota Buetelo Garcia del Real

4 , **Consolidated guidelines for the initial part of the reports of States parties**

33. As recommended by the meeting of persons chairing human rights treaty bodies, held at Geneva from 10 to 14 October 1988, and in accordance with General Assembly **resolution 43/115**, the Secretary-General requested the treaty bodies to consider the possible consolidation of their respective guidelines governing the initial part of the reports of States parties.

34. The **Secretary-General intends** to convey the final text of the consolidated guidelines, as approved by the treaty bodies, to the General Assembly at its forty-fifth session. The adoption of such consolidated guidelines is expected to alleviate significantly the reporting burdens of States which are parties to several international human rights instruments by making it possible for them to fulfil their reporting obligations in respect of the initial part of their reports through submission of the same **core** document to the various treaty bodies. A draft text of such consolidated guidelines (**CEDAW/C/CRP.9**) was submitted to the Committee by the secretariat.

35. Following the proposal by the Working Group, the Committee suggested that, in addition to the data mentioned in paragraph 1 (Land and people), the data on the following topics would also be **required**: (a) maternal **mortality**; (b) fertility rate; (c) percentage of population under 15 and over **65**; (d) percentage of population in rural and in urban **areas**; and (e) percentage **of households** headed by women.

36. As far as possible, States should make efforts to provide all data disaggregated by sex (~~see~~ the Committee's recommendation No. 9, eighth **session**): 3/

(a) **Paragraph 2. General political structure**: information should be provided about the way in which conventions were made part of the national legal system;

(b) Paragraph 3. General legal framework: information should be provided about any national machinery, or institutions established with responsibility to oversee the implementation of human rights.

37. Following the proposal made by the Working Group, the Committee suggested that the consolidated guidelines be reviewed from time to time, and that it be made clear that the treaty bodies had their own specific requirements. It was also suggested that the United Nations give assistance to any State desiring this in compiling statistical data.

5. Updating of the report of the Committee on the achievements of and obstacles encountered by States parties in the implementation of the Convention submitted at the Nairobi World Conference

38. Following the recommendation of the Working Group, the Committee agreed on the proposal made at the eighth session, 4/ and general recommendation No. 10, para. 4, 5/ and endorsed by the General Assembly in its resolution 44/73 (para. 6), to update the report on the achievements of and the obstacles encountered by States parties in the implementation of the Convention (A/CONF.116/13), on a regular basis. It considered that updating was essential to enable the work of the Committee to be evaluated, and to form a basis for the Committee to prepare general recommendations based on the examination of the States parties' reports. An analysis of the implementation of each article by States parties would benefit the States parties and the Commission on the Status of Women. The Committee could use the analysis as the basis for a discussion of one or more articles of the Convention. Such a discussion would help to identify action taken by States parties under particular articles and the issues which should be covered in States parties' reports.

6. Priority issues at the tenth session

39. It was proposed that at each session, one meeting should be set aside to discuss the implementation and application of the articles of the Convention. To that end it was suggested that at the Committee's tenth session discussions should focus on articles 5, 9, 12 and 16. Matters to be covered would include violence, sharing the custody of children, decisions about child-spacing, contraception, etc. The Secretariat was asked to extract, analyse and distribute relevant material prior to the next session.

40. Another suggestion was that the Secretariat make available material relevant to the priority themes established by the Commission on the Status of Women in considering the implementation of the Nairobi Forward-looking Strategies. The themes for 1991-1992 include:

- (a) Vulnerable women: aging, disabled, migrants and youth (arts. 5, 12 and 13);
- (b) National machinery and non-governmental organisations (art. 2);
- (c) Refugee women (arts. 9, 12 etc.);
- (d) De facto and de jure implementation (art. 4):

(e) Integration in **development**: elderly and young *women* (arts, 11 and 14)r

(f) Participation in decision-making (art. 7).

41. Updating the report in these **areau** would promote the appraisal process.

C. Action taken by the Committee on the report of Working Group II

42" After having held closed meetings on 22, 25, 26, 29 and 31 January 1990, at which it considered six draft general recommendations concerning the practice of female circumcision, avoidance of discrimination against **women** in national strategies for the prevention and control of acquired immunodeficiency syndrome (AIDS), unpaid women **wcrkers** of family enterprises, recognition of unremunerated contribution of women in the gross national product, women workers in enterprises, and women in development aid, the co-ordinator **of** the Working Group presented to the Committee the report of the Working Group at the 168th meeting.

43. Working Group II had before it the following background papers submitted by the **Secretariat**: summary of action undertaken at the international level in regard to traditional practices affecting the health of **women** and children (**CEDAW/C/CRP.11**); the preliminary report submitted by the Special Rapporteurs at the forty-first **session of** the Sub-Commission on Prevention of Discrimination and Protection of Minorities on recent developments with regard to traditional practices affecting the health of women and children (**E/CN.4/Sub.2/1989/42** and **Add.1** and its resolution **1989/76**); AIDS and human rights, report prepared by the International Consultation on AIDS and Human Rights, United Nations Centre for Human Rights and World Health Organisation (**HR/AIDS/1989/3**); report on the effects of AIDS on the advancement of women (**E/CN.6/1989/6/Add.1**); global strategy for the prevention and control of **AIDS** (**A/44/274** and **Add.1**); efforts to eradicate violence against women within the family and society (**E/CN.6/1988/6**); violence against women in the family (**ST/CSDHA/2**); and conventions **concerning** workers with family responsibilities, adopted by the General Conference of the International Labour Organisation (**ILO**).

44. The Working Group agreed to submit for approval by the Committee draft general recommendations on the practice of female circumcision and **on** avoidance of discrimination against women in national strategies for the prevention and control of AIDS. The Working Group **agreed** further that the original draft text of the recommendation on female circumcision and the draft general recommendations on unpaid **women** workers of family enterprises! on recognition **of** unremunerated contribution of women in the gross national product and on **women** workers in enterprises, which had been accepted as topics, could not be discussed by the Working Group in detail and *were* submitted to the Committee for further discussion. There was no agreement in Working Group II on the proposal whether to include the original draft general recommendation on **female** circumcision in the report.

45. Following the proposals made by the Working Group, the Committee decided at its 169th meeting that all the draft recommendations not completed by the Working Group be referred to by title in the report and that the draft⁶ be placed on file and be available to interested persons to consult.

46. On the basis of the Working Group's decision, the Committee, following its wish to consider further its general recommendation No. 5 (seventh **session**, 1988) **6/** with regard to the adoption by States parties **of** temporary special measures to promote **de facto** equality between men and women, agreed to ask the Secretariat for background information contained in the reports of States parties **on** article 4, paragraph 1 **of** the Convention, and on studies on this subject prepared by the United Nations system. Furthermore, in order **to** examine the **de facto** situation of women, the Committee decided to ask the Secretariat for background information on existing gender-related analyses in selected countries prepared by **specialized** agencies of the United Nations system on (a) distribution of **work** patterns (paid, unpaid, formal vs. informal sector) between women **and men**; (b) economic allocation **of** individual and household **income** and expenditure between men and **women**; and **(c)** distribution **of** power in terms **of** decision-making patterns between women and **men** within their group (family/household).

47. At its 168th meeting the Committee, after discussion, adopted as amended two general recommendations, as contained in section IV of **the** present report (see **para.** 438).

48. At its 169th meeting the Committee decided **that** in future sessions the report of Working Group II should include as annexes all draft recommendations that had been on its agenda. It was also agreed that at the beginning of each session **the** Committee would decide which issues should be given priority by Working Group II in drafting general recommendations for the Committee. It was agreed that drafts of Working Group II should be distributed to all the members of the Committee.

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

A. Introduction

49. The Committee considered item 2 of its agenda at its 151st to 167th meetings, held from 22 January to 1 February (CEDAW/C/SR.151 to 167).

50. The Committee had before it for its consideration seven initial reports submitted by the Governments of the Federal Republic of Germany, Malawi, Peru, Thailand, Turkey, the United Kingdom of Great Britain and Northern Ireland and the United Republic of Tanzania and five second periodic reports submitted by the Governments of Canada, Egypt, Mexico, Mongolia and the Ukrainian Soviet Socialist Republic,

B. Consideration of reports

1. Initial reports

Federal Republic of Germany

51. The Committee considered the initial report of the Federal Republic of Germany (CEDAW/C/5/Add.59 and Corr.1) at its 152nd and 157th meetings, on 22 and 25 January 1990 (CEDAW/C/SR.152 and 157).

52. The representative of the Federal Republic of Germany, in introducing the report, noted that the composition of its delegation to the Committee with a Federal Minister, two Ministers of State and officials from Federal and provincial ministries indicated the importance attached to the subject by the Government. She noted that the Convention in its tenth year had been given considerable publicity. The report had originally been prepared in 1988, but the availability of additional information, particularly from the most recent census, had led the Government to prepare an addendum which, unfortunately, arrived too late to be distributed in all languages.

53. The current situation of women was that equality was generally recognised de jure but that social reality continued to lead to de facto discrimination. Equality was guaranteed by article 3, paragraph 2, of the Federal Constitution, a clause that had been inserted in 1949 through pressure by women members of the constitutional convention. It was a directly enforceable right binding on all branches of government. Civil law had gradually been brought into line with that provision, as described in annex IX of the addendum.

54. The de facto situation was not as good, with shortcomings most prevalent in public and professional life and in education, as the statistics found in annex I of the addendum demonstrate. Women were underrepresented in politics and government at all levels, even though they were in the majority of voters. The same was true in business enterprises, with less than 1 per cent of company directors being women. In universities, especially in the sciences, although women were well-represented among new students, they were much less among teachers and even less among professors and holders of endowed chairs.

55. Women constituted a major **part** of the workforce, comprising 39 per cent of gainfully employed persons and showing an **increase** especially **in** the 20-50 **year** age group. There had been a shift among professional sectors toward⁶ the services and there was widespread resort to part-time work by women (**one** third **of** working women were part-time). Structurally women were in the lower pay levels, worked fewer hours, did less well-paying shift work and rendered fewer years **of** service.

56. In education, women were attaining parity but positive actions to encourage women **to** take up non-traditional occasional training had not yet broken down concentration of women in effectively sex-segregated fields. As a result, women had fewer options than men.

57. The reasons **for** the **de facto** inequality rested in the prevalence of traditional task allocations, especially in rural areas and among older citizens. Women's **working** conditions impeded their **full** participation **in** political life.

58. To improve the situation a network of institutions had been organized to help establish equality at all political levels: the Ministry of Youth, Family Affairs and Health at the federal level, commissioners in ^{a.11} **Laender** governments, and a great number **of** offices in local governments.

59. The Government had taken a number of steps to implement the provisions **of** the Convention. There had been a broader interpretation of the concept of discrimination to include indirect discrimination. A number of special **measures**, as called **for in** article **4**, had been implemented. Guidelines had been developed **for** the public sector, as well as the private sector. In politics, a number of political parties had established quotas or targets to increase the percentage **of** women. Efforts had been made to reduce stereotypes and sex discrimination in textbooks and, through voluntary efforts, measures were being **taken** to reduce stereotyping in **advertising**. The federal parliament had been dealing with trafficking in women and efforts were being made to deal with the problems of violence against women, the most serious form of **discrimination**, through the enactment of laws and the provision of shelter and **counselling** centres. Women **were** being encouraged by **information** campaigns to study in non-traditional schools and co-education approaches were being reviewed to ensure that they did not discriminate. Studies relating to matters concerning women were being encouraged and were held to be of equivalent academic standard as research on other important issues,

60. A particular effort was being made to help women and men reconcile their needs **for** both family and career, an aspiration expressed by 80 per cent of young women. That was being done through a combination of child-raising allowances that allowed women to leave the workforce temporarily, child care **facilities**, placing part-time and full-time work on an equal footing and reintegration into the workforce.

61. In general comments, members of the Committee noted that the Federal Republic had made a single reservation on the Convention and questioned why and whether it was likely to be withdrawn. The lateness of the additional information was noted and although some found it very useful, **others** indicated that had it been more timely the work of the Committee would have been aided, **since** the addendum provided much missing information. The frankness of the report was also noted. An absence Of information about women's organizations and movements was noted and information on their structure and relationship with other institutions such as parties and labour unions requested.

62. On article 2, questions were raised about the question of abortion, which was considered illegal, and an illustration from legal practice was requested. An indication of which authorities were responsible for imposing sanctions for non-compliance with the Convention was requested, both at the federal and lower levels. The extent to which foreign women workers, especially from Turkey, were covered by provisions was asked. Finally, if, as the report stated, the basic law did not **ap,ly** to "private" acts of discrimination, the question how they were handled was asked,

63. **In** relation to article 3, further information on the functioning of the decentralised implementation structure was requested, including the extent to which women **participated** in its workings and the kinds of demands or requests made on the machinery by women.

64. Several experts noted the guidelines for private companies that had been developed relative to article 4 and requested information on its impact. The question was raised of whether the special measures had led to resentment, as well as whether special measures were being taken to increase the number of women at decision-making levels in the light of the current low proportion. Further information on the special efforts to upgrade part-time work was requested.

65. More detail on the results of efforts to overcome stereotypes, in the context of article 5, was requested, including questions of shared responsibility for child-raising, the number of fathers taking child-raising leave, sex education in the schools and the elimination of stereotyping in advertising, as well as more generally in the **mass** media and on programmes to fund shelters for battered women.

66. Regarding article 6, the extent of prostitution was requested together with the results of studies on the subject and of *programmes* for prostitutes. Information on programmes to combat **AIDS** among women was requested.

67. In terms of article 7, more information was requested about the working of the national machinery, including its composition, budget and linkage with other bodies both at the federal and the provincial level, including the parliament, the Federal Ministry, trade unions and political parties. The role of the women's section of the ministry within the overall programme of the ministry needed elaboration. It was noted **that** the information provided did not give a full picture of the extent of women's political participation; and it was asked whether there were any special programmes to increase the number of women, either by the parties or by the Government. Information on the extent to which women held management posts in the trade unions and on the extent to which women held posts in the judiciary was requested.

60. The criteria for selecting women to participate in international work was requested along with an indication of how many women worked for the United Nations system and specific measures taken to increase the participation of **women** in national delegations to international meetings, as called **for** in article 8.

69. With reference to article 9, the length of time necessary to *revise* the nationality law was requested together with a confirmation that **women** had the same right as men to confer nationality on a foreign spouse.

70. On education, a6 per article 10, the question was **raised** whether there was a special campaign to encourage women to benefit from scholarships and to follow

unconventional careers, and the percentage **of** illiterate women as compared to men was also requested.

71. In the context **of** article 11, noting that the labour court had assessed damages for rejection from jobs because of discrimination, the frequency of those rejections was queried. Further information on the process whereby national labour laws were being revised to conform with those of the European Community and its effect on women was requested, as was whether the opening up **of** European frontiers required any special efforts for women. Interest was shown in laws on the effort to make part-time work equal in legal terms to full-time. It was noted that the increase in total number of women employed had not been great and further explanation of that was requested, as well as reasons why women constituted a larger proportion of both those employed and those unemployed. It was noted that under the law some 20 occupations **were** not open to women by statute and the list of those occupations and the statutory basis for denying women access to them were requested. Further information on the outcome of efforts to revise industrial safety laws was requested including an indication of its likely effect on women's employment. The question of the meaning of "light work" in practice and in monetary terms was made. Noting that the Federal Republic of Germany had ratified ILO Convention No. 100 in 1956, the delay in achieving equal pay between the sexes was noted. Similarly, information on how the **parental** leave system worked and on the prospect of returning to work with rights was requested. Questions were raised about working conditions of foreign women worker⁶ as well as their rights.

72. In terms of health, as per article 12, the incidence of industrial accidents and industry-related diseases among women was requested, as well as information on programmes to make people aware of AIDS, to deal with drug addiction and to deal with the health needs of migrant women.

73. On article **15**, a question **was** raised concerning the policy towards housewives' freedom of movement and whether a provision for special payment **of** household work existed.

74. Regarding article 16, the issue of policies toward⁶ problems of elderly women, especially those divorced late **in** life, was raised and information about the question of provision of pensions and other benefits as part of a dissolution **of** marriage was requested. The status of responsibility for an out-of-wedlock **child** and single-parent families generally in terms of the law was requested. Noting that there were three regimes regarding property rights, a question about which regime was more frequently selected was raised. Finally, **since** the family name in a marriage could either be that **of** the woman or the man, the frequency **of** choosing the wife's name was requested.

75. The representative of the Federal Republic of Germany, in replying to questions raised, noted first that the only **reservation** made, on article 7 **(b)** was because the provision of **the** Convention contradicted the federal Constitution which completely prohibited women from bearing arms in the military service, and that **was** a provision which the **vast** majority of women in the **country** favoured and for those reasons could not be withdrawn. However, it did not bar women from civilian **aspects** of the armed forces. She noted that the process of ratification **of** the Convention had not involved controversy as the Convention was already consistent with existing law.

76. Regarding her ministry, she noted that within the three-tiered governmental structure of the Government (which had federal, provincial (**Laender**) and municipal levels), her ministry dealt with a variety of issues, **for** each of which a Department existed at an equal level, one **of** which dealt with women. The Women's Department had existed since 1986 and had a mandate to promote equal rights and **therefore played a role** in all aspects **of** the federal Government. **Its** special areas **of** competence included general policy **on** women's affairs, including a right to take initiatives in the form of draft laws and interventions in Parliament, a right to request postponement within the cabinet on proposed **laws**, which must be **reviewed** in terms of their **potential** impact on women. It functioned as a focal point to assist other **ministries** dealing with questions relevant to women **such as**, **for** example, protection **of** women in the **workplace** that was the responsibility of **the Ministry** of Labour and **Social Affairs**. The Department had a budget of **DM** 15 million per annum of which more than **DM** 1 million were provided to non-governmental organisations and research institutions, and which accounted for only part of the overall *government* budget for women's questions since many **other** departments **of** various ministries funded women's programmes (e.g. on AIDS and elderly women). Specific figures were **not** possible on the provincial and municipal levels owing to the diversity of institutions. Both women and men worked in the **machinery** and at the federal level 25 per cent of the staff were *men*, although at the provincial and municipal levels there **was a** greater predominance of **women**.

77. There was **a** long-standing tradition **for** women's organisations and movements **going** back to the nineteenth century, but currently 43 major women's **organizations** had come together in the Council of German Women, including groups from political parties, trade unions and churches. **They** worked closely with the ministry, which provided DM 750,000 per year **for** the Council's secretariat. Women's associations also existed at provincial (**Laender**) levels. There was also what was called an 'autonomous **women's** movement*' which had evolved from concerns with abortion rights, violence against **women and** other feminist concerns, some **of** whose activities were also funded by the Government. Thus **there** had been no decline in the vigour **of** the movement, but rather growing participation.

78. At the international level, the movement of the European Economic Community toward **a** single **market** would affect women and the Federal Republic was participating *in* the formulation of a European policy on equal opportunity in that context, as well as in the work **of** the Council of Europe.

79. Regarding article 2 (c), sanctions existed in that where discrimination involved a violation of law, an individual or group could make use of the courts (e.g. labour courts). However, if it was not a violation of law, no direct sanction existed and no institution such as ombudsman had been created. On article 2 (**e**) the constitution prescribed equal **rights for** all women, **citizens** or non-citizens, but that governed the relationship of the individual with the State and did not extend to private relationships. Other legislation, such as the labour code, also prohibited discrimination; that applied to German and foreign workers as well and ~~the~~ State labour offices did not discriminate. However, employers could not be forced to accept someone suggested by the labour **office**. Finally, on article 2 (**g**) the **penal** code did not permit abortions, but **there** was **no** punishment if the life of the woman was *in* jeopardy, **if** there **was** a physical or mental implication for the child, where the pregnancy was the result of **a sexual offence** or ~~the~~ birth would lead to a serious situation of dire need, and where the ground was certified by a doctor and after requisite counselling. The 1974 *penal* code had **permitted** abortion, but a subsequent judicial review had invalidated it. Because

interpretation of the existing code differed according to **Laender**, women often travelled to other **Laender** or abroad. Statistics showed **83,784** abortions the previous year, of which 66.6 per cent were covered by the extreme need ground, but many more, which had been performed by doctors within the legal possibilities, had not been reported, they are to be up to **200-250,000** per year. Few convictions had been handed down and those had been controversial.

80. On article 4, temporary measures were a core of government policy, although politically the issue was controversial. Those opposing affirmative action often invoked the equal opportunities clause of the Constitution, but article 4 of the Convention was often used as a response. Positive action in political participation was a matter for the parties rather than the Government. No clear figures were available on the effect of the guidelines for industries, but it could be noted that 51,000 copies had been provided. The issue would be dealt with in detail in the second periodic report.

61. Concerning article 5, there was a policy of encouraging men to share in domestic responsibilities, and parental leave was equally available to them but only 2 per cent of the fathers had taken advantage of the rights. It was expected that the younger generation was more likely to give up traditional role stereotypes, especially when mothers were more active. Sex education was included in the school curriculum, the need for family planning had been recognised and textbooks were reviewed regularly to eliminate stereotypes. There was no prior censorship of the media, although there was monitoring of broadcasts by the Broadcast Council.

62. On article 6, the number of prostitutes was not known, although it was suspected that owing to a fear of AIDS the number may have declined. At the **Laender level**, counselling was provided and self-help efforts encouraged. That included counselling offices for foreign women, who had been brought into the country on false premises. With regard to violence, there was a network of shelters (over **200**) and a draft law was being considered to punish matrimonial rape.

83. Women's issues were of increasing concern for the political parties and all major parties had set quotas or targets to increase the participation of women, it was reported in the context of article 7. It was suggested that whether quotas were adopted or not - and differing views were held by women on that - participation would grow. It was noted that women in trade unions were underrepresented in top decision-making positions, one of the 16 major unions was headed by a woman. Among employers' associations, the proportion of women was very small. In the judiciary, 17.6 per cent of the judges and 17.6 per cent of the prosecutors were women.

84. Regarding article 8, information had been provided in the addendum to the report but assurance could be given that the criteria used to select women to represent the Federal Republic in international posts was professional competence. On article 9 it was confirmed that all previously discriminatory provisions of the law had been eliminated in 1970.

85. To increase the proportion of women in non-traditional fields of education, in the context of article 10, there were some problems in view of the various factors involved. Because of the benefits of the federal educational advantage law, the number of female students at the universities had risen. However, many girls selected training in "women's jobs" that were more poorly paid, but that was being

combated by providing information to induce girls into non-traditional vocational training **programmes**. In general **the** share of **women in predominantly** male vocations had increased fivefold since 1977 to a total of 8.4 per **cent**. Pilot studies had ehown that **girls were** often better qualified than boys after training in these so-called non-traditional vocations but that girls often **encountered** problems when on the job because of customers' *sexism*. Illiteracy was non-existent in vfew **of** long-standing compulsory school attendance.

86. Regarding article 11, the **reasons** why only 265,000 women had entered the labour **force** between 1975 and 1986 **can** be explained by the then difficult economic situation, **it** was noted that **over** the same period the number **of men** in the labour **force** had decreased. From 1986 to 1988, however, there had been a further increase **of 245,000** women. Regarding the use of the labour law to combat **discrimination**, the labour courts provided sanctions based on violation **of** civil rights **and** it was expected that a draft law would be passed **in** 1990 that would **increase** the amount **of** compensation in successful cases. Salary differentials had been made **illegal** but that had not been fully implemented in practice in part because salaries **were** set as part of collective bargaining that was **outside** government regulation. Women's recourse was through the labour courts and unions had supported cases at court to press claims. There was evidence **of** wage discrimination **in** the "light work" group because **some** wages *were* set on the basis of "muscle power" exerted and that was being fought by more realistic evaluations of job difficulty, which should help in contract negotiations. Regarding part-time work, the existence **of** legal equality **in** law and contracts was noted and in addition a *new* law made further improvements by adopting protective stipulations **for work-on-call** and shared work. In general, employers must give part-time **workers** equal **treatment** in pay and benefits, although when part-time work was below certain thresholds, it was not covered by social security. **More** women than men were found **in** part-time jobs in order to reconcile **economic** and domestic responsibilities and that reflected the lack of sharing **of** the latter. Part-time work did affect career **possibilities** of women but that would change when more men were involved **in** part-time work,

87. **In terms of** protection in the workplace, access was restricted to 20 vocational areas considered to have particular danger and stress, to **wit:** mine work, steel mills and construction. The general prohibition of **women** in construction was under review and it had been proposed that, upon certification of good health based on a medical examination, women be allowed to work in the sector, which would open up 14 of the areas. It was expected that the remaining 6 areas would not be opened up, in part because mine work was prohibited by an **ILO** convention. Women suffered a total of 17 per cent **of** work-related accidents in total. **A number of** policies had been adopted to **ease** *women's* return to the workplace, including counselling by newly created special offices, and retraining programmes were financed by the **government** and by labour offices. Women's unemployment was still 2 per cent higher than men, in part **because more women** returned to the workforce after interruption and were **looking** for part-time positions that were scarce relative to demand. The **mig-ation** of people from the German Democratic Republic did not **seem** to have had a special effect on women, although women from the German Democratic Republic trained in construction would be able to work only when the prohibition on **women** in construction was removed.

88. To help reconcile domestic and economic **responsibilities**, parental leave had been extended, funds for training were being provided to both *women* and *men*, there was pension insurance when parents took time from jobs during the **period of** early childhood, during which research had indicated the importance **of** the presence of

both **parents** to the children's development, end retraining **opportunities** were provided based **on the period of prior employment**. **Kindergartens were considered** desirable from **age three and the view of the Government was** that all children between ages **of 3 and 6** should be in a kindergarten **in view of its importance** to both children *and* women. The **situation varied** from province to province and only part of the **need for full-time day care** had **been** met,

89. Concerning article 12, **it** was noted that women constituted 291 out **of** 3,636 AIDS cases, mostly derived from drug dependency, Drug dependence among **women had** not been well-studied and that would be remedied. Special services had been developed for women coming **From** other cultures.

90. Relating to article 15, the existence **of a union** of housewives was noted that had **been** calling **for** a salary **for** homemaking although that had not been **well-received**. The Federal Statistical Office intended to develop figures showing the contribution **of** unpaid work in the home to the gross national product.

91. On article 16, women could retain the right of part of a pension upon division of property at divorce. The most common method of **property** division was for communal property **in** terms **of** value added during the marriage. There **were** no formal statistics on how family **names** were chosen although a survey **mad**, by the registrar's association in September 1988, indicated that depending on the size of the locality, between 1.5 and 5 **per** cent of couples marrying had chosen the woman's family **name**.

92. In **response** to the replies to the Federal Republic of Germany, members **of** the Committee commented that it would be valuable if information could be included **in** the second periodic report of the **Federal Republic of Germany** about measures to make it easier for women (and men) to combine their work and family responsibilities, such as child-care, part-time work with equivalent **conditions** and re-entry programmes, and also about programmes to encourage girls to broaden their **educational** and **vocational** choices. It would help if data could be included to show change *in* these and other **areas**.

United Republic of Tanzania

93. The Committee considered the initial report **of** the United Republic **of** Tanzania (CEDAW/C/5/Add.57 and Amend.11 at its **153rd**, 154th 157th and 158th meetings on 23 and 25 January 1990 (**CEDAW/C/SR.153**, 154, 157 and 158)).

94. Introducing the report, the representative of the United Republic **of** Tanzania **said** that it was the Government's policy to provide adequate protection to the rights of women in the society. However, sex discrimination still existed in both the public and private sectors as a consequence **of** socio-economic **factors**. She highlighted some **of** the issues contained in the additional report, which had recently been submitted, stating that the ratification **of** the Convention had strengthened and reactivated the country's effort **in** the implementation of the elimination **of** discrimination against women. The party and the Government had tried to give equality to women and resorted to many positive measures to achieve that goal.

95. She said that women had always been encouraged to be on the forefront in the political arena. She provided statistical data *on* education and said that in spite of statements made **on** education by the party and the Government to benefit women,

there was a discrepancy between those statements and actual benefits **realized** by women due to societal attitudes, traditional **sexual** division of labour and socio-economic changes.

96. **She** stated **that** there was a shortage **of** health services to all women. The maternal mortality rate was 185 per 100,000 deliveries, that employed pregnant women were entitled to 84 days **of** paid maternity leave and 60 per cent **of** pregnant women had access to free medical care. **However**, the majority **of** women in rural communities could not rest shortly before and **after** delivery because they had to provide **food for** the family. In spite of equal rules governing the employment of women and men, In practice, women **were** still being discriminated against as a result **of** factors related to family conditions and responsibilities and socio-economic factors.

97. In the United Republic of Tanzania, **rural** women **were** the backbone **of** the economy since **agriculture was** the main productive activity **of** the country. Their working conditions were very hard and, consequently, a few measures had been developed with gender sensitivity. Realising the historic disadvantages of women in politics, the party and the **Government** had introduced a quota **system** for women at different levels **of** decision-making on political organs,

98. Although the report had regrettably been submitted **at** a date too late to permit full consideration, members of the Committee expressed appreciation for the oral presentation, **for** the critical character of, and the substantial information provided by **the additional** report.

99. That fact **as well as** the calibre and **size** of the delegation pointed to the degree **of** commitment shown by the Government to the advancement of women. The existence of national machinery was noted, Also, while **noting** that the Government had ratified the Convention without reservations, some members asked how it was possible not to enter a reservation if customary laws still existed which were **in** contradiction to the stipulations **of** the Convention. It **was** also asked whether the Government had made a review **of existing** customary laws and what the status of women had been before the ratification of **the** Convention. The attention paid by the **Government** to priority areas such as health and education was commended.

100. The quota system for women **in** Parliament **was** highly appreciated. It was asked what measures the political parties and the Government were taking to advance the status of women and what the main obstacles to the equality of women were. It was asked whether or not the Convention could **be** invoked before the courts. Further information **was** requested on the sources of financing **for** the Division of Women and Children, the number of people employed there and the results of its work.

101. On article 2, questions were raised about new laws adopted as a result of the work **of** the Law Reform Commission. It was asked whether **equality** existed only in civil law, or also **in** common law marriages. The question was asked why women were not entitled to maternity leave in some cases and whether plans existed to change that situation, An indication **as to** whether the budget for the Fourth Development Programme for Tanzania foresaw a specific provision for the advancement of **women was** sought, as was information on the number of women in public administration and in the judiciary and whether sanctions existed against discriminatory practices. It was asked whether the Government undertook any **measures** to abolish customary traditions contrary to the advancement of women and whether there were plans to abolish the dowry system.

102. Regarding article **3**, more information **was** requested **on** institution⁶ dealing with the equality of **women**, the **results** of their **efforts** **and** their integration into the national development plan. It was asked whether and how women have become **aware of** their rights, whether records **existed** on cases of discrimination that were brought **before** the courts and the attitude of women's organisations **regarding** the lack **of** punishment **of** rapists.

103. Referring to article 4, questions were raised as **to** whether the Government was planning to take further temporary special measures and positive actions to help rural women to set up co-operatives **and** to obtain bank loans **and** economic support, and what type of technology was meant **to** assist women in work and production.

104. In the context **of** article 5, questions were asked ^{a6} to how the Government reconciled the customs **and** tradition⁶ **among** the ethnic groups to make the policy benefit **women**, whether measures were taken to change the social **attitudes** **and** end discrimination against women and the belief that women were **of** an inferior value, how the effort⁶ in **family** education were being **co-ordinated** and what results had **been** achieved. It was asked whether any studies had been undertaken about the **separation of** household **tasks** **and** income-earning work between men and women, what the percentage **of** women was whose task consisted in only taking **care of** the home and what the reasons were for the higher percentage of women in farming. **It** was asked 'ow the value **of** women's **work** could be **assessed** in money or **in** kind.

105. Under article **6** **more** information **was** sought on the extent of prostitution and the provisions that existed **to** eliminate prostitution. **It** was **asked** whether prostitution was illegal and how the Government was dealing with the health-related problems of prostitution.

106. Regarding article 7, information was sought as to whether there were other women's movements in the United Republic **of** Tanzania apart from the Women's Organisation "**Umoja wa Wanawake Tanzania**" (**UWT**). Questions were raised about its composition **and** whether its decisions affected governmental and party decisions. The quota system was highly commended; it was asked what **measures** **were** being **taken** to increase the political participation of **women** and whether women were being encouraged to **compete** outside the quota system and why the percentage **of** women in the Central Party of Tanzania had dropped from 14.6 per cent to 5 per cent. Further information **was** requested **on** the percentage **of** women's participation in **Parliament**, in governmental posts and **in** the judiciary.

107. With reference to article 9, it was asked whether a **Tanzanian** woman who had a foreign husband could confer her nationality on her children.

108. On article 10, information was sought **on** the change in men's school enrolment as a percentage of total enrolment since 1984, on the number of **women** in the teaching profession, on the percentage of women in universities, on the actions being taken by the Government to **encourage** women to enrol in **secondary** and higher education and on the type⁶ of occupation undertaken by girls after school enrolment. Experts commented on the high school drop-out rate for girls and it was asked whether studies had been made on the reasons **for** that phenomenon, whether sex education was foreseen in the school curricula, why pregnant girls were not allowed to re-enter school after delivery and what the percentage **of** co-educational schools **was**. The literacy **programmes** of the Government **were** commended and data more recent than 1986 on the reduction of the illiteracy rate were requested,

109. In the context of employment, under article 11, questions were raised about **measures to** resolve the problem **of** discrimination against women in public and private enterprises and about measures to integrate women into the private sector. It was asked whether women in the private sector received fixed **salaries** and whether and how rural women workers were protected. Interest was shown concerning the amount of time spent by women on maternity leave, the percentage **of** women who took maternity leave and the **amount of** maternity pay. **Experts** were interested to know **whether any** other measures had been adopted to control the population question. **Questions were** asked concerning how women's wages compared to men's wages, whether there had been any changes in the level of women's wages and whether affirmative actions had been undertaken to integrate **women** in every sector **of** employment. Information was sought on the results of initiatives undertaken by the **Women's Organisation** WT with regard to the provision of day-care centres in urban as well as in rural areas and on the percentage of children *in* such **centres**. More information was sought on women's co-operatives,

110. Under article 12, several questions referred to the family planning policy of the Government. Information was sought regarding how contraceptives were distributed, whether they were free of charge, what the traditional methods of contraception were, whether women had to obtain permission from their husband **as** well **as** husband from their wives **for** undergoing sterilisation. Further clarification on the percental usage of oral **contraceptives** was requested. Experts wanted to know what procedure had to be followed for obtaining a legally permitted abortion. They sought information on the effect of traditional practices on the health of women and asked whether female circumcision was being practised and the reasons for the short life expectancy of women. The percentage **of** women in health-related professions and the attitude of non-governmental organisations with respect to unmarried women were requested.

111. With reference to article 13, it was asked whether single women had access to bank loans, credit and ownership of land and whether women had a right to inheritance, and if not, whether the Government intended to change the situation.

112. On article 14, questions referred to training possibilities for women in modern agricultural machinery and to the measures undertaken by the Government to implement the Credit Scheme for Productive **Activities of Women**.

113. With regard to article 15, it was asked whether a **family** code existed, what its provisions were and whether it **was** part of statutory law or of customary law.

114. Under the terms of article 16, questions were asked regarding what at the time of divorce happened to goods acquired during the marriage and also what the normal marriageable age was. **Experts** inquired about the "marriage of reason" and about the age when it was contracted and sought more information on the adoption system. They inquired about the attitude **of** the society towards divorced women, about the percentage of households headed by women and the results of actions undertaken by **women's** movements to abolish the dowry system.

115. In replying to questions raised by the Committee, the representative of the Government of the United Republic of Tanzania pointed out that the question of development was of primary importance in her country, and that the most important methods **for** implementing the Convention were the development **of** technical capabilities and skills among women, the sensitization of society, the adoption of new laws and the dissemination of information on the newly acquired rights **of**

women. She said that her country was well aware **of** some discriminatory practices, however, rather than entering reservations to some articles of the Convention, it was her Government's firm intention to work systematically to eradicate those remaining practices.

116. Referring to article **2**, she stated that the Government had completed the drafting **of** a policy on women in development, and the party, the Planning Commission and the women's organisation UWT had started to work **on** the population policy. The Law Reform **Commission** was working on the reform of retrogressive laws, on the enforcement of articles of the Convention and on the review of contradiction⁶ between customary and common law. She said that the Marriage Act was statutory law, which allowed women to dispose of property. **Dowry** existed only as a traditional and sometimes religious practice. It had not yet been banned by law, but it did not prevent divorce. She further stated that the Fourth Development Programme would hopefully include budgetary provisions for the advancement of the status of women,

117. Replying **to** questions raised under article 3, the **representative** stated that the Government had created the Department of Women's Affairs to deal with women's and children's issues. It was staffed with trained personnel, had **specially** allocated funds and was establishing focal point⁶ for **women** in several ministries. The Convention had been distributed to governmental and party circles and was being translated into the national language in order to give the **widest possible** dissemination of **its** contents. The party and the Permanent Commission of Inquiry were also active in removing discrimination against women. She further stated that rape was a punishable offence, but women felt embarrassed to file complaints. She gave figures of the number **of** women in the judiciary and referred to several cases in which women had taken claims of discrimination to court and won their **cases**.

118. On article 5, she said that **studies** had been carried out in several regions on the division of labour between women and men in agricultural activities. They showed that women worked harder because of the traditional **gender** division of labour and the need to sustain the family. Most activities in Tanzania **were** guided by the policies of the party, which ensured national unity without sacrificing individual or group interests.

119. Referring to article 6, she stated that prostitution was illegal, but that it was very **difficult** to get statistics on prostitution and that the Government was trying to eradicate it.

120. She said that the quota system for representation of women in various bodies had been very effective and was being used as a strategy to ensure the presence of women at all decision-making levels. That system did not deprive women from contesting for other seats. Referring to further questions under article 7, she said that there were several other women's **organizations** apart from UWT, most of which had been formed as a result of the United Nations Decade for Women and the Convention. The organisation UWT was a mass organisation from the national level down to the grass roots and had an advisory function on women's issues for the Government and the party. The reason for the drop in the percentage of women in the Central Committee of the party of Tanzania lay in the general decrease of the **size** of that body. Standards for women in politics were generally much higher than for men.

121. There was no discrimination regarding the transfer of nationality of a Tanaanian woman to her children. **All** children born in Taneania were automatically **Tanzanian citizens**.

122. In response to questions on article **10**, the representative said that there were sanctions against parents who allowed or encouraged the tlop out **from** school of their children. Curricula **for** family life education in **schools were being** developed by **the** Ministry of Education and girls who dropped **out from** school because **of** pregnancy were not readmitted to school because of lack of facilities for young mothers and because their expulsion was considered as a punishment. She said that the complete eradication of illiteracy was hoped **for by** the end of 1990.

123. Concerning questions raised under article 11 on measures taken to counteract **discrimination** in employment, she referred to pages 81 to **83** of the English text. of the additional report. No data had been collected yet on the percentage of women who were homemakers compared **to** those who were **emploc ved**. The **women's** organisation **UWT** encouraged the **establishment** of child-care **centres**, but their number was still too low.

124. With **regard** to article 12, the representative enumerated several **programmes** that had been carried out to combat the high maternal **and** infant mortality and morbidity rates. The life expectancy was comparatively higher for women than **for** men, but **it** was low for both women and **men** because of difficult conditions in a developing **country**. Culturally, women were encouraged to **have** more children, economically **not**. Punishment **for** men who made schoolgirls pregnant ranged from fines to **five** years of imprisonment. **Family** planning was not part **of** the school curriculum, but contraceptives were distributed free **of** charge, mainly to married women. She gave some clarification on the question **of** sterilisation and said that abortion was **illegal** except when the health of the mother was **in** danger. Prostitutes enjoyed the same health services as all others. Female circumcision was practised secretly and its occurrence was declining as it was frowned upon by Government and society.

125. In regard to article 13, she said that single and married women could own land and had access to credit. In order to facilitate accessibility to loans, banks had started women's desks and were providing easier lending conditions for women,

126. Concerning article 14, she said that action was being taken by the Government to provide training for women in modern machinery and technology; however, there was not sufficient financial support. She also mentioned the existence of a few co-operatives **for** rural women.

127. In respect **of** questions raised under article 15, she said that instead of a **family** code, different laws existed that governed family matters.

128. With regard to article 16, the representative said that the minimum age of marriage was 15 for girls and **18** for men. Divorce was not easily accepted by society and property acquired by both **parties** during the marriage would be divided equally in case of divorce. Women and men could choose freely whether they wanted polygamy or monogamy. She said that there were no statistics on the number of households headed by women, but that the status **of** the **family** was the **same** whether headed by a woman or a man.

129. **Members** of the Committee expressed appreciation **for** the detailed answers given by the representative and were looking forward to hearing about further progress made in the country's subsequent report.

Malawi

130. The Committee considered the initial report of Malawi (CEDAW/C/5/Add.58 and Amend.11 at its 154th and 158th meetings on 23 and 25 January 1990 (CEDAW/C/SR.154 and 158).

131. The representative of Malawi, in introducing the report, stated that owing to the withdrawal of the reservations entered by the Government at the time of accession to the **Convention** on articles 2, 5 and 16, the initial report had changed **substantially**. **As** there was no case as yet, for which the Convention could have been directly invoked before the courts, the question of direct applicability of the Convention had not yet been decided. She said that the Government **recognized** that women were predominant in agricultural production. In order to improve the situation of those women, a Women's Section had been created within the Ministry of Agriculture to initiate and co-ordinate agricultural programmes for women farmers. She further said that women were the major beneficiaries of the adult literacy programme launched by the Government in 1981.

132. She said that legal protection existed and was enacted by appropriate legislation. Women's projects on income-generating activities **were** initiated by the National Commission for Women in Development and other related organisations enhanced the participation of women in worthwhile economic undertakings. She stated that the penal laws protected women from trafficking and the exploitation through prostitution and that the stipulations of article 7 were already being fully implemented before the country's accession to the Convention. The Malawi Citizenship Act contained similar provisions for women and men, and the same provisions for education applied to girls and boys. The **representative** mentioned a quota system for girls in secondary education and that the education and training committee was **organizing** a workshop to discuss the reasons leading to the high female drop-out rate.

133. She stated that the right to work was not an absolute right. However, the Government had developed technical and vocational training programmes, which sought to reduce the incidence of unemployment. Paid maternity leave for women working in the private sector was still under review.

134. The Government had achieved some marked success in the implementation of the family planning programme. However, because of the country's current level of economic development, it was not feasible to provide adequate nutrition to mothers. She further stated that the Legal Committee was planning to compile a small booklet, which would contain issues of women's rights under the new legislation and to make women aware of them.

135. For both women and men in rural areas, extension and training services were available. Rural women had access to credit through farmers' clubs or women's groups. She said that the advancement of the status of women was a long and difficult matter, but her country felt proud at having taken the first steps.

136. Members of the Committee paid a tribute to the timely submission of the initial report and the comprehensive presentation provided by the government

representative. They commended the initiatives undertaken in the fields of education and rural extension programmes, the importance attached to women in agriculture, co-operatives and individual enterprises and congratulated the Government on having withdrawn its reservations. They said that the concepts of the Convention should be disseminated to the entire population of the country and that it was very important to include in the Constitution the phrase "regardless of sex" as a basis for the enjoyment of equal rights and freedoms for all persons and to adopt legislative measures to prohibit sexual discrimination. Members of the Committee asked why the Convention had never been invoked before the courts and what the social and political status of women and men had been before the country's accession to the Convention. A question referred to the matrilineal and patrilineal ethnic groups in the country, their geographical distribution and their size. Another question referred to the aspirations of Malawi women and their ideas about equality between women and men. It was also asked whether the Government would publicize the Convention and the work of the Committee.

137. In relation to article 2, several members raised questions referring to the National Commission for Women in Development (NCWD). They asked the nature of changes it had brought about, whether it was a governmental institution, the number and status of members it had, whether it had a separate budget, whether women were aware of its existence and its work and whether they were satisfied with its achievements. They inquired how successful the Legal Committee had been in disseminating information, and whether discriminatory practices could be punished by the courts. It was also asked whether women's organisations were active in the country and, if so, how they co-operated with the Commission and whether they were consulted in the preparation of the report. Clarification was sought about the discriminatory laws intended to be repealed.

138. More information was sought on how the Government's obligation under article 3 was being discharged.

139. It was asked whether the Government was undertaking temporary special measures pursuant to article 4, whether the target figure of 30 per cent for female students was correct, to which level of education that figure applied and why it was so low.

140. With reference to article 5, information was sought about what practical measures were being undertaken to change stereotypes, whether the withdrawal of the reservations was indicative of the elimination of traditional customs and practices and how school education was tackling that problem. Clarification was sought on the "woman's noble calling" referred to in the report. The efforts made by the Family Health and Welfare Committee were welcomed, and a question was asked about the rate of the incidence of violence against women.

141. On article 6, inquiries were made about effective proposals put forward by the Government to eliminate the exploitation of women and about government programmes to eliminate prostitution.

142. With regard to article 7, statistical data were requested, in particular, about the number of women ministers, the percentage of women in management and public administration and other traditional male fields and about the number of women's non-governmental organisations active in the advancement of the status of women. Questions were asked concerning whether quotas existed for women in local councils and in Parliament, the percentage of women who were members of women's organizations and the ratio of women to men in farmers' clubs. A question was

raised as to whether **or** not patrilineal ethnic groups were more hostile towards women's involvement in political life than **matrilineal** groups.

143. Under article **8**, it was asked in what capacity and in what proportion women participated at international conferences.

144. An inquiry was made as to whether or not a mother could transmit her citizenship to her child pursuant to article 9 of the Convention.

145. More detailed statistical data were required under article 10, regarding whether the Government had considered **developing** further its educational system and whether the vocational **guidance** given to girls had yielded any particular results. Data were requested on the female school drop-out rates, on governmental efforts to counteract that phenomenon and on the response to those efforts. It was asked **whether** any government **programme** encouraged girls to enter educational areas **reserved** for men.

146. Regarding article 11, questions were raised **on** the status of unemployed women and on the percentage of women working in the agricultural sector as employees or in agricultural subsistence farming, whether women **enjoyed** the same rights in the public and in the private sector **as men** and whether the National Commission **for Women in Development** was looking into that question. Questions referred to the availability of child-care centres and the availability **of** maternity leave, to the type of diseases that prevented women from employment and whether AIDS **was** posing a problem.

147. On **article** 12, more details were asked on the results of family planning measures, whether information on family planning was widely available, whether contraceptives were distributed free of charge and whether child spacing could be decided by women alone, and the percentage of women who had recourse to Sterilization. Members of the Committee inquired about efforts made to provide adequate nutrition to mothers, about maternal and infant mortality rates and about any food taboos for women in general, or for pregnant women in particular, and about traditional practices that could be harmful to mothers and **children**, whether pre-natal dispensaries existed only in governmental institutions and what the **situation was in the private sector**.

148. With reference to article 13, questions were asked regarding whether credits obtainable met the need of women and whether the withdrawal of the reservations would improve the **economic** situation of **women**; and whether the National Commission for Women in Development was planning to undertake legal measures to protect women's rights under that article. It was noted that debts were usually contracted by men, but never needed to be endorsed by women. Information was sought about what the Government was doing to protect women from the phenomenon of "**property-rushing**" after the husband's death.

149. Under article 14, questions were asked regarding whether the integration of women in development also meant integration in the different sectors of the economy **and** also in employment, whether **women** and men were agreed on this **issue** and whether any tangible results were already being noticed. More **information** was requested on the 50 per cent quota in the block system **for** extension work in rural **areas** and how **it** was enforced.

153. On article 16, **questions** referred to legal measures to provide for maintenance and inheritance rights of spouses and children born within **and outside** of wedlock, to the statutory provisions governing the distribution of **property in case of divorce** and to the restrictive nature of the inheritance laws, and whether women had been made aware of their new rights and whether the laws were enacted to **women's** advantage. **Members of** the Committee asked how the double standard inherent in the civil law and customary law marriage systems was being managed, whether polygamy was permitted only for men, whether women could put an end to such a union and what reforms the Legal Committee had undertaken. Questions **were** asked about the minimum age of marriage, whether marriages between adolescents **were** being discouraged and whether data on the relative age at which marriages were contracted existed. The Government was urged to do away with the derogatory references of "bastards" for children born out of wedlock.

151. In replying to the questions raised by the members of the Committee, the representative of the Government of Malawi explained that the National Commission for Women in Development had been established in 1984 and had **originally** been a forum for decision-makers and governmental and non-governmental institutions for examining the situation of women, co-ordinating women's programmes and promoting **greater** awareness of their rights among women. The Commission had **seven** sub-committees, which were **specialized** in particular areas and had clearly defined terms of reference. Some of the major achievements were the granting of three **months'** paid maternity leave for female civil servants, the training of **women** in business skills and appropriate technology and the implementation of family life education projects.

152. Apart from the League of Malawi Women, **several** other women's organisations ran programmes to advance the social and economic welfare of women. There **were** currently no **legal** provisions for punishing discriminatory practices. However, a task of the Legal Committee was to identify any laws that might encourage discrimination so that they might be repealed.

153. As an explanation of how the Government implemented the stipulations of article 3, she said that the League of Malawi Women played a **major** role in the formulation of national policy and that through that body women were able to play leadership roles. The Government had taken several initiatives aimed at promoting the social advancement of women and the penal law guaranteed equality of **opportunity** to women and men. She mentioned several institutions that had **established** programmes to advance the participation of *women* in economic activity.

154. With regard to article 4, the representative **said** that the 30 per cent quota for women in education had been adopted as a temporary **special** measure to accelerate women's **de facto** equality as due to the limitations in existing educational facilities, there **was** tight competition for school places.

155. Turning to article 5, **she** said that the Government intended to ensure the speedy elimination of the traditional practices that had advised the reservation entered to the Convention. The most important way to work towards that **goal** was through the educational system, by offering, for instance, vocational training courses in areas which had traditionally been reserved for men. The **mass** media **also** played a **role** in that process. The phrase of "noble calling" used in the **report**, referred to the stereotyped image of the woman as a good housewife and mother of many children and was sought to be eliminated.

156. Regarding **article 6**, **she said** that **one of** the steps that the **Government** was undertaking to **eliminate** prostitution **was** to make **it** mandatory to pay specific minimum wages to women employed as waitresses and bartenders.

157. Under article 7, she enumerated several non-governmental **organizations that** had become active in women's affairs **since** the **recent past** and said that about 90 per **cent of** women belonged **to women's** organizations. Between 1983 and 1966 the membership of women *in* farmers' clubs had **risen from 17** to 30 per cent. She provided some data **on** the participation of women in political life and said that there were **no** special quotas for women in **local** councils or Parliament. **As** a result of the existence **of** the League **of Malawi Women**, there was **no** difference between the patrilineal and matrilineal systems regarding the **political** participation **of** women.

158. Referring to article **8**, she said, without giving **detailed** statistics, that **women** participated at all **levels** at international forums.

159. Turning to article 9, the representative said that a **Malawi woman** could transmit **her** nationality to her children.

160. Under article 10, **she** said that use was made **of** the media and **of** school counselling to influence behaviour patterns and **as** a consequence, more girls had started to **enrol** in non-traditional educational subjects.

161. Concerning article 11, she provided some data on women working **in** the agricultural sector and **said** that out of **the** total number of women working in agriculture, 85 per cent **were in** subsistence farming. Whereas three months' maternity leave was currently granted by the Government in the public sector, the private sector was not yet required to provide **it**. Both private and public sectors offered social **services** to their employees. Day care centres were, however, mostly **owned** by the Government or private individuals and were open to women working in the public and private sectors. She also said that no person was discriminated against in the field **of** employment **on** the **grounds of** suffering from any **disease**,

162. Turning to article 12, **she said**, in **addressing** the **resistance** to family planning, that the Government had opted to use the concept of child spacing to implement its **population** programme by providing mothers with information on how to space their children. Education, the media and the political party were used to **disseminate** information on the advantages **of** the child-spacing **programme**. The number of births per woman in Malawi **was** currently 7.5. Pregnant **women were** provided with the **necessary** nutrition, free of charge, by governmental health clinics. The infant mortality rate **was** 151 **per** 1,000 and the maternal mortality rate 16 per 1,000. Traditional practices that could affect the health **of** pregnant women were gradually **dying** out.

163. Referring to article 13, **she** said that the widow and the children were entitled to **some share** of the deceased **husband's** property depending on **many factors, including** the type of marriage contracted. The Legal Committee **was** **currently** trying to disseminate that law through the compilation of **a** booklet in English in simplified language and in the native language.

164. Turning to article 14, she explained the nature of the Block Extension System, which had been **introduced** in 1981, and under which 50 **per** cent **of** all farmers to be **reached** by extension workers would be women **60** that women had **an** equal chance with

men to receive agricultural education. In agriculture, women were engaged in small-scale **farming in their own rights, and** in commerce, women **ran small businesses.**

165. With **regard** to article 16, the representative said that polygamy existed and was accepted by both women **and** men, **anti** it was expected to be eliminated through educating the **people** on its economic and social **disadvantages.** Teenage marriages were being **discouraged** through the educational system. Unmarried women who were pregnant **or had a child** could apply to the court so that the man alleged to be the father could **be** summoned to court for determining issues relating to paternity and maintenance **of** the child. A person contravening the ensuing order committed a criminal **of fence.** She further stated that divorce laws varied **according to the type of marriage** contracted. She also spelled out the inheritance rights that applied **in case of** the death of a male head of the **family.** The various types of marriages had their own laws that governed them and respective instruments to regulate **them.**

166. While members of the Committee expressed admiration for the commitment of the **Government** to the aims **of** the Convention, they expressed the hope that many of the still existing problems be **resolved** and that the reservations be kept constantly under review with a view to withdrawing them.

United Kingdom of Great Britain and Northern Ireland

167. The Committee **considered** the initial report **of** the **United Kingdom of Great Britain and Northern Ireland (CEDAW/C/5/Add.52 and Amend.1-4)** at its **155th, 156th, 159th and 160th** meetings, on 24 and 26 January 1990 (**CEDAW/C/SR.155, 156, 159 and 160**).

168. The representative of the United Kingdom, in introducing the report, stated the commitment of the Government **to** the rights set out in the Convention, to which it subscribed fully and **of** which it **was** conscious in terms of its international treaty obligations. The **report** had been prepared in 1987 and the introduction would present **subsequent** developments.

169. She noted that each government department was concerned with issues affecting women and that the main forum for co-ordination was the **Ministerial Group** on Women's Issues chaired by the Home Office Minister and including the ministers with policy responsibility **for issues** of special concern to women (e.g. health, employment and education). It had reviewed government policy in areas covered by the Forward-looking Strategies, **co-ordinated** government response to such issues as child care, public appointments and violence against women. It had also agreed on model instructions as the basis for departmental **guidelines** and **organized senior staff** seminars.

170. The second main body was the Equal Opportunities Commission (EOC) set up in 1975, which worked to eliminate discrimination and promote equal opportunity **and** reviewed the 1975 Sex Discrimination Act and had the power **to** conduct investigations, issue legally enforceable **discrimination** notices, assist individuals or bring its own **cases.** It consisted of 14 persons mostly part-time, with a **full-time** chairperson. A similar body **existed** in Northern Ireland.

171. To channel the input of non-governmental organisations (**NGOs**), a Women's National Commission had been set up in 1983 **consisting of** representatives **from**

50 women's NGOs with a joint chair consisting of one elected by the Commission and one minister nominated by the Prime Minister who represented the Commission on the Ministerial Group.

172. With regard to employment issues, the representative stated that the role of women in the economy had been recognized, public policy and economic growth had led to an increase in the number of women entering the economy, with 18 per cent more working full-time and 23 per cent more working part-time, as well as an increase in self-employed. More were gaining educational and vocational qualifications and entering non-traditional fields including medicine and dentistry, accounting, banking and finance. Women's remuneration was still only 76 per cent of men's on average and there were far too few women in top positions. However, demographic changes, especially the increase in the number of young women entering the labour force, would mean that women would constitute up to 90 per cent of the future growth of the labour force. The Government had begun a campaign to prepare women for re-entry, including public information programmes and the development of child-care grants to trainees. The Government was also taking steps to promote flexible working patterns in the public service, which some private sector employers were following. Particular attention was being given to child care, with a five-point plan being implemented from April 1989.

173. On women's health, she noted that the subject had been specifically assigned to a Minister at the Department of Health since 1989 and the issue had been debated publicly. New services targeted to women had been developed, including a recent concern with AIDS in women and with drug abuse, some of which involved funding programmes by voluntary organisations. Family planning services continued to be available, free of charge, under the National Health Service. Efforts were made to increase the proportion of women on the medical staff and 50 per cent of medical students were now women, although the distribution among specialties was still not balanced. Domestic violence was being considered in the context of a Home Office research study and a report from the Women's National Commission.

174. Education continued to be a focus for promotion of equal opportunities, which was a joint responsibility between national and local levels and the teaching Profession. The Education Reform Act of 1988 sought to ensure a standard curriculum to prepare young people for adult life and to ensure that school activities were free of stereotyping and thus promoted equal opportunities. The standard curriculum through age 16 would mean that girls and boys were taught the same courses. Special initiatives have been made to make new technologies like microcomputers available and equally accessible and to encourage girls to study science and technology, the success of which was being reflected in examination results. Programmes existed to encourage mature students with domestic responsibilities to pursue higher education.

175. Under social security, successive changes in the law had made the system more equal. Some differences remained that favoured women, particularly those who were older and had not worked, but which would eventually become redundant. Other provisions protected pension rights of persons unable to work because of a need to care for dependants.

176. Efforts had also been made to achieve equality of opportunity in the civil service and public appointments, including a campaign to identify women candidates for public appointments.

177. Discussing the reservations made to the Convention, the representative noted **that many** were interpretative and all were being kept under constant review with a view to withdrawing them whenever possible. **She** noted that a new tax **law** coming into **force in** April 1990 would permit the United Kingdom to withdraw its **reservation to** article 13 and that **the** Employment Act of 1989 would **eliminate** most **discriminatory** legislation, although some occupations would still be **prohibited if** they would endanger the health **of an** unborn child. Equal pay was being improved through case law and family law had been **modified** to eliminate differential treatment **of** children born **outside of** marriage,

178. The Committee noted with concern the number and coverage of the reservations entered **by the Government as they** could **contravene** the objectives of the Convention. Several experts stated that the number and purpose of the reservations seemed to reflect the unilateral interpretations of the Convention. Clarification was requested **of** those reservations which were (a) interpretative, **(b)** likely to **be** withdrawn on the **basis of** changes in underlying legislation and **(c)** permanent. The question was **asked** whether the **reservations were** similar to those made on the human rights conventions and, if not, what differences might exist. On specific reservations, information was requested **on** the relationship **of** the Convention to national law in general reservation (a), whether reservation **(b)** was really **necessary**, and the meaning in reservation **(c)** **of** the reference to non-interference in the "affairs of religious denominations". The general reservation to article 2 that "essential and overriding conditions **of** economic policy" could invalidate provisions **of** the Convention was questioned since it implied that **if** the economy was not buoyant, then equality was sacrificed.

179. Further information was requested on **the functioning of** the national **institutions**, including the relationship **of** the Ministerial Committee to the preparation **of** legislation, the means by which women's activities were mainstreamed in the work of government departments, the **size of** the secretariat, including the budget of the Ministerial Committee and the Equal Opportunities Commission (EOC), on how the Women's National **Commission** related to the Ministerial Committee, including the **rationalization of** differences and the role of women's organisations generally in the effort to achieve equality,

180. Noting that the report covered the British Virgin Islands, the Turks and Caicos Islands and the Isle of Man, it was asked whether Monserrat and **Anguilla** were excluded because they were associated states. One member questioned the assumption of sovereignty over the Falkland Islands (**Malvinas**) in the light of international developments.

181. The **amount** of statistics presented in the report was noted and it was suggested that even more gender-based statistics would be helpful, particularly when figures were given only for women rather than comparing the relative situation of women with men. **An** absence of information about crimes committed by women (as opposed to committed against them) was noted. Integration of the statistics into the text **of** the report would have been helpful.

182. Regarding article 2, the number of cases heard by the courts under the 1975 Sex Discrimination Act was requested along with an appreciation of the extent to which women availed themselves of that remedy and it was asked what authorities other than the Equal Opportunities Commission (**EOC**) were empowered to apply sanctions for non-compliance. Details of the role of the Ministerial Group in co-ordinating and commenting on legislative proposals were requested.

183. Further details of the approach of the *Government* to temporary special measures under **article** 4 were requested.

184. **Regarding** article 5, issue was raised about the extent to which existing obscene publication laws could be extended to cover "degrading and **insulting**" **publi** cations, as well as the role of the **Equal** Opportunities Commission (**ECC**) in **this** matter **and** the extent to which it was felt that existing laws permitted control **of** pornography. In the context **of** self-regulation by the media, the percentage **of** women on **governing** bodies of mass media institutions as well as in **media** decision-making generally **was** requested together with an indication of whether any of the existing bodies performed a monitoring function and an appraisal of the results of the negotiations between the Media Action Group and the Advertising Council. The **working** of the Sex Discrimination **Act** with regard to job advertising was requested as well as the likelihood of **any** code on the portrayal of women in advertising. Information on the existence of **any** sociological studies on sex roles **was** requested, as well **as** the effect of having **a** woman head of government on the image **of** women,

185. The specific definition of what **constituted** "consent" in terms **of** rape legislation was requested **in** connection with article 6, noting that "reasonable belief" that **a** woman is consenting had **been** used as a defence in rape **cases**, with particular reference to the **legislation** of the British Virgin **Islands**. In addition, it was noted that only half **of** those prosecuted for the crime were convicted and the **reasons** for that queried, including what happened to those acquitted, the normal sentence imposed, whether follow-up support programmes for rape victims were **provided** by the Government, and what the normal composition was of juries in rape **cases**. More generally, on the question of violence, whether women's organisations could become parties to suits, whether there **were** cases where women refused to prosecute and the extent to which training **in** domestic violence was part of regular police training. With regard to prostitution, details on prosecution of those living from their proceeds was requested, including sanctions imposed, and also on the kinds of protection and counselling **given** to prostitutes, the extent to which there was evidence of trafficking in women from developing countries and government policies **on** that. Information **on** whether the revisions proposed by the Criminal Law Review Committee had been put into **effect** was requested.

186. Noting that little space had been given *in* the report to implementation of article 7, the question was raised about the paucity of women elected to parliament as the percentage was lower than the average **for** European countries, including the extent to which women candidates *were* allowed to run in "**safe**" districts. Information on the views of women's **organizations** on that question was requested as well as any measures being adopted by the political parties themselves. The **specific** proportion of women among government ministers was requested. Regarding public appointments, it was suggested that **Indirect** discrimination might be indicated by the low percentage (7.7) and information on any positive measures to deal with it was requested. The proportion of women *in* the judiciary was requested as well as information about the prospects *for* women's upward mobility *in* public enterprises, **Given** the low percentage of women in public service (about which information was requested **for** the British Virgin Islands), it was asked which positions were restricted to men, what steps were being taken to improve the situation, including provision of child-care services to public employees and the functioning of the voluntary child-care scheme, also whether the new appraisal system was **working** to the advantage of women.

187. Concerning article 8, information on the types of **joint** postings of spouses in the foreign service was requested, **including** the nature of individual entitlements **in** a joint **posting**, the frequency **of** men accepting special unpaid leave status to accompany a spouse, the possible duration or frequency of such leave, and the effects on career and social security. Questions were asked about efforts to recruit **more women** into the foreign service **and** the time necessary to reach ambassadorial rank as well **as** the proportion of United Kingdom *women in* international **organizations** and their ranks.

188. **On** article 9, referring to the new Immigration Act, the question was **raised** whether discriminatory provisions on immigration **had** been eliminated **in 1987** and if **that** would encourage the Government to withdraw the corresponding reservation. A differential treatment of male and female spouses of students was noted and it was asked whether the Government intended to change that practice. Questions were also asked about the position of migrant women in the United Kingdom.

189. Regarding education, in connection with article 10, the **existence** of both co-educational and single-sex institutions was **noted** and it was asked whether there **were** studies of the relative effects and reasons for the continuation of single-sex schools. Explanation of any differences between the practices of England and Wales in integrating girls **in** the schools from the practice operative in Scotland was requested. **As it** was noted that education **was** compulsory from age 5, information about the existence of nursery schools **for** younger ages **was** sought. Questions were raised **about** education for non-traditional subjects in terms of whether the recommendations of the Cockcroft report on teaching of mathematics had been implemented, results of computer-literacy and other technological studies through single-sex groups and the role of the Department of Trade and Industry in encouraging that, as well as any other **new** means for **encouraging** women to **take up** those subjects. Clarification was requested on any **information materials** on positive **action** schemes that might be used by other countries. For the British Virgin Islands questions were raised about efforts to bring **more** students into school, including assisting girls forced to leave school for **pregnancy** and the relative percentage of illiterates.

190. Regarding article 11, it was noted that **a** major feature of **economic** policy was **privatization** and the question was asked about the existence **of** any studies on integration of women in the private sector. It was noted that the unemployment rate **for** women was lower than **men** and it was asked whether that was related to deregulation, whether that trend was also true for immigrant women, and whether separate statistics *were kept on* them. Since much **of** the 43 per cent participation in the labour market was due to part-time employment, the question was raised whether part-time employees had the same protection as full-time **and** whether that was related to factors such as enterprise size, and what the reason was for the lack **of** relative growth in the labour force **of** women since 1975. It was asked whether there had been any significant changes in the percentage of women considering careers in science and technological fields. Information was requested on **measures** to **apply** provisions of the Convention to the agriculture sector, which had been noted as being conservative in orientation. The importance of re-entry in the employment of women was noted and the question of how long a duration **of** absence was normal and whether it was decreasing was asked together with whether relevant statistics were maintained. Concerning legal protection of working women, it was asked whether full equality had been achieved *in* social security benefits, including a clarification of how **pensions** for persons caring for severely disabled people were administered, whether the ban on night work had been lifted, on

circumstances where a dismissal for pregnancy was illegal. Regarding women's unpaid work, **figures** on how **many** work in an unremunerated way *in family* enterprises **were** requested as well as information on methodological developments that would permit computation **of** the contribution of domestic **work** to the gross national product. It was noted **that** "lack of **self-confidence**" was given as a barrier to women's advancement **in** the **economy** and the question was asked regarding how **extensive** that was as a problem and what was **being done**. With regard to support to economic activity, information was requested on who had the **main** responsibility for providing child care, the state, the enterprise or the **individual** and the extent to which older persons relied on public services.

191. Concerning article 12, clarification was requested regarding practices of abortion, including whether the requirement of a recommendation by two doctors was contrary to the Convention's view of **women's** self-determination, whether there were any new laws under consideration, the position of women's **organizations** on the question, the number of clandestine abortions, the reasons for pregnancies in girls under 16 and whether abortion at that age required family permission, how often the **advice** of the two doctors was rejected, and who had to pay for abortion. It was asked how contraceptives were distributed and what it meant in practice that family planning services were obtained through general practitioners. With regard to AIDS, the higher death rate for women was noted and the reasons for that were requested. Information was **requested** on what happened to **women** whose health had been affected by violence and whether there were available any institutional services. In terms of immigrants, the existence of special programmes for health care of non-English-speaking **migrant** women was queried as well **as** the effect of the total ban on female circumcision, including information on who practised it and its real incidence.

192. The change in the tax law *in* conformity with article 13 was noted **and it was** asked whether **a** tax reduction of joint filers with only one income would act as an incentive to stay home, whether the reform **implied** had been controversial, whether the tax assessments would be completely separate, and whether, under open reception **provisions**, those changes would apply to the overseas territories.

193. Regarding article 14, information was requested on the outcome **of** work to fund rural transport, **on** the incidence and effect of rural enterprises headed by women and on job-creation programmes for rural women. For the Isle **of** Man, it was suggested that the problems of rural women would be difficult to **solve there**, and information **was** requested *on* the **procedure** of working through members of the House of **Keys**, on the role of the EOC and also on the extent to which residents co-operated with police in **cases** of **domestic** violence. Information was requested on the measures recommended by the National Commission of Women on the co-operation by the police in cases of domestic violence.

194. With regard to article 16, the extension or' **domestic** violence **legislation** to **co-habitants** was noted and it was asked whether that would also be extended in the same way regarding **property**; similarly whether children born outside a marriage could inherit from their fathers and under what conditions. Concerning the British Virgin Islands and the Turks and Caicos Islands, it was asked whether those legislative changes were effective there through the open-reception **provision**. **In** view **of** the increase in families headed by **women**, the percentage **of** those families was requested as well **as** the extent to which they relied on support payments from **former** spouses or **partners** or on transfer **payments** and whether counselling was available to families. Concerning judicial separation rather than divorce, the

differences in legal status implied was **requested**, as was information **on** how property acquired during a marriage was divided at dissolution, including rights of *non-working* spouses and the extent of poverty among older women who had been divorced. As there were options in choosing a family name upon marrying, information on the proportion of choices made was requested.

195. The representative of the United Kingdom of Great Britain and Northern Ireland, in replying to questions raised, stated that where statistics disaggregated by gender had not been presented, an effort would be made to incorporate them into the second periodic report.

196. She stated that the **number** of reservations made should not be taken as a lack **of** commitment as they reflected the country's practice **for** all instruments in which detailed declarations of understanding were necessary when, in the view of the Government, the wording **of** the Convention was imprecise because ratification occurred only when the United Kingdom **was** in a position to **implement** it in domestic law. Where implementation was not possible, it was reflected in a reservation, kept under review with a view to withdrawal when **possible**. **Organizations** were not consulted on the reservations, but the intention to make them was made known during the debate on the Convention in Parliament and in any case were similar to **those** found in the Sex Discrimination Act **of** 1975. The reservations were not similar to those made on the International Covenant on Civil and Political Rights as the purposes of the Convention and the Covenant were somewhat different, but there was no inconsistency between the **two sets Of reservations**.

197. The Ministerial Group on Women's Issues included as **members** 13 ministers, with the Home Office Minister as chair. The vice-chair was currently the Minister of Education who was also the co-chair of the Women's National Commission and as such reported the Commission's views even when they differed from those of the **Government**. **As each** ministry had its own specific responsibility, the Ministerial Group dealt with inter-departmental issues, based on the agenda drawn up by it, to which other ministries were invited as necessary. The secretariat **of** the Group was located in the Home *Office*, where it had been given new posts and extra staff. The Home Office **responsibilities** went beyond those found in the typical ministry of the interior as *it* retained a number of policy areas including that of equal opportunities for women and ethnic minorities. It made use *of* a network of officials in other **ministries** concerned with women's **issues**, including the Women's National Commission. One outcome was the model guidelines intended to raise awareness of **de facto** discrimination, which were widely disseminated.

198. The Equal Opportunities Commission (EOC) was a publicly funded non-governmental organisation maintaining operational independence, both in Great Britain and Northern Ireland. The Home Secretary appointed commissioners for Great Britain and the Secretary of State **for** Northern Ireland for that territory. Both **commissions** reviewed equality legislation and submitted proposals for reform as a public document that could be used by any Member of Parliament to introduce legislation, although *in* practice the channel was the appropriate ministry. In 1988 the EOC for Great Britain proposed change⁶ in law to cover private clubs and the number and coverage of offices **was** being considered for expansion.

199. Regarding article 2, employment cases were **heard** by industrial tribunals while non-employment cases were channelled through County or Sheriff Courts (according to the jurisdiction) and could be appealed. Legal aid was available. Historical statistics were not available but **those** for 1987-1988 revealed in Great Britain

1,043 equal pay claims in industrial tribunals⁶ plus 691 sex discrimination claims with **varying** results. A number of **cases** were also heard on appeal. Similarly in Northern Ireland, **from** 1976 to 1989, 55 equal pay and 157 **sex** discrimination cases were heard, also with varying results. The EOC itself had limited power to **sanction in** relation to systemic discrimination **derived** from its investigation powers, and they could be appealed in the courts, which bore the major responsibility for **enforcing** legislation. Complaints about **education were referred** to the Secretary of State for Education for investigation. However, in 1989 a Women's Legal **Defence Fund was** launched, with **government** support, to help more women **to bring** complaints under the legislation. Crimes committed by women **differed** somewhat from those by men and **there** were also differences between **women** and men in terms of processing in the legal **and** penal systems. There were efforts under way to study and **remove** those differences.

200. Positive action called **for** under article 4 existed but was restricted because the Sex Discrimination Act of 1975 prohibited **any** discrimination against women and men. But in order to allow special **measures** to encourage **women** to enter areas **of non-traditional** work, it permitted special access training for such work, targeted advertising and single-sex training for people returning to work after a period of discharging domestic responsibilities.

201, On article 5, the Government had supported tightening the Obscene Publications **Act** 1959 to cover material grossly **offensive** to a reasonable person, although the outcome would partly depend **on a** review of research evidence on the effects of pornography. The term "corrupt" as **a** test **for** obscenity was not defined in the act but the courts had held that it referred to the mind and the emotions as well as to **any** physical sexual activity. A major study **on** women in advertising was about to be published by the Advertising Standards Authority on the issue. The EOC's power to bring legal cases **on advertising** was limited, but it **emphasized** education, and films were reviewed by the British Board of Film Classification that would not classify films that breached the criminal law. Detailed information was not available on the percentage of women in the broadcasting authorities, which were independent and made their own judgements on content, although the British Broadcasting Corporation programme guidelines included guidance for procedures on the portrayal of women. EOC had taken cases to court on job advertisements and had produced leaflets. **A** number of sociological studies were regularly produced on attitudes towards gender equality.

202. Relating to article 6, **sex education** programmes in the schools **were** provided within the limits of the 1966 Education (No. 2) Act, which gave school authorities the responsibility for determining whether to provide it and if so within a clear moral framework. In funded schools the national curriculum on science required that pupils understood the process of reproduction in human beings and the need for a responsible attitude to sexual **behaviour**. On rape, the figures indicated an increase although that might reflect improved reporting. Efforts were being made **to** deter and reduce opportunities for such crimes. Women's organisations had no **standing** in rape trials, jurors were selected randomly and those found not guilty **were** acquitted. There were shelters receiving support from local-level authorities **and** a national rape counselling and **research** project had been funded centrally. **In** Scotland a circular of guidance had been **issued** to police to help them treat Complaint⁶ of sexual assault tactfully and sympathetically. On prostitution, the Criminal Law Revision Committee had recommended combining current separate offences for men to three gender-neutral offences and other reform⁶ had been proposed that **were** under consideration. There was no evidence of trafficking for prostitution, **which** would be **illegal**, and no figure⁶ existed on the extent of prostitution, nor

any rehabilitation programmes. The legal status of the husband of a prostitute living off her earnings was not clear,

203. Regarding article 7, a study had been published on 23 January 1990 entitled **Women at the Top**", examining the barriers faced by women in public life. Pot Parliament, major party candidates were approved centrally and selected by the local party, but women had not put themselves forward as often as they might although that was increasing and there was a group that set themselves a target of getting over 300 members of Parliament (i.e. 50 per cent). In Parliament there currently were 41 women MPs (6.3 per cent), which explains why there were only 7 ministers out of 84 (8.3 per cent). No information was immediately available on the positive discrimination approach of the major political parties who, in any case, were in the selection process for the next election. In the public sector, among senior judges there were none in the highest appeal court, one in the next level, one High Court Judge, 17 Circuit Judges and 25 recorders, although that was expected to improve as more women entered lower levels of the judiciary and the legal profession. Over half of the law students currently were women, as were 43.8 per cent of magistrates. The Civil Service Action Programme begun in 1984 had had the effect of slow but steady improvement that was expected to accelerate during the next 10 years, as 46 per cent of new appointments in the mainstream management grades, 41 per cent of the new entrants in the fast stream administrative grades, among others, were women and improvements were beginning to be registered at the top levels. The proportion of Civil Servants working on a part-time or job-share basis was small but increasing, and efforts were being made to provide child-care and job-return services, as well as expansion in maternity benefits. Although women's promotion rates had been slower than men's, recent changes in seniority factor affecting promotion were expected to improve equality in that process; the appraisal system emphasised actual achievements and further work was expected on that aspect. The number of gender-restricted posts had been greatly reduced since 1986, leaving only the Royal Fleet Auxiliary and Royal Navy Supply Transport Services, the Scottish Prison Service and mining inspection as restricted posts. The percentage of women obtaining public appointments was rising, in part thanks to efforts encouraging women to put their names forward and guidelines had been issued to departments with a view to encouraging their selection.

204. On article 8, information was provided on steps to enable diplomatic couples to continue their foreign service careers by sending them to the same duty stations, often split between embassy, consular and mission functions, providing types of leave, including special leave without pay, which could be counted towards promotion. The operation of the Special Unpaid Leave programme was described and it was noted that efforts were being made to recruit women in the Diplomatic Service that had yielded a higher percentage of women recruited over the preceding four years, varying from 16 to 46 per cent. Figures were not available on United Kingdom women serving in international organisations.

205. Regarding article 9, all nationality and immigration provisions that might have discriminated against women had been eliminated. One rule continued to discriminate in favour of women in terms of the transmission of citizenship to children. The difference between having spouses of male and female students admitted was due to a need to restrict access of immigrants to the job market and was not being considered. In the time available, figures on the number of women refugees could not be obtained, although figures were presented on the total number of refugees.

206. Regarding article 10, about 45 per cent of three to four year olds currently attended funded schools and about 85 per cent participated in **some organised educational or care provision**. There **was** no policy in England and Wales to reduce single-sex education, **nor** was there **any** research on the effect of those schools, although EOC **had** sponsored some projects dealing with science and engineering that were being followed up, especially in the teaching of mathematics. **There was a** concern that teaching methods might have unintentional **discrimination** (the so-called "hidden curriculum") and that was being **approached** through teacher training. With regard to ethnic minorities, the national curriculum should help **assure** equal standards and access, but **there** might be a need to provide for specific **needs of minorities** in such areas as language training.

207. Concerning article 11, the high incidence **of** part-time work **for women was** partly caused by the fact that many women in the United Kingdom did not wish to work full-tims **in view** of their family responsibilities **and it was a question for** which women should be able to exercise free choice. The Government **was** concerned that part-time jobs would be low-level and low-pay. The Civil Service was trying to set an example. Protection for part-time worker⁶ included **coverage** by equal pay and anti-discrimination legislation but entitlement to other protections depended **on** the number **of** hours worked per week and years of **service**. Contribution to social security was based on threshold earning levels rather than hours worked and **some** aspects were unrelated to remunerated work. On earning differentials, there had been a slight improvement in 1989, but that was affected by hours worked and thus reflected the part-time work phenomenon and lower seniority **of women**. **Several** major steps were taken to encourage girls' career choices away from traditional areas, including examination of curriculum, information programmes and specific training programmes designed with **women's** needs in mind. An effect of various programmes was the increase in the number of women in professional and related occupation⁶ in science, engineering, technology **and** similar fields (from 95,000 in 1985 to 108,000 in **1988**). **Studies** had been done on women in the private sector, programmes to increase women's **self-confidence** and on women's re-entry to the job market, for which statistics were provided, indicating a more rapid return than previously after childbirth. The responsibility for child **care was** said to rest principally with the parents but employers had a part to play. Women's unemployment, like men's, had been falling, **specific figures were not** available on the rural informal sector and government policy was to reduce unemployment, Deregulation had impacted favourably on women's employment, minority **women were** less unemployed than minority men and all anti-discrimination **measures** applied equally to agricultural employment. Dismissal *for* pregnancy could be litigated under existing law. The EOC voluntary code⁶ were considered to be working well, labour union membership **was** not a basis for job advertising and would gradually not be a requirement for hiring, but 32 per cent of trade union member⁶ were women and **six** union⁶ **were** led by women. The relationship between drugs and employment had not been studied. Night work restrictions had been **lifted**; statistics on unpaid work in **family** enterprises were not immediately available and the value **of** domestic work in the gross domestic product was difficult to calculate. In terms of pension **rights**, the remaining gender **differences** were in the main favourable to women. The **social** security budget had increased over time in real terms, including funding of **the** National Health Services.

208. On article 12, **abortion** was generally permitted in only a limited number of circumstances when certified by two medical doctors, including threat to the mother's life, physical or mental health, the **physical** and mental health **of** **existing** children, probable abnormality in the foetus or **emergencies**. The issue

were considered to be a medical question but social factors were also taken into account. Figures on abortions referred to those that were affected legally and there were no figures on clandestine abortions. Although the medical profession believed the current law was working, opinion was divided among women's and other groups. Abortions were free when performed in National Health Service hospitals and while elsewhere there were charges, some financial aid sources existed. For girls under 16, abortion was possible without parental consent if the doctor agreed. Some statistical evidence existed of success in the reduction of deaths from illegal abortions. Family planning was free and some 70 per cent of women in the fertile age range used some form of contraception. It was available to those under 16 with parental consent or sometimes without. Studies were being made of the relationship between prostitution and AIDS but the main vector was thought to be drug users, of whom some were prostitutes. There were a number of local initiatives to prevent the spread of HIV and AIDS. Of those who had died from AIDS 10 per cent were women. Some efforts were made to meet the specific health needs of ethnic minorities, including use of languages, preparation of special material and special outreach programmes. The United Kingdom had made female circumcision illegal, but there had been no prosecutions under the Act with a reliance instead on education and information.

209. On personal taxation, regarding article 13, some 70 different organisations, including 12 women's organisations, had commented on the Government's Green Paper that had led to taxation reform. The new allowance for joint filing was not sufficiently large to encourage women to opt out of the workforce. A number of Sports Council initiatives to encourage wider participation were described and it was noted that women's participation in sport was a priority for the Sports Council's new campaign starting in 1988.

210. On article 14, programmes of rural transportation to ease economic participation were under way, but no gender figures were available on participation in rural development training.

211. Concerning article 16, judicial separation rather than divorce seemed to be chosen for a number of reasons, including when the marriage had been of short duration, when there were religious reasons or personal reasons. There were no differences in statute when a judicial separation was used. There was no central information on the extent to which divorced women relied on maintenance from an ex-husband, but one third of divorced single mothers and two thirds of all single parents needed to rely on Income Support. The maintenance system was thus under review. Property division upon divorce was made by the courts based on a number of factors, with first consideration being given to the needs of the children. The basis for family breakdown according to the statistics were unreasonable behaviour, adultery and separation with consent. Those figures masked class and other factors and no clear judgement of causes of family breakdown were possible, although it was noted that the figures did not show that a greater number of marriages had broken down, merely that a greater number of divorces were taking place. A number of reforms were being considered, emphasizing conciliation. Programmes were available to older women who had not worked, including single parents, to endure re-entry, maintenance and child-care services, as well as aspects of the pension scheme. On how many women keep their own name at marriage, it was noted that naming was a matter of custom rather than law and therefore no statistics were kept. No particular term had been identified to refer to children born outside marriage, the law of inheritance did not discriminate against those children and under some circumstances a co-habitant could apply for benefits arising from the death of a

partner, but no effort had been made to extend maintenance and property distribution rights to co-habitants since ~~that~~ would be hard to determine and would, in any case, remove much of the significance of the institution of marriage.

212. Concerning the dependent territories, the United Kingdom had no doubt about its sovereignty over the Falkland Islands (Malvinas). Reporting had only been made on those dependent territories that had opted to ratify the Convention, which did not include Montserrat and Anguilla, and the remit of the EOC did not extend to those territories. Because of differences, the adjustment of law and practices to the Convention proceeded at a different pace in the territories. On specific points, regarding article 6, there were few cases of rape in the British Virgin Islands and prosecutions were difficult when the victims, often visitors, were unwilling to return for the trial, and there had been no cases of prostitution brought to court in 20 years. The proportion of women in the Government of the Turks and Caicos Islands was given. Regarding loss of education for pregnant girls in the territories, in the Isle of Man opportunities were offered to continue education, in Turks and Caicos a new system was being developed but no services were yet available in the British Virgin Islands. Third-level education was now available in the British Virgin Islands. Regarding maternity leave, new provisions had come into force in both Turks and Caicos and British Virgin Islands. The Finance Act of 1986 would not be extended to the territories as for different reasons there was no need. Information on other questions was not immediately available.

213. Members expressed the hope that the reservations made by the Government on various articles would be re-examined. Despite the evident progress, the general impression remained that more effort was required to achieve a better sharing of responsibilities at home.

Thailand

214. The Committee considered the initial report of Thailand (CEDAW/C/5/Add.51) at its 156th, 157th and 160th meetings, on 24, 25 and 26 January 1990 (CEDAW/C/SR.156, 157 and 160).

215. The representative of Thailand introduced the report, noting the Government's commitment to the advancement of women both as a matter of human rights and as essential to development. She noted that since 1988 the national machinery for the advancement of women had been a permanent National Commission on Women's Affairs with a secretariat in the Prime Minister's Office headed by a Minister. Its function was to submit policies and plans for the advancement of women, provide support to other agencies and to recommend new legislative or revision of existing legislation to the Prime Minister.

216. A number of national policies had been developed to implement advancement of women, including the sixth five-year plan (1987-1991) and the 20-year long-term women's development plan (1982-2001) that was expected to affect the five-year plans. Priority had been given to women and development in rural areas and urban slums, increased women's participation at the local level, promotion of co-operation between the public and private sectors, improvement in the national machinery, and to the encouragement of women's organisations. In addition, there had been an effort to develop indicators of basic needs and the establishment of targets. A number of legal changes were in process, including the establishment of

a special committee on the planning process to make proposals for the next development plan.

217. With regard to local laws and practices, the **few** laws that conflicted with the *Convention* were those covered by reservations. **Many** laws existed **to** implement the provisions of the Convention, some of which pre-dated it, including the Thai Constitution of 1978, which guaranteed equality between **men** and **women**, and a number **of** specific **laws** such **as** that providing universal primary education, as well as reforms of laws governing matrimonial property.

218. Regarding specific issues, it **was** noted that the **situation of de facto** discrimination was not good, reflecting past practices but **indicating** the need to go beyond merely legal measures. **For** that, both political will and resources were required. That was noticeable, for example, in wage differentials. A lower percentage of women candidates (2.7 per cent) were **elected** to the parliament than male candidates (10.7 per cent) in the most recent **election**, for a total of **2.8 per** cent women in the lower house **of** Parliament. A better ratio **of** women to men was found among **Thai** nationals in international organisations. There was evidence of a breakdown in the family **system** because **of** the need **of** women to work in order to meet basic necessities and the pressures of the double burden of work and domestic responsibilities, with a consequent toll **for** children. Finally, the AIDS problem affected several special groups in society, although the main vector for AIDS spread was sharing of needles.

219. Thailand had made a number **of** reservations leading to gaps in realisation **of** the Convention, which should be understood **in** the national socio-cultural setting which could not be solved before the ratification of the Convention by the Parliament. **On** **article** 7 the reservation related to **exc.usion of woman** from certain key military and administrative posts, especially **the** position of sub-district officer. **The** National *Commission* was working to reform part **of** the law by **making** the sub-district posts accessible to women. On article 9, the reservation was based on a fear that children of refugees and illegal immigrants born on Thai soil would benefit indiscriminately. There was some effort to make nationality pass bi-lineally. The reservrtion on article 10 was based on the fact that **education** in military institutions was restricted, although elsewhere equality had been achieved. Article 11, paragraph 1 (b), relating to **tho** right to employment, had been reviewed and it was expected that the reservation would be **withdrawn**. The reservation on article 15, paragraph 3, was now in conflict with the law and would be withdrawn. The reservation on article 16 was based on **existing** laws and practices which fell short **of** the Convention, but were deep-seated and would require a step-by-step approach to modify. Finally, the reservation on article 29, Paragraph 1, was the same as made by many States parties to international conventions.

220. For the future it **was** the intention of the Government to **reduce** some of the reservations to the Convention, deal with the issue **of** prostitution, including its **decriminalization**, take a preventive approach based on satisfying the **basic** needs of women and improve the **legal** basis **for** equality and to mainstream women's issues including the development and protection of the family system, for which the designation of 14 April as a national holiday to celebrate the family was one example.

221. The Committee indicated its concern over the number and extent of the reservations and, although the intention to keep them under **review** and begin

removing **some of them** welcome, the reservations could serve to nullify key aspects of the Convention. It was noted that although the Government had acceded to the Convention, **it** had not, **in** its own terms ratified it **because** that required all national laws to be put **in** line. Nevertheless, **some** experts emphasised that the government was internationally obliged under the Convention in accordance with article 27 and article 15 of the Vienna Convention on the Law of Treaties. The question was asked **about the significance of the:** and how soon internal ratification would be completed. The fact that the 1978 Thai Constitution did not make explicit reference to equality between **men** and **women** was noted and it was asked whether that was likely to be changed.

222. The progress **achieved** between the submission **of** the initial report and its presentation was noted, especially in terms of developing a national implementation machinery, as was the intention of the **Government** to use the **Convention as a** vehicle to promote **change**. More information was requested about the relationship between the **long-term women's** plan and the **successive five-year** plans. It was asked whether the Convention had been given publicity in the country and whether it had been translated into the Thai language and the role **of** women's organisations in seeking its implementation. It was noted that *one* reservation referred to national security laws, and the question was asked whether there were instances of **"prisoners of conscience"** and whether any **of** them were women. **As another reservation** was said to **have** been based on a concern about the nationality **of** refugees and migrants, information on the situation of **refugee** women in Thailand was requested.

223. Concerning the national machinery, it was noted that only two women's organisations were members **of** the National Women's Commission and the criteria for choosing them was requested as well **as** the criteria used to select the other 15 members appointed by the Prime Minister. Information **was** requested on the size of the budgets **given** to the Commission, its **committees** and its **secretariat**. The **fact** that improved statistical data would be **coming** from the **work** of the committee **on** the co-ordination of data was noted and further information was requested.

224. Concerning article 2, information on the main obstacles to putting the Convention into effect **in** domestic laws was requested as well as a further indication of those laws considered to be inconsistent with the Convention. It was noted that the age of consent for defining sexual aggression as a **crime** had been raised from 13 to 15, and the question was asked whether it was felt that **raising** the age would help protect women, whether sexual aggression against girls older than 15 was considered to be violence and whether there were policies to deal with it. **As** it **was** further **noted** that laws discriminating against the appointment **of** women into the judiciary had been repealed, the number **of women who had** become **judges** and public prosecutors **was** requested.

225. Regarding article 3, it **was** noted that in the 20-year **plan** a target of 30 per cent participation in leadership was set, and information was sought as to whether that **was** contradictory to the reservation on article 7, **as** well as whether there had been an evaluation of progress in implementation of the sixth five-year plan. Results of new legislation in reducing infant mortality and maternal health was requested **as** well as information about what was **being** done **in** that **area**.

226. Information on whether there were programmes to train teachers in human rights or other **courses** on human rights was **requested** in the context **of article 5,**

together with information **on** the effects **of** and reaction to the seminars noted in the report .

227. With regard to article 6, the *reform* of the 1960 Act on the **Suppression of Prostitution** was noted and **information** or **statistics** on the incidence of prostitution was requested **as well as** indications of the relationship **of** poverty to prostitution, the extent to which prostitution **catered** to Thai **men** or foreigners (in **the context of "sex tourism"**), the flow **of** Thai women **to** Europe for that purpose and the **policies** and recent actions of the **Government** on **that** question.

228. It **was** noted, with regard to article 7, that there were relatively fewer **women** candidates elected than male **candidates**; the reasons for that **were** requested **as well as** the basis on which members **of** the upper house of the **Parliament** were appointed and whether the Government or political parties intended to establish quotas. The extent to which women in Parliament supported the national machinery was asked **as well as** whether support was received from male parliamentarians. Concerning the public service, the nature of the work of sub-district **officers** was asked in terms of why it had been considered in the past that women could not qualify for those posts. The extent to which women's **organizations** supported the legal reform effort was requested **as well as** whether women's **organisations** had the same priorities **as** the **Government** and **if** not, the nature **of differences**.

229. **More** detailed information **was** requested on the implementation of article 8.

230. Regarding **article 10**, it **was** asked whether textbooks used **in** schools **showed** the role of modern women, **as** opposed to traditional roles. As it was noted that the reservation on the article **was** based on **access** to certain military institutions, it was asked whether the reservation was not inconsistent with **article 35** of the 1978 **Constitution** and whether it was significant enough to justify **a** reservation on the article as a whole. It was further noted that **there** was a lack of equality in access to vocational education, **and** information was requested on the views and attitudes of women on the question and on the **views** and attitudes of teachers.

231. Regarding article 11, **the** fields in which women's employment had been concentrated was requested along with information on whether those areas were female-dominated. Information **was** requested on the extent to which action was being taken **to** deal with the problems **mentioned** in the five-year plan as well as with the obstacles noted in the report **under items (c) through (f)**.

232. In terms **of** family planning in connection with article 12, information **was** requested on measures taken with regard to family planning, especially the two-child policy and on whether, rather than considering it as **a** woman's responsibility, **steps** were being taken to encourage **men** in family planning. A question was asked about how abortion was treated.

233. Concerning article 13, the absence of any description **of** problems **relating** to equality in bank lending was noted and it **was** asked whether that meant that there were no problems in that area, as well as the meaning of the statement in the report that "the family **nexus** acts as a form of social security".

234. On rural women, as specified in article 14, and **in** view of the predominance of women in the, agricultural labour force, information was requested on land acquisition and inheritance practices as they affected women **and** the measures taken

to improve women's position *in* that respect, **as** well as information on what was **known** about households headed by **women** in the *rural* areas.

235, Regarding article 15, the fundamental **nature of the reservation in terms of** the implementation of the article was noted.

236. The complete reservation on article 16 was **noted**, and the question was asked whether **women's** movements were active in seeking to modify the civil code **to** bring it into **line** with the Convention, whether dowry practices still existed **and the extent** to which **women** were able to take **action in the case of** bigamy.

237. The representative of Thailand, in replying to questions raised, stated that traditional attitudes continued to impede elimination **of de facto discrimination**, much **of** which was a legacy of the past when equal opportunities did not **exist**, for example, in education. The Government, **however**, was committed to equality in **both** formal and non-formal education. She stated that the National Commission on Women's Affairs consisted **of representatives of** key government departments, representatives **of** two umbrella **non-governmental organisations** and individual experts drawn **from** both the governmental and non-governmental sectors. The **Commission** now gave priority to preparation **of** the next development plan **and** linking it with the **20-year** long-term women's development plan. Concerning the Parliament, it **was** noted that whereas the lower house was elected, the upper house was appointed largely from high-ranking civil servants or the military, in **which** there **were few women**. For the **lower** house, a traditional attitude that women should not participate in politics had affected the number of **women** (10 of the 357 members), although all parties now welcomed female candidates. The women's plan contained targets for more women in legislative bodies but no quotas had been set. The women parliamentarians came from four parties and were enthusiastic about supporting women's development. Finally, **the establishment of a national family** day was considered a positive step.

238, In terms of the question about the status **of** the Convention, it was stated that Thailand had **acceded** to the Convention but had **not ratified** it, **in terms of** Thai domestic law, *since* that would have required approval by Parliament and adjustment **of** all domestic laws. For that reason, **the Government** had taken a **cautious** approach to the Convention and had entered reservations wherever the Convention had seemed to differ from domestic law or practice. It was *necessary* to convince people about the **necessity** to adjust law to the Convention and it was hoped that the views **of** the Committee would help do so. It was noted that the Convention was one of the **few** human rights **instruments** to which Thailand had acceded. Each reservation had its **basis:** article 7 because of certain reserved occupations, article 9 because in Thai law **and** practice nationality **was passed on** through the father) article 11, paragraph 1 **(b)**, because of the **law** prohibiting night work, article 15, paragraph 3, because the law had **been** ambiguous, article 16 because the law did not meet the requirement **of** the Convention and article 29, paragraph 1, because of a sovereign State's right to decide who adjudicated disputes. However, it **was** likely that **the** reservations on articles 11 *and* 15 would be withdrawn in the light of domestic legislative changes.

239. On article 1, **the** definition of the word "discrimination" was still unclear in Thai law, as Thailand had no sex discrimination act to provide such a definition, **although** if it involved a violation **of** rights, the civil and political codes could be used to protect basic rights. Development of such a law was on the agenda **for** the future.

240. Concerning article 2, the 1974 Constitution had stipulated equality between men and women while the 1978 Constitution mentioned equality **between** persons, but was being interpreted broadly. It would be difficult to amend the Constitution to make the stipulation **more explicit**. **In** Thai practice, unlike **in** other countries, the Constitution did **not** confer rights directly, as they had to be seen in the light of **an** implementing law. The concept of national **security was part** of all **rights** and there was **a** question of how best to achieve a balance between national security and international human rights standards, a point which the **Committee** might wish to take up **more generally**.

241. Regarding article 3, the distinction between the five-year plans and the **20-year** women's plan was that the **five-year** plans **were** general in approach and, although the fifth **five-year** plan (**1982-1986**) had had a specific section **on women**, **the sixth plan had decided to maintain** the issue of advancement **of women as a transverse theme** throughout the plan. The **20-year** plan included numerical **targets**, **many of** which were now being included **in the five-year plans**. In terms of the **amount of resources** for women's activities, it was noted that **the** budget was organized by ministry rather than subject-matter and therefore **no** clear estimate was possible. It was stated that in **regard** to the work of government and non-governmental organizations, **men as well** as women were involved. Concerning some key statistics, it was noted that of 1,160 judges, 10 per cent were women and of 1,400 prosecutors, 6.9 per cent were women. Of heads of **household**, in 1986 some **19.2 per** cent were women. Infant mortality had declined from 51.9 per 1,000 in 1979 to 41.3 per 1,000 **in** 1984. The literacy rate was 97 per cent, but 88.3 per cent of women had had **only primary** education. Participation in the labour force consisted of 75 per **cent** of men, 51 per cent of **women**, the largest portion **in** each **case** working in agriculture.

242. In terms of article 5, it **was** noted that **efforts** had been **made** to disseminate the Convention using seminars and mass **media**, but that that had reached mostly the urban areas. To reach the **rural areas**, other techniques were required, including translating the provisions of the Convention into **ideas** understandable to the average **woman**, incorporation of legal education into other training and development of **programmes** as a follow-up to training.

243. Concerning article 6, prostitution was illegal and **in** the **informal** sector and accordingly there were no official statistics. It was related to poverty and therefore combating it required dealing with the root **causes of** rural-urban and international migration. It was also necessary to distinguish between forced and voluntary prostitution and to have measures appropriate to each. Laws **were** difficult to **enforce**, did not affect the **consumer** and the **Government** was more favourable to a social approach emphasising rehabilitation measures. With regard to the connection between prostitution and tourism, government policy did not support the connection, but there was **a** need to convince the **private** sector. It was also noted that there was a conception **of** the problem on the part of some countries and that had led to the unfair treatment of Thai women **seeking visas** or crossing borders and that called **for** a more balanced approach by other countries,

244. Regarding article 7, the government structure built up from the village level, the sub-district, the district and then central. Before 1982 **women were** not allowed to be village or sub-district chiefs but there were now a small number. Women were still prohibited from being sub-district officers but the National Commission on Women's Affairs **was** reappraising that policy and there **were** signs of change in the works.

245. Regarding article 10 on education, the same opportunities existed **for men and women** in education and anomalies *only* existed in **some** institutions reflecting stereotypes, although the **Ministry** of Education **was** making **efforts** to **change** them. There was a need to broaden non-formal education and the commitment of the **Government** was reflected in the fact that a world education conference would be held in Thailand in March 1990. Sex education programmes existed and the rise of AIDS had helped **develcp** interest in it. **Human** rights **education** was available at the university level, including **women's** rights, and was integrated into primary and secondary **level teaching**, although there was a **tendency to** emphasise **duties** rather than rights. Women's studies programmes were provided at the **university** level.

246. On article 11, there were differences between law and practice in equal employment. Social security was provided to **a** limited extent in cases primarily connected with occupation-related disability. It was expected **that** the extended **family** system would provide social **sec..ity**, although it was noted that that **system** was **break!ng** down in some respects. The problem rested in the relative roles of the **family** and the State as the cost involved was already too high **for** the State to assume more responsibility. There **were some** efforts to increase the availability of paid maternity and paternal leave, but that in large measure would depend on the individual enterprises themselves.

241. In relation to article 12, family planning existed but there were still **some** attitudes that tended to place the responsibility for contraception exclusively on **women**, attitudes that were being combated through education. Abortion was illegal except **for** threats to the woman's health or when pregnancy was a consequence **of** sexual assault. There had been proposals by non-governmental organisations to broaden the law to cover potential foetal deformity, economic and social factors and failure of contraception, but there were differences of opinion on that among different groups. In regard to violence, the law was clear that rape was a criminal **of** fence. In the 1987 law reform, the legal age **of** consent, **for** the purpose of culpability, had been raised to 15.

248. On articles 13 and 15, women had equal contractual status with men, including the grant of bank loans. Some governmental agencies and non-governmental organisations were providing loans specifically to women's groups to foster women's small-scale enterprises, although credit was still not sufficiently accessible. There was still a need to reach the private sector **for** that.

249. Concerning article 16, the law did not favour bigamy, but it **was** vague. The sole legal penalty was a minor penalty for perjury when a person tried to **register** a bigamous marriage. There had been efforts to change the law, but that had not passed, having been defeated by **a** small margin.

250. In general, on refugee women, it was explained that Thailand had not acceded to the International Refugee Convention **and** the issue concerned asylum-seekers, about 60 per cent **of** whom **were** women and children, largely Indochinese. Under the law, asylum-seekers were considered to be illegal immigrants **with** duties rather than rights. Policy, however, was to bend **the** law for humanitarian **considerations**, with emphasis on screening, under the rule **of** first asylum. Those **found** to be **legitimate** refugees were allowed to stay temporarily while awaiting third-country placement, and **were** not repatriated. The issue was both sensitive and complex.

251. Several members expressed concern about the view expressed by the representative of the Government concerning the relationship between the concept of national security and the rights of women.

Peru

252. The Committee considered the initial report of Peru (CEDAW/C/5/Add.60) at its 163rd and 166th meetings, on 30 and 31 January 1990 (CEDAW/C/SR.163 and 166).

253. The representative of Peru, introducing the report, recalled international efforts to overcome discrimination and achieve the full participation of women but that that had taken place in the context of economic difficulty relating to development. His country had had to cope with a difficult development problem but had given particular attention to improving the status of women. Peru supported the Convention for Peru's Constitution provided in article 2 that women and men had equal rights under the law. Under Peruvian jurisprudence, the Convention would prevail over national law should there be a conflict. Different cultures and values existed in Peru and the report reflected that diversity. For that reason, elimination of discrimination against women called for a special effort.

254. Regarding women in political life, women constituted 5.5 per cent of the lower house of parliament and 4.8 per cent of the senate, there were three ministers and many other women in high positions in the public service, including one of the four under-secretaries-general in the diplomatic service. He noted that in the forthcoming elections, there were many female candidates who had decided to run despite the threats and danger that that decision implied for them.

255. He further said that the de facto situation of women fell short of the expectations of the Convention, although the Government was making efforts to achieve equality. The economic situation of the country, in the face of the debt crisis, the impact of drug trafficking and terrorism had all combined to restrict the country's capabilities and the understanding of the international community of that situation was necessary, and the elimination of discrimination against women would be possible only if the developed countries co-operated to help eradicate poverty and violence.

256. He further stated that after the general description of the country, the report described constitutional provisions as well as the civil code. It then examined issues relating to the family, including issues of status, property and divorce. It examined representation in elected offices. It noted gaps in legislation concerning women's participation in the labour market. It described assistance in the health area to vulnerable groups, which had not succeeded as expected. Regarding rural women, the report emphasised the absence of protective measures and the use of agricultural co-operatives.

257. He stated that the questions posed by the Committee would be particularly useful in helping to prepare the second periodic report. The initial report reflected the Government's commitment to the elimination of discrimination against women, but was not intended to justify what had not been achieved.

258. On general issues, the Committee requested information on the extent to which the Convention had been disseminated in the country and on measures taken to eliminate discriminatory laws that continued to exist in the legal codes. Further

information was requested **on** the type of governmental **or** inter-ministerial **mechanisms** that had been developed in order to promote equal rights and co-ordinate government **efforts for** the advancement of women, especially in the light of the elimination **of** the National Committee of Peruvian **Women** that had been **established** in 1976. The importance was noted to activate the Convention in those movements **of** social and economic crisis and as legal element of the defence of the **rights** of women in Peru.

259. Regarding article **2**, it **was** noted that **information** had reached the Committee from non-governmental organisations indicating possible violations of human rights **of** women under detention and being made by the Government to combat terrorism in the country. A confirmation of the truth of those reports was requested along with the measures being taken by the Government to remedy that situation. In addition, information was requested about the intention of the Government to establish **a** national machinery for the advancement of **women** and **of** efforts to adjust legislation to eliminate discrimination, especially about any laws that discriminated against indigenous women.

260. Concerning article 4, information on the extent to which temporary special measures were being used **in** the fields of education and work was requested.

261. Questions were asked about the extent to which traditional structures impeded the progress of women, in the context of article 5, and how far the Government utilised the mass media and other methods **of** information dissemination to **make** women **aware of** the Constitution **or** other laws favouring them, especially women in the rural areas. Information on the extent to which men shared in domestic work was requested.

262. With reference to prostitution, in terms of article 6, information on the extent of the problem, its relation to poverty and measures taken to deal with the problem, including the use of health cards, **was** requested.

263. With regard to article 7, information on the extent to which women voted, particularly in relation to their proportion in the population, **was** requested **as** well as **on** any impediments to that, such **as** illiteracy. It was noted that women seemed conspicuously absent from the formulation of government policy, and information on measures to increase their participation *in* decision-making was **requested**, as was data on the proportion of women who were candidates for parliament in relation to those elected. Questions were asked about the size **of** the **women's** movement, including the housewife committees and mothers' clubs, and their use as the vehicle for extending the literacy, political, health and education programmes.

264. Questions **were** asked concerning the legal basis for the transfer of nationality within the meaning of article 9, whether that discriminated against women and any measures to eliminate discrimination against women **in** terms of article **10**.

265. Concerning employment and article 11, information on the extent to which equal pay for work of equal value was applied in law and practice, as well **as** any Positive legislation to ensure equality in employment was requested, together with information about whether protective provisions **of** the law might lead to discrimination **against** women, legal protection for domestic workers and whether Peru was a party to ILO Conventions.

266. Regarding article 12, information was requested on the legal provisions relating to abortion, the **number of** clandestine abortions and the extent to which women had access to family planning programmes and to public health services, especially maternal and child health and in the rural **areas**. It was asked whether the rates **of** infant and maternal mortality had decreased.

267. Information about steps taken to remove discriminatory laws about contracts was requested within the content of article 13.

268. With **reference** to women in the rural areas, under article 14, it was asked whether women were recognised as heads of family **for** the purpose **of** land tenure and whether they had equal access to loans, training and extension services. In addition, information was requested about the effect on rural women of illiteracy **as** well as the role of women's clubs in the rural area; and, further, whether there were special programmes both to solve the problems **of** rural women and protect them during any civil strife.

269. With regard to article 15, clarification was requested about the National Population Policy and particularly the meaning of the **phrase** "responsible paternity" .

270. On article 16, questions were asked about the basis **for** the differential minimum age of marriage between women and men and particularly its lowering. A question was also asked about the regulation of adoption, particularly international adoption. The legal status of **de facto** families (consensual unions) **was** requested, as well as the incidence and trends of those unions, whether adultery, as **a** ground for divorce, **was** treated differentially for women and men. Information about the extent of violence against women was requested.

271. In response to the questions, the representative of the Government of Peru reiterated that the report ought to be seen in the national context where the country was suffering a grave economic crisis, arising from problems of the external debt burden that had significantly reduced the **resources** available for development, a continuing problem of terrorism and civil strife and **a** continuing problem with drug trafficking. The lack of resources had, for example, made it impossible **for** the report to have been presented by one **of** the specialists concerned with the issue since travel funds had not been available.

272. Concerning general issues as well as those **raised** under article 2, he stated that in **terms of** legal norms the Constitution provided for equality and the Convention also **had** direct standing in domestic law, but that the Constitution was more recent than many of the laws in the Civil, Criminal and Commercial Codes which, therefore, often contained legal provisions contrary to the **Constitution**, and the Convention. Those codes had not yet been reviewed, but the **legal** norm, enforced by the country's courts, **was** for any law contrary to the Constitution to be considered null and void. In terms of national machinery, it had been decided to disband the National Council of Peruvian Women and replace it with **a decentralized** structure *with women's units in the various ministries, which, regrettably, could boast of scant resources. **There** was an emerging consciousness of the need for a **central** body, a view held by all political parties, and **as a** result, changes were **expected** after the forthcoming elections. He noted **that** terrorism had inflicted a major toll of deaths, primarily **among** the **rural poor**, including men, women and children. The Government had not condoned violations of human rights and, indeed, had ratified all human right⁶ Conventions. Whenever *any*

allegation of violations of human rights had been levelled, investigatory commissions had been established and there had been instances of civil penalties for those in the military or civil authorities found to have engaged in such practices. Regarding dissemination of information about the Convention, however, he noted that the scarcity of resources had dictated that other priorities had to be followed.

273. Concerning prostitution, with regard to article 6, it was stated that it had a social basis related to the socio-economic situation of women in which there was a lack of employment opportunities. It was difficult to change that situation through laws, although laws existed, for example, to punish the prostitution of minors. Solution to the problem was only possible through changing the root causes.

274. On article 7, the fact that women participated in the electorate in a lower proportion relative to their numerical strength in the population was acknowledged, but it was also noted that there had been increased participation recently deriving from women's increasing participation in work and in the trade unions. There were, however, no data on differences between the voting pattern of women and men since no figures were kept, although it could be noted that in the most recent election over 70 per cent of the eligible electorate in general had participated.

275. Regarding article 8, the representative stated that there had been efforts to increase the proportion of women in the diplomatic service and the representation of women was among the highest in the Latin American region, including offices at the top levels of the foreign ministry.

276. On the issue of nationality, under article 9, it was noted that in Peru the principle of both jus solis and jus sanguinis applied to determine nationality and, accordingly, there was no difference between women and men, as Peruvian citizens could pass nationality to their children through their registration.

277. Regarding education and article 10, it was stated that under the Constitution, 10 per cent of the public budget must be allocated to education. Universal primary education was a goal and out of a population of 20 million in 1985, 7.7 million were students, 80 per cent of them in free, State-funded institutions. There had been an average annual growth of 4.8 per cent in matriculation and one effect had been a decline by 1987 of illiteracy to 13 per cent of the population from a figure of 60 per cent at an earlier time.

278. In response to questions on article 11, it was stated that the legal structure did not permit inequality in the workplace, but there was considerable de facto discrimination due to attitudes and customs and, although some measures had been taken, the problem persisted. Some special efforts had been undertaken to help women within the context of the economic crisis, including a programme to support temporary work through public works in which 76 per cent of the participants were women, direct support in the form of comedores populares most of whose members were women, and joint artisanal workshops, as well as a programme to provide subsidized foods.

279. Concerning article 12, the representative stated that abortions were legal only to protect the life of the woman, and there was a high number of clandestine abortions. In terms of family planning, the general population law referred to responsible paternity in the sense of an equal responsibility for both women and men, and family Planning had been added to secondary school curriculum, but there

were *no* programme to make contraceptive device available. The effect of the general lack of resources to provide health services could be seen in the return of incidence of tuberculosis, a disease that had almost disappeared in the 1970s.

280. With reference to rural women and article 14, it was noted that much of rural property was collectively held and women were among those permitted to obtain land. The development of women themselves, of major development. Under the regionalization policy, representatives of mothers' included by law in regional assemblies.

281. The existence of violence in the family, In terms of article 16, was acknowledged but it was stated that all violence was a crime but that violence inflicted by a family member was regarded more seriously and punished accordingly. There was a body in Peru entrusted with the responsibility referring to the national and international adoption procedures.

282. The Committee acknowledged the economic difficulties faced by Peru, but noted particularly at times of national stress that women's strengths were the importance women's self-help and stressed, both for the achievement of equal rights and of national development. In view of the constraints in providing detailed answers and information, it was decided to request the representative of the Government to transmit the Committee's questions to the appropriate national authorities who would in turn send answers to the Committee through the Committee's secretariat in Vienna.

283. The Committee noted that the report, while reflecting the difficult situation, It noted the scarcity of resources to implement programmes and that, when the economic and political situation improved, there would be the possibility to address the recommendations and concerns of the Committee.

Turkey

284. The Committee considered the initial report of Turkey (CEDAW/C/5/Add.46 and Amend.1) at its 161st and 165th meetings, on 29 and 31 January 1990 (CEDAW/C/SR.161 and 165).

285. Introducing her country's report, the representative of the Government said that discrimination against women still persisted in many countries of the world, and also in Turkey. The equality of women and men had received official recognition early in history due to the foresight of Mustafa Kemal Atatürk, and a series of reforms were introduced subsequently to bring women nearer to the goal of equality. She said that under the Constitution there should be no discrimination of any kind, the social structure was free-flowing and democratic and indeed more laws discriminated in favour of women than against them. She also said that in the western part of the country, women generally shared a position of equality, whereas in the east, old, stereotyped roles of women in the society persisted.

286. An issue that adversely affected the position of women in Turkey was the population growth and the country was making great efforts to make the entire population family planning conscious. Accordingly, many non-governmental organizations were active and successful in supplying women and children with

protective medical care, including contraceptives. Consequently, the rate of increase **of** the population **was** gradually slowing down. A national machinery for women's issues had been set **up** in 1987 and another department responsible for family affairs had recently been installed. Following the launching of a literacy campaign in 1980, the **illiteracy** figures dropped in absolute and relative terms, with the percentage **of** girl students who completed schooling **on** the increase.

207. Although there was **no** discrimination between men and women **in** employment, only very few women held top-level **jobs** as a result of the lower educational level **of** the average **woman** and of less vocational training received by women. There were very **few** female members of Parliament, but **for** the first time in history, there was **of** In the armed forces **and** but **not** **of** **governor.**

of
the husband could take three days **of** paid leave at the time **of** the birth of his child. With regard to the reservations placed on articles 15 and 16 **of** the Convention, she **said** that as a result of steps taken by various women's organisations and the mass media, a committee had been set up in the Parliament to review the Civil Law and she hoped that all reservation⁶ would be withdrawn before the submission of the second periodic report.

289. Member⁸ of the Committee commended the Government of Turkey for acceding to the Convention in 1985 and submitting the report in timely fashion in 1987. **In** congratulating the distinguished representative **for** her presentation, it was noted that the report was frank and attempted to state clearly the situation **of** women in Turkey. In their **general** comments, members **of** the Committee noted **the** discrepancy between the provisions of the Constitution and the reservations made in respect **of** articles 15 **and** 16 **of** the Convention with regard to *certain* provisions in Turkish Civil Law that were contradictory to the stipulations of the Convention. They asked about the **prospects** of withdrawing the reservations and also **about** any proposals for **changing** the Civil Law and expressed the hope that Turkish Family Law would **soon** be changed. Members formed the **impression** that Turkish women were not supported by a strong **commitment** of the Government in **their** struggle **for** equality. They asked of the role of non-governmental organisations and **whether** they had been involved in preparing the report. Clearer information was required about the different status of urban and rural women and about the needs **of** rural women in the education and health sectors. Questions **were** asked about **the** fields in which women had recorded greater advancement than men and what was meant by the "ideal" equality between the right⁶ **of** women and men. Members, while applauding the reforms introduced by Mustafa **Kemal Atatürk**, noted that the current Constitution constituted a step backwards. Commenting on the fact that **women** were scarcely visible in the streets in Turkey, members asked whether the **reason** was that Turkish **women** were not too active **in** **society** or whether it was prohibited or dangerous for Turkish women to walk around outside the house. They also **asked** about the sort of problems women encountered as a result of the social structure for women in the fields of education and employment. They also asked about the implications of the recently emerging fundamentalist movement for women in the fields of education.

290. With regard to **article 2**, it was noted that the report did not contain any reference to mechanisms for monitoring the implementation of the principle of equality between women and men, and requested further information on the national machinery, **its** staff and budget. Member⁶ also asked whether the review of women's

rights was going **in** a negative or positive direction and felt that the comment that "**discrimination** was **foreign** to the Turkish temperament" was not appropriate, and that that remark, as well as the **remark** that the low number of *women in* high-level post6 was to be explained by the "poverty **of** desire" showed a tendency to put the responsibility for the lack **of** equality **on** women themselves. However, such an explanation would not be accepted by the members, and it was not enough to explain the lack of concern for women's rights by merely linguistic reasons. It was also asked whether research was made on the status of women and which were the points that disturbed the equality between the two sexes. With reference to the fact that **women** prisoners had **allegedly** been subjected to torture and **rape**, inquiries were made as to whether Turkish women had the same **access** to legal aid **as** men.

291. Regarding article 3, it was asked what prevented women from being appointed a6 governors and whether women's **organizations** had a political influence. Clarification was sought as to whether the Convention could be invoked in civil and legal concerns and what the Government was doing to ensure equal rights of **women**.

292. The **meagre** information with reference to article 4 was noted, and it was asked whether the Government envisaged adopting temporary special measures. Members inquired whether specific **targets** were set in the fields of education, health, female participation in politics and in the employment sector.

293. On article 5. information **was** requested on measures to modify cultural pattern6 to eliminate prejudice and values which assigned stereotyped roles to women. It was asked whether the women's6 **movement**6 were active in that respect. Their reports in that respect provided contradictory data **on** the advancement of women, accepting stereotyped attitudes as being **positive**. With reference to the modest professional aspirations of married women, it was asked whether the Government was satisfied with that situation and whether women and men should not rather adopt equal responsibilities in the family.

294. Concerning article 6, members asked how prostitution was regulated, the percentage of Turkish women engaging in prostitution and whether rehabilitation of prostitute minors was envisaged and whether the prostitution of minors was given any specific legal treatment. Comments were made on the low penalty for rape arising from prostitution. A question was asked to ascertain the attitude of the public in that respect and whether there were plans by the Government to amend that legal provision.

295. Under article 7, members asked what was being done to raise the number of women in Parliament and in politic6 generally, why the proposal for a quota system was not received favourably, and for statistical data on the number **of** women in the health, legal, banking, higher administrative and business fields, and as government employees and also about the participation of women in trade unions. Question6 were asked why the percentage of women member6 **of** Parliament had decreased drastically since 1935 and whether the quota of 10 per cent for women in the judiciary was accurate, **If** so, whether such a low quota was compatible with the concept of equality.

296. With regard to article **8**, more detailed information was requested on women in the diplomatic service.

297. Concerning **article** 9, members inquired whether Turkish women married to aliens transmit their **citizenship** to their children.

298. Regarding article 10, members noticed a segregation in secondary education **and** asked whether fathers who cut short the education **of** their daughters were punishable and whether the low minimum age of marriage did not constitute a handicap to girls **in** the education and employment fields. Several **questions** referred to the high rate **of** illiteracy and to the reasons for the disparity between women and men concerning literacy programmes. It **was** asked **whether** the literacy rate was any different **for** urban and for rural women and what the **situation was** concerning minority groups. **Members** requested a breakdown by gender and percentage of youths in public and in private schools. Questions **were** asked as to whether co-education was obligatory, whether efforts **were** being made to change the stereotyped image **of** women and **men** in school textbooks, what **"the travelling women's courses"** meant, the subjects covered by the educational television programmes and why only a **few** girls sat for the competitive examinations to enter the universities. Further information on the centres for applied arts was requested. Members **enquired** whether sex education was part **of** the school curricula and whether girls were encouraged to follow non-traditional careers. It was asked whether the high percentage of the female students in the field of mass communication and the media would find appropriate jobs in order to contribute to a change of the role **of** women in society. Members inquired also whether the Convention and its aspirations were being **publicized**.

299. Under article 11, information **on** comparative data on salaries of women and men in urban and rural areas and further clarification on the social security system **were** requested. Questions were asked about the extent to which women **utilized** their maternity leave, whether they could return to the same job afterwards and whether parental leave existed, whether there were training programmes for women who interrupted their paid work, whether women could undertake part-time employment, whether they received unemployment compensation and as to the rate of unemployment. Clarification was sought on the data given in the report on the overall wage-earning labour force. Further information was requested on migrant women workers, on the number of women who worked in the tourist sector and on the voluntary insurance of housewives. Members asked how the problem of sexual harassment was dealt with, whether hidden discrimination in employment still existed and how the rule of equal pay for equal work **was** enforced both in the public and in the private sector. It was asked whether **women were** hesitant to take their children to nurseries.

300. Expert6 **inquired** whether girls received training and professional guidance, whether single women had the same right6 in the employment sector as married women and whether married women needed their husbands' consent for doing outside work, and if done without the husband's agreement, whether that constituted a ground for divorce. Comments were made on the early age **of** retirement for women. It was asked whether **housewives** were automatically covered by their husbands' social security protection and the percentage of **women** and men not covered by any social security **system**. Member6 inquired whether the Government was making any effort6 on a bilateral **basis** to improve the situation of migrant worker6 and whether it offered special programmes to young women who migrated back to their country of origin after having received special knowledge and **skills** in their countries of migration. It **was** asked whether certain **types of** work were prohibited for women because of health or any other implications,

301. With reference to article 12, member6 sought clarification on the situation concerning abortion and inquired about the number **of** family planning centres, the way in which knowledge about family planning was disseminated and whether **women had**

access to family planning services without their husbands' consent, Population and related statistics indicating the number of births per woman were sought. It was asked whether there was legislation concerning violence against women and shelters for battered women.

302. With regard to article 13, members asked how access of women to bank loans was being guaranteed.

303. Turning to article 14, members requested more information on rural women, they requested the percentage working in rural enterprises, whether such women received racial security benefits, literacy training, and whether they were reached by extension workers. Other questions referred to the number of women in the carpet weaving industry, their income and social security coverage and the age at which girls started work in that industry. It was asked whether men remained the decision makers in the family, even after their migration to the cities.

304. Members noted that the reservations expressed by Turkey in respect of articles 15 and 16 reflected the extent to which discrimination still existed in those areas. Under article 15, the questions referred to freedom of movement for the woman, the choice of domicile, the possibility to travel inside the country and abroad without her father's or husband's consent.

305. Under article 16, it was noted that the reports made no mention of the family and household duties of fathers. Further details were requested about de facto unions, the grounds for divorce for women and for men, the rate of divorce and the inheritance rights of girls compared to those of boys. Members took the view that a revision of the family code with respect to the choice of the married woman's family name would be most appropriate.

306. In replying to questions raised by members of the Committee, the representative of Turkey emphasised the importance her country attached to the Convention and its determination to implement its provisions. Women's organizations, the mass media and public opinion were at times working as pressure groups on the political parties. Currently, the country was undergoing transformation through rapid urbanization, industrialization and modernization and the gradual introduction of the nuclear family. The urban women benefited to a greater extent from those changes, whereas, on the other hand, the general problem of unemployment heightened also the dimension of unemployment for women.

307. Non-governmental organizations had been informally consulted while the country report was being prepared. She noted that in Turkey, as in other countries, there was a fundamentalist movement, but their political impact was minimal. The main concern was with women in rural areas and the eradication of traditional social and economic differences prevailing in those areas. Women's associations and the mass media strongly supported literacy and family planning campaigns in rural regions and paid special attention to girls and families who migrated from rural to urban areas. She said that the statement that only a few women were visible in the streets was incorrect.

308. Turning to comments made under article 2, she said that the Constitution and several other laws were all based on the principle of equality. Although the status of women in Turkey was not entirely satisfactory, women themselves were not responsible for that situation. However, through various organizations, women had started to make their voice heard, which was a first positive sign. With regard to

detained women, there was no discriminatory treatment between women and men. She said that the State Planning **Organization** encompassed the national machinery that had been set up in 1987 to deal with all questions regarding women. It consisted **of** presidents **of** several women's associations, representatives of various ministries and universities and worked centrally. It was consulted in the preparation of the most recent five-year plan.

309. Referring to questions raised under article **3**, she said that the rule that prevented women from being appointed as governors was a remnant of the past and there was a strong tendency to change that rule. Although women's groups worked as pressure groups, their pressure was not strong enough to affect political decisions.

310. The concept of "ideal equality" referred to complete and full equality between men and women and measures were being taken to recruit more women in certain professions.

311. Turning to article 5, she stated that Turkish women gave priority to their functions as wives and mothers as a result of prevailing traditions. However, special instructive television programmes were geared towards the elimination of prejudices and customs and most men of the present generation considered life as a joint venture and assisted their wives in household duties.

312. Referring to article 6, she said that under the Penal Code the reduction of the penalty for raping a **prostitute was** accurate and that the court decision had created enormous reactions by women in all strata and by the mass media.

313. Turning to article 7, she said that only six women were members of Parliament and there was only one woman minister. No quota had been introduced so far in party administration or on electoral lists, and only recently one party introduced a 25 per cent quota for party bodias at all levels. In December **:989**, women constituted 21.20 per cent of lawyers, 12.06 per cent in the judiciary, 31.66 per cent of physicians, 40.22 of pharmacists and 34 per cent of the teaching **staff** in universities.

314. Regarding article **8**, she stated that 11.54 per cent of the career diplomats were women and 24.69 per cent of the high-level jobs in administration were held by women, amongst whom one with the rank of Ambassador. Turkish women also played **an** active role in international organieations and conferences.

315. **Referring** to article 9, she said that **mothers** as well as fathers could transmit their citizenship to their children.

316. Turning to article 10, the representative said that primary schooling was compulsory for boys and girls and legal sanctions were **foreseen** against parents who withdrew their children from school.. She provided detailed statistics on the percentages and number of girls and boys enrolled in primary and secondary level schools of various types during the years 1985 and 1986. Co-education applied to all school levels and **she** explained that customs, culture and the perception of the role of women determined the choice of girls for certain studies and professions. She said that no discrimination existed in the competitive examinations for entering university education. She said further that an increasing percentage of women was moving into the field of mass communications. There was also a great demand for women student6 in the field of performing arts. Throughout the country, campaigns which were supported by radio and television programmes had been launched

to improve the literacy rate of women and one of the reasons *for* the higher literacy rate of men was that they learned to read and write during the obligatory military service. Finally, she said that sex education had not yet become part of school curricula.

317. Referring to questions raised under article 11, the **representative** said that 64.6 per cent of men and 35.4 per cent of women took part in the paid labour force, most of whom worked in farming and agriculture. She indicated the percentages of women who did unpaid work in the agricultural sector and said that neither women nor men in rural areas were covered by social security benefits. However, they could take out voluntary insurance under the self-employed **workers'** insurance system. Neither women nor men **were** covered by unemployment insurance. About 62 per cent of the population was covered by social security benefits, and about 65 per cent of all wage earners were members **of** trade unions. The minimum age of retirement was 50 for women and 55 for men. University teaching staff retired at the age of 67. Fathers were entitled *to* three days' paid leave during the child's birth, and women could take up to three years of unpaid leave after childbirth without losing their jobs. Child care facilities also existed. The rule of equal pay for equal work was ensured under the law. The income of a wife was taxed separately and labour **legislation** applied equally to men and women. Not many complaints for sexual harassment of women at the work place had been received.

318. As a result of internal and external migration, women had to face many socio-cultural problems and women who returned from their country of migration found jobs appropriate to their knowledge and skills, most **of** them in the tourist **sector**. Special **schools** had been set up for children returning from abroad and 40 per cent **of** the girls who migrated back wanted to continue their higher education.

319. Turning to article 12, **she** said that family planning services had started in 1965, and family planning services were provided mainly by the Ministry of Health and Social Welfare in co-operation with the mass media and non-governmental organizations. In 1988, there were 128 family planning centres. Abortion was allowed up to the tenth week of pregnancy, and the rate *of* birth was 2.99 per cent. In big cities, shelters for battered wives and **free** legal advice were provided.

320. No difference between women and men existed regarding the access to bank loans.

321. Referring to article 14, she said that a small proportion of unpaid family **workers** were working in the carpet weaving industry, but she **could** not provide exact figures. In case of the emigration of husbands, the wives became heads of **households**.

322. Under article 15, she stated that women did not need their husbands' permission to travel.

323. Turning to article 16, **she** said that the minimum age for marriage for girls was 14, that inheritance rights were the same for girls and **boys** and that taking up employment against the will of the husband was not considered as a ground for divorce. She then enumerated the grounds for divorce **as** stipulated by law and said that **pursuant** to an amendment to the Family Code the woman had the right of choosing her name. She strongly hoped that the **reservations** placed on articles 15 and 16 would be withdrawn before the submission of the second periodic report,

324. Members of the **Committee** thanked the representative *of* Turkey for her great **efforts** in providing the additional information, statistics and **figures** in such a short time, **and** for her replies, which brought about a clearer picture of *women* regarding the articles of the Convention, they expressed their hope that the subsequent report would adhere closely to the general guidelines, that it would contain detailed statistical data and more information on the status of women in rural areas, on the progress made in employment and in secondary education and on decisions taken by the Legal Reform Committee.

2 . Second periodic reports

325. According to the procedures applied by the Committee for consideration of **second** and subsequent periodic reports, issues and questions which should be discussed with the representatives of the States parties presenting a **report** have been identified in advance by a pre-session working group.

326. The issues and questions agreed by the Committee **were** forwarded to the five reporting States on Thursday, 25 January 1990. In the accompanying letter, the representatives of the States parties have been informed that the lists are not exhaustive and do not prevent members of the Committee from posing further questions in the course of the dialogue **with** the representatives.

Ukrainian Soviet Socialist Republic

327. The Committee considered the *second* periodic report of the Ukrainian Soviet Socialist Republic (CEDAW/C/13/Add.8 and Amend.11 at its 162nd meeting on 30 January 1990 (CEDAW/C/SR.162).

328. The representative of the **Ukrainian** Soviet Socialist Republic stated, in response to a question about why the **second** periodic report had begun with article 7, that the report was intended to update information based on developments subsequent to the initial report and that there had been no substantial change in the information under the earlier articles. The information contained in the second periodic report and, particularly, in the amendment to it, showed the effects of the vigorous renewal **of** society implied by **perestroika** and **glasnost**. The critical analysis that was part of that process had identified a number of **problems for women requiring** solution, including the situation of **employment of** women, women's work-load, the division of labour in the home between women and men and the related problem of underdevelopment in the necessary **elements of** the social infrastructure, and the participation of **women** in decision-making. Of particular importance was the probable effect of the process of economic reform on women.

329. The representative noted that as part of its reconsideration of the role of the International Court of Justice, the Government had in March 1989 withdrawn its reservation to article 29, paragraph 1, of the Convention.

330. In response to a question on the changes in the status of women that had taken place as a result of **perestroika** and **glasnost**, the representative stated that the major achievement was a change in the socio-political atmosphere **of** the country, both at the all-Union and republic levels, as a result of the election of peoples' deputies, the active **role** now being played by the Supreme Soviet in developing legislation that aimed at creating a state of law. There had been increasing democratisation at the republic and local **levels** and elections in the republic

would be **held on 4 March 1990 on the basis of a new law.** On the **basis of** that law, the new Parliament of the Republic would not **have** quotas for public organisations **and** although those organisations, including the Communist Party, could nominate candidates, voting was by district. In addition, a new all-Union law governing relation⁶ between the **centre** and the republics substantially expanded the rights **of** the Union Republics. The main issue was the radical economic reform **to** make the economy more responsive and, although it had not had the intended effect, as shown by the unbalanced market and shortages of goods, it **was** expected to increase the output of **consumer goods** and services.

331. Among the major developments for women at the Union level was the establishment of national machinery for the advancement **of** women, consisting of a committee of the Supreme **Soviet** and the new Department **of** Women's Affairs, Family Protection and Motherhood *in* the Council **of** Ministers. Similar changes were expected at the republic level after the forthcoming election. A second development was that, as a result of changes whereby enterprise managers were elected by work collectives, the proportion **of** women managers had increased and was 26 per cent **of** the total, ranging from 70 per cent in communications to 28 per cent in services and 23 **per** cent in industry. A number **of** enterprises, having shifted to cost-accounting, had more resources available for social benefits and improving maternity leave provisions. A solution to the food problem was being promoted by the development **of** the co-operative movement, family brigades and later, perhaps, family-owned farms; corresponding changes in the law were also under consideration. Housing was being expanded with a view to assuring, that by the year 2000, each **family owned** a separate apartment or house. There were efforts under way to **convert** defence industries to civilian **production** and initial efforts had dealt with the **production** of medical equipment. A demographic decline had been noted, prompting action to deal with a sharp fall in the **birth** rate, which was now below a level necessary to replace the population. Decentralisation in foreign economic relations, which had ~~come~~ about when Ukrainian enterprises were allowed direct access to their **partners abroad**, had led to the establishment **of** joint ventures producing goods in high demand. There **was** an increased understanding and improvement in international relations, **including** peoples' diplomacy **of** which women were a part, and an increase in the involvement of non-State organisations in charitable work. Finally, many hospitals and clinics previously reserved for government **functionaries** had **been** turned into facilities for children.

332. A question was posed about the problems women faced and the conditions that needed improving. In reply, it was noted that 92 per cent of women who could **work** or study did so. **There** were imbalances in employment in the sense that many **women** worked in hazardous occupations, on night shifts or other disadvantageous conditions. There were divergences in practice from the principle of equal pay for equal **work** since, although the principle was set **in** law, comparisons across individual economic sectors showed male to female **wages** to be in the ratio of **3:2**. Women's high educational qualifications were not matched by their participation in decision-making, a fact that reflected the lack **of** professional training caused by the need to maintain the double **burden**. Measures being taken to correct that imbalance included special **training** programmes, evening and **correspondence** courses. The underlying problem was the lack of sharing **of** domestic responsibilities ^{as} women, on the average, were engaged in domestic work two to two and a half times more than men. Given the inadequate social **infrastructure** and lingering outmoded attitudes and stereotypes, women had to choose between a home and a career.

333. Regarding the Committee's question on violence against women and measures taken in that regard by the **Government**, it was noted that all forms of violence **were** punishable by law under the criminal code, including such crimes as illegal abortions, sexual assaults **and** rape, which was considered very serious and was punishable by 3 to 15 years in prison or worse. The Government was taking measures against **all** forms of crime, but the crime **situation** was alarming and 730 acts of violence against women had been recorded in 1989. **There** had been insufficient preventive work among persons with prior records.

334. *Concerning* a question about the problem of women abandoning their children to orphanages **in** order to enable them to pursue their careers and about the causes **of** that problem, the representative stated that some 70,000 children were orphaned or left without care, **of** which 34,000 remained in institutions. They included children born out of wedlock, children of alcoholics and some - very **few** - abandoned by their mothers. **Besides** family placement, **new** approaches were being sought.

335. On article 2, regarding a series of questions dealing with how women could use the courts to find remedies for discrimination, it was stated that full equality was set out **in** the Constitution and, additionally, there were benefits set out in the labour code. In terms of cases **of** discrimination in labour relations, recourse could be had to the courts and legal assistance was provided, **among** others, through the public prosecutor's office and from trade unions and workers' councils. Although the basis for litigation **was** legislation adopted by the republic itself, the provisions of the Convention could also be used.

336. Regarding the **jurisdiction** and structure **of** the committees and commissions on the status of women established in the republic and the **Union**, the representative stated that the Standing Commission on Women, Motherhood and Children had been established in 1976 with functions deriving from the Constitution, **including** preparation of State policy affecting women's daily life **and** draft legislation, considering draft plans to ascertain their effect on women **and to** ~~to~~ **few** regulations from individual ministries on their **effect** on women's **daily life**, as well as the consideration of complaints from individual women. Recommendations of the commission had to be considered by the appropriate organisation. **The** commission had an elected chair and vice-chair and consisted of 33 deputies, both women and men.

337. On the Committee's question about the incidence of prostitution in the light of article 6, it was stated that it was not a widespread problem. In the **1920s**, prostitution had been a reflection of **poverty**; in the present, it was undertaken for profit. The **Government** believed in dealing with it as a social problem, like alcoholism, with an emphasis on education and rehabilitation. Criminal penalties existed for cases **of** promoting prostitution of minors and maintaining a house **of** prostitution. In 1989, 152 people had been prosecuted for prostitution.

338. Concerning changes in the number and participation **of** women in the legislative bodies at various levels since the initial report, it was noted that measures to promote women's participation had to be linked with social protection. In practice, there had been **no substantive** change in the level of participation, and the **proportion** was the same (36 per cent) at the level **of** the Supreme Soviet, but there had been qualitative improvement and a number **of** women occupied high posts, including the Chair of the Presidium of the Supreme Soviet. About one third of the members **of** the Communist Party were women and on the Central Committee, women made

up about 10 per cent, at **oblast** level secretaries, 7 per cent, and **one** woman was a **member** of the Politburo. At the 27th Party Congress, 27.2 per cent of the delegates **were** women. Women participated in a wide range of activities, going beyond those that were traditionally women's **preserve**, and occupied **many** posts, although there were some spheres of competence where women were particularly involved. With regard to a question about whether women deputies could be **nominated through the** Ukrainian Republic Women's Council or whether they could present **themselves** as candidates in other **ways**, it was explained that the new law on people's deputies specified equal rights of both woman and men and accordingly **women** could be nominated by the Woman's Council, or from their place of work or their place **of** residence.

339. More information concerning the functioning of the Department of Affairs **of** Women at the Republic-wide level and the proposed national machinery was requested by the Committee and in response, **it** was noted that the policy was to improve the efficiency of the State machinery and for that **reason**, the Union-level Department on Women, Family Protection and Children had been created based on comments by people's deputies. It was expected to enhance women's participation. Although there was currently no equivalent **in** the Ukrainian SSR, **it** was believed that **one** might be considered following the forthcoming republic elections,

340. Concerning questions about the characteristics of the **system** of women's councils, it was stated that they were public organisations of women in their place of work or residence. The 27th Party Congress in 1966 had adopted measures to strengthen their traditional role as advocates **for** women's advancement. There were 57,000 councils (**of** which 24,000 were in labour collectives) and the membership at all levels included 500,000 women. The councils conducted seminars, created consciousness, participated in drafting legislation, helped liaise with the government bodies. They dealt with population policy through special programmes, and participated with other institutions.

341. Referring to a question under article **8** on the specific number, proportions and levels **of** women representing the Republic in international **forums**, the representative stated that **40** per cent of the members of delegations to other socialist countries on questions of economic co-operation **were** women, **as** well as 21.4 per cent of such **delegations** to Western countries, 4.2 per cent **of** delegations to international organisations and 10 per cent of the persons sent to work in the secretariats of international **organizations**.

342. A question about the areas in which there had been an increase in the percentage of women in institutions of higher education, relevant to article 10, was answered by noting that **there** had been no change from the previous **report**, although there had been a slight increase in the percentage of male students in teacher training and that was considered a positive development as the teaching profession had been considerably **feminized**. Regarding several questions about sex stereotyping in textbooks and curricula and the existence of sex education, it was stated that a reform of the education system was under way, including an expansion of the rights of individual schools and their students to select textbooks. The curricula of both primary and secondary **schools** included material **on** the family and sharing of responsibilities and efforts were **being** made to re-orient teachers with a view to eradicating outmoded stereotypes. **Responding** to a question about why there had been an increase in college students with families, **it** was noted that the legal age for marriage was **18** for men and 17 for women and **that** there was a tendency towards earlier marriage, which was related to a **more** open **view** of sexual

relations and **improved** social protection for married students, **for** whom housing **was** provided.

343. A series of questions on articles 10 and 11 dealt with the **Government's approach** to women's employment and the educational requisites for it **in** the context of **perestroika**. In quantitative terms, women were well represented in all fields of study as well as branches of the economy. A qualitative assessment based on studies suggested that workers' collectives **in** which there **were** both women and men **were more** effective than those having only one sex. The State could **use** both administrative measures and economic incentives to press for policies of equality. It was noted that a **number** of fields like the food or textile industries were **feminized**, but the re-equipping of the textile industry, for example, was leading to a slight increase in the number of men. Health and education **were** also **feminized**, but efforts were being made to recruit more male doctors and **teachers** and it had been noted that an **increase** in the pay to doctors attracted **more** men to medicine. Among school directors, **women** predominated at the primary level and made up 40 per cent at secondary levels. Participation of women in vocational training was high and more women were entering fields like metallurgy and engineering. Restructuring of enterprises was expected to lead to more women **in** higher positions, but to achieve that, there was still a need to provide social support to **women** so as to eliminate the double burden. That has been helped by the high representation of women in the Supreme Soviet.

344. Concerning equal pay, in connection with article 11, the **representative** stated that there had been a general increase **in** wages over the **past** several years **some** predominantly female fields especially had seen wages rise, and **salary** scales in all fields were being reviewed. On occupational safety, it was noted that it was government policy to improve working conditions. With regard to the repercussions of government policy to reduce drastically the number of women working in manual labour or in jobs involving harmful working conditions, it was stated that plans were being put into effect. Steps had been taken to ensure that women kept their **pay** while being retrained or relocated. The advice of trade unions and women's councils on those matters was sought and taken into account. On child-care, including the question of who takes care of children who cannot find places in child-care institutions, it was noted that there was a broad network of pre-schools, especially in urban areas, but that **in** rural areas only 45 per cent of the needs **had** been met. Extended paid leave would help. All mothers had the right to maternity and child-care leave. **Moreover**, as state and collective farms switched to self-financing, they would be able to provide **child-care** from their own **resources**. When there were not enough places, other means had to be found, including having the mother work at home, obtaining the help of a relative (like the grandmother) or with help from the women's council.

345. **In response** to a question about the relatively high infant mortality rate, in relation to article 12, it was stated that new facilities for child health **were** being developed and, with better facilities and services, infant mortality was **decreasing**. Outreach health service programmes were designed to help improve services for families and to help protect women. Special efforts had been undertaken in the wake of the Chernobyl disaster, including relocation of people away from contaminated areas, provision of preventive **services** for children, efforts to ensure uncontaminated food and water supplies and other measures. On the question of abortion, it was noted that they were legal when performed in a medical institution under a doctor's supervision, but that it was illegal to force a **woman** to have an abortion against her will. The figures on abortions were: 1985 - 1,345,475; 1986 - 1,166,039; 1987 - 1,068,000; and 1988 - 733,030.

346. With regard to article 13, on women's economic rights, it **was** stated that **women** had equal rights with **men**. **There** was a slight difference in that the **age for legal marriage** was lower **for** girls than for boys, although local authorities could **lower either** by one year,

347. A general decline in the **size of** the rural population was **noted in response** to a question under article 14 about whether rural **women** had the same access to health care as urban women. The population plan sought to raise the birth rate and there were efforts **to increase** the medical **services** available **in** rural areas. Construction **of** new clinics, however, was behind schedule and collective and State **farms were** investing in health services and infrastructure.

346. A question was posed under article 16 about the legal position **of** couples living in consensual unions and **in** reply it was stated that the **code on marriage** defined that **on the basis of** formal registration, but that, for children born outside of formal marriage, **when** family relations could be shown to exist and there was a voluntary recognition *of* paternity, consensual unions did receive some recognition. **Concerning** the high divorce rate, **it** was stated that there had been a sharp drop in family stability **and** some 36 per cent **of** marriages ended **in divorce**, although that seemed to be **declining recently**. There were some 1.5 million children **in** those **families**. The survey undertaken by the Soviet Women's Committee had identified male **alcoholism**, infidelity, lack **of** sharing in domestic responsibilities, problems in daily life and lack **of** mutual understanding as **reasons for** divorce. Efforts were **made to** reconcile, but some 96 **per cent of** the separation cases ended in divorce. A **higher** proportion of divorced **men** than divorced women remarried,

349. Members noted the comprehensiveness and frankness **of** the introduction to the report, hoping that with the advent **of glasnost** and **perestroika**, many changes would take place, including **those** leading to a greater participation by women in political **and** decision-making. Concern **was** expressed that economic restructuring could lead to a reduction in essential services, like child-care facilities, and might mean that women would pay the larger cost **for** the restructuring.

Mexico

350. The Committee considered the **second** periodic report of Mexico (CEDAW/C/131/Add.10 and Amend.1) at its 163rd meeting on 30 January 1990 (CEDAW/C/SR.163).

351. In introducing the second periodic report and responding to questions posed by members **of** the Committee, the representative **of** Mexico stated that her Government's **aim** was to ensure the full integration of women in social life and **for** the first time the Development Plan 1989-1994 contained a special section about the participation of women. The Government had made special efforts to obtain information on the status **of** women and to work on family planning. The implementation of the Convention was closely related to the persistence **of** poverty. She said that **the** Government would carry out a national census in 1990 in order to obtain a clearer picture of the **progress made, and for** the **first time, the** contribution of women would be taken into account. **None** the less, obstacles persisted that were hard to overcome in addition to the **most serious economic crisis** that the country had **been** undergoing since the Second World War and which made it **more** difficult to **meet** the country's commitments under the Convention, Aware of the most acute social problems, the Government had launched an ambitious

Rational Solidarity Programme to improve the living conditions of the most needy groups of the population.

352. Replying first to the general questions, *namely* the extent to which women had recourse to the courts to enforce their rights, she said that women and men were equal before the law and had the same rights of recourse. Regarding the functions of the Secretariat on the Status of Women established in 1987, she explained that it was a government office of the State of Guerrero to promote the rights of women and she outlined its objectives. Concerning the problem of domestic violence, she informed the members of a programme of social and family integration and legal assistance that dealt with cases of domestic violence and said further that many women's associations were involved in the matter and various institutions had been set up to help women in despair. Women's awareness in the matter had also been raised.

353. Regarding activities to publicize the Convention, she said that the contents of the convention had been disseminated through publications and seminars and, as the bicentenary of the Declaration of Human Rights coincided with the Convention's tenth anniversary, the latter event had been used to give publicity to both instruments. The United Nations information kit on the Convention was widely distributed and various other events were organized.

354. Among the legal measures that had been adopted since the time of the initial report, she mentioned the reform of the Civil Code in the Federal District concerning the recognition of women's rights in cases of voluntary divorce, the regulation concerning donations among spouses, a clear definition of the conjugal domicile and the setting up of government agencies dealing with sex-related crimes. A follow-up to the 1982 National Demographic Survey that would give a clearer picture of the progress made would be the census planned for 1990. She also stated that no further obstacles than those already identified in the two reports prevented progress in the advancement of women,

355. Referring to questions raised under article 2, she explained that the results of the survey carried out in the first half of 1983 showed that the demographic trends of the female population were the same as those for the total population, the economic participation of women had been rising, the illiteracy rate in 1980 was 16.7 per cent for men and 20.6 per cent for women. The crucial problem, however, was the high rate of female drop-outs from school. There were vast regional differences concerning the levels of health and social well-being of women, and some of the further problems that affected women were related to disablement, prostitution, alcoholism and drug addiction. She stated further that the National Commission for Women had been set up in 1985 as a pressure group to watch over the implementation of statutory rights of women in the fields of employment, health and family law.

356. The Government had not taken any temporary special measures within the framework of article 4.

357. Turning to article 5, she said that information campaigns through the mass media had been carried out to stress the role of women in the family, the need for joint responsibility of all family members, and to fight against the drop-out of girls from school. The Government was revising school textbooks and providing adult education programmes and was trying to modify socio-cultural patterns of conduct of men and women in order to create a better understanding of the role of

women as workers and mothers. Although the progress in changing the socio-cultural patterns in the mass media was slow, there was **growing** awareness of the need for change.

358. **Among** the programmes to support women who **were** victims of rape, she mentioned a service that gave assistance to persons **in** need, the initiation of a revision of the **relevant** laws, the **setting** up, in 1989, of agencies, which were staffed with specially selected social workers **and** operated 24 hours a day and all year round and **were** located next to the criminal investigation **offices**. Those agencies helped **women victims** to lodge their complaints. With regard to the question whether religion or customs constituted an obstacle to the advancement of **women**, she said that **there** were beliefs that hindered the **legalization** of abortion. However, women were split into two camps on issues **about** abortion, which still remained an issue of conscience.

359. She said that she could not provide **any data** concerning the rate of prostitution, but the problem was **being** tackled by a 1989 reform of related legal provisions.

360. Turning to article 7, she said that there had been an increase in women's political participation since the initial report. There were a number of strong women's associations and some political parties **were** also dealing with the issue. The earthquake in Mexico City had led to a resurgence **of** new women's **organizations**. However, although the number of women **in** Parliament had increased, there was no increase in proportion. There was a marked rise **of** women in intermediate governmental levels, **but** not so much at the top levels. The same applied to the political parties. She also said that the Development Plan 1989-1994 envisaged the full integration of **women in** national development.

361. Referring to article 10, she said that sex education was provided through school textbooks in public and private schools at the primary and secondary levels and in community programmes, labour programmes and among **other** groups. The freely available textbooks had been revised to reflect equality between the sexes. Since the initial report, specific school programmes had been set up for the indigenous population. The reasons for the lesser representation of women at higher economic levels were very complex and were related to the still-prevailing prejudices and customs. There were also certain regional differences,

362. Turning to article 11, she said that **one** of the major effects of the economic crisis on the work of women and men was their accelerated entry into the labour market. Concerning the **question** as to who **was** included in the female economically active population, she said that so far only **the** formal remunerated employment of women had been taken **into** consideration in the national accounts. The national survey in 1990 would, for the first time, give a clearer picture of the informal sector. Women's rights **in** the field of health were protected in all sectors of the economy, but it was more difficult to implement that stipulation in isolated communities. She **emphasized** that the labour laws applied to all citizens irrespective of sex. Regarding the unemployment rate, she said that it was **1.5** to 2 per cent higher for women than for men, but that the overall rate **was** declining.

363. Regarding questions raised under article 12, she said that abortion was prohibited, except in certain circumstances, such as when it arose from rape, if the foetus was malformed or for reasons related to the health of the mother. There was only one special office that dealt with the consequences **of** rape. She also

said that it was practically impossible to estimate the number of abortions, the magnitude could only be **inferred** from the abortion-related complications. Since 1975, the family planning programme had been intensified and was **integrated** in the overall health programmes, and information had **been disseminated** to couples about how to regulate **the number** and spacing of their children. It was **difficult** to provide precise figures on the **number of** births per woman as not all childbirths took place in maternity clinics.

364. Referring to questions regarding the incidence of acquired **immunodeficiency** syndrome (AIDS), she said that 422 cases had been reported in **women** mostly between 25 and 44 years old mainly due to blood transfusions. Concerning a question as to whether health **coverage** was available only to the employed sector of the population, she **stated that** health legislation applied to all **citizens**. Since the initial report there had **been** a 20 per **cent** decline in the mortality rate of children. **As** for the principal causes of death and diseases of women, they were mainly cervical, uterine and breast cancer.

365. Regarding questions raised by members of the Committee under article 1, it was stated that no law made **any** distinction on the grounds of sex **regarding** the access to bank loans, **mortgages** and other **forms of** financial credit.

366. Replying to a question concerning article 14, the representative said that the remaining most acute problems faced by rural women **since** the initial report were, as stated in the report, the population explosion, the demand for land and the shortcoming in **producers'** organizations. Rural women had the same access to family planning services as urban women, but it **was** more difficult to set them up in rural areas. Sustained efforts were also being made to provide agricultural training services to **women** in rural areas, and under the 1971 Agrarian Reform Law, farm workers over 16 years old, irrespective of their sex or age, **if** married, **were** eligible to obtain plots of land. In case of divorce, **women** could keep possession of such land. Women in rural areas were allowed to be associated with farms and industries set up in the Agricultural Industrial Unit.

367. Concerning a question on the legal protection for women who were **living in de facto** relationships, she replied that provided that the parties had lived together for at least five years and were not married to anyone else, both parties had a right to inheritance and succession.

368. Members of the Committee noted a very positive difference between the initial and the second periodic report in that the latter provided a lot of information **not** only on the **de jure**, but also on the **de facto** situation of **women**. They noted the frankness in the replies given and the commitment of the Government to women's issues and raised **some** additional questions. To the question as to whether the value of women's work carried out in their homes was taken into account by the courts in case of dispute about property during a divorce, the representative replied that it was of great concern to many women's organizations that women's work **done** in the household had not received proper recognition. To another question concerning the lack of **specialized** training programmes for women, she replied that the Government was putting strong **emphasis** on women's training **programmes**, especially in the informal sector. Regarding **one comment** that it might be more appropriate to structure **the** report according to the **different** regions, she said that it was up to the Committee to amend its guidelines **accordingly**.

369. Members requested **more** detailed information **in** the subsequent report on the informal **sector**, on the percentage **of** women **living in** poverty and on actions taken by trade unions for the benefit of **women**. **On** the question as to what the impact of the Convention had been **on** the status **of** women **in** the country, the representative stated that the Convention had certainly had **an** Impact, but **from the governmental** standpoint, it was difficult to measure it. Special seminars and courses had been devoted to **women's issues, but she had no concrete** information **on** the activities taken by non-governmental **organizations** and women's movements as a result of the Convention. Concern was expressed that mass media might not be doing enough in trying to change the stereotyped ideas about women. The representative also stated that much **more** needed to be done to ensure **the** interaction between meeting the needs **arising out of** the economic crises and the fulfilment of the objectives arising out of the Convention.

Mongolia

370. The Committee considered the second **periodic** report of Mongolia (CEDAW/C/13/Add.7) at its 164th meeting, on 31 January 1990 (CEDAW/C/Sk.164).

371. The representative of Mongolia introduced **the** second report by noting that it had been prepared in 1986 and circulated in 1987. In **the** intervening three years there had been major **changes** in the country in connection **with perestroika** which began with economic reform **in** 1987 and had subsequently been extended to **other** areas. Restructuring aimed at bringing socialism to a new stage and to shift to a more humane-centred development, including changing from command **methods** of administration to economic ones. There had been **resistance** to restructuring **and** the process had brought to the forefront many unresolved social problems, especially in terms of the working and living conditions of the rural population in terms of services and infrastructure.

372. There were also unresolved problems concerned with the **exercise of** equality by women, who constituted both half of the population **and** the workforce and 40 per cent of the specialists with **higher** education. Although **de jure** equality existed, in practice efforts were still required to permit women to combine their functions as mother, worker and citizen, and priority **was** being given to the solution of social problems affecting *women*, children and **families**. Among them were the need to improve working and living conditions of women, especially in the rural areas where conditions were less favourable than in urban areas, reduction **of** the work week for **women** with children, an increase **in** the amount **of** child-care facilities available, as the current facilities met only *one* fifth of the needs, improving the conditions of occupational safety and health,

373. The Government realised that the problems were difficult and would need a step-by-step approach within the scarce **resources** available. Some results had already been achieved, for example in December 1989 the Presidium of the Great People's Hural enacted four decrees affecting women and children. They included amendments to the Public Health Law to give women the right to decide on the **number** and spacing of their children and permitting abortion in hospitals under medical supervision, amendment of the labour code to extend paid maternity leave to cover early child care with job protection and continuity in seniority (a **provision** which also applied to single women), amendment to the Law of Pensions, for example, to entitle women who had had four or more **children** and had worked at least 15 years to a full pension at 50 years of age, to entitle women and men who needed to care for children and grandchildren below three years to retire up to three years earlier

and a granting of pre- and post-natal as well as child-care leave to students at higher educational establishments and vocational technical schools. A number of measures had been taken to improve the working and living conditions of women including wage increases in economic sectors where women were in the majority, a law of individual business to permit individuals, including women, to choose their own economic activity, a decree from the parliament to increase the number of cattle to be held as private property, special measures in the next five-year plan on maternal and child care, improving of working and living conditions of women, single mothers and mothers with many children, a plan to double the number of pre-school institutions in the next plan period, introduction of flexi-time and similar arrangements for the parents of young children, and a demographic policy.

374. She noted that political activity of women had increased and that in June 1990 the quinquennial Congress of Mongolian Women would be held and a proposal to give the Committee of Mongolian Women the right to initiate legislation, as well as to create a national machinery, were under consideration. On the tenth anniversary of the Convention, it was being published in a national mass-circulation newspaper.

375. Regarding questions on article 2, the representative noted that equality legislation was being improved by strengthening the penal code for impeding women in the exercise of their rights, inter alia, by providing punishments ranging from fines and loss of job to imprisonment. Similar punishments were expected for violations of provisions of the labour legislation. Women's organization representatives were expected to participate in the governance of state enterprises on matters relating to labour and social issues. There was no institution specifically monitoring achievement of women's rights, but the matter was pursued through the judicial system. There was no special research institute on women, but a growing amount of research was taking place in the main scientific research institutions.

376. On article 5, in relation to a question on the way the recognition of the common responsibility of women and men with regard to the education of their children was being assured, it was stated that both parents had obligations. In response to a follow-up question, it was stated that religion was connected with history, culture and art and was considered to be the spirit of the people. Interest in it was increasing, but it did not have a negative influence on women, either currently or historically. There were no persisting traditional practices that worked against women.

377. With regard to article 6, responding to questions on prostitution and AIDS, the representative said that there were no recorded cases of prostitution and that, moreover, pornography was banned. Mongolia was AIDS-free and efforts were being made to prevent the development and spread of the epidemic, including education in the schools and sex education.

378. Regarding questions under article 7, she stated that women had begun to be elected to public bodies in 1925 and currently comprised 24.9 per cent of the deputies to the national parliament and 28.7 per cent of deputies to local councils. Women constituted 6 per cent of the membership of the Central Committee of the MPRP. Three women were members of its central audit committee. Currently, a woman was Deputy Chairperson of the Great People's Hural and seven women were deputy ministers. The Central Committee of the Party had adopted a decree on the promotion of women to leadership posts in 1985 but it was being implemented slowly and not consistently, influenced by objective factors such as low level of

preparedness **for** political activities and absence **of** social infrastructure and subjective prejudices and attitudes against that participation. Because of **restructuring**, the progress might be **more** rapid in future and could be reflected in forthcoming elections.

379. Responding to questions **about** international level participation in the context **of** article 8, **she** stated that *women* participated actively in bilateral and multilateral **activities**, including those relating to international peace and **co-operation** and the requirements **were** the same for both women and men. Mongolia was underrepresented **in** the United Nations **Secretariat** and the **only Mongolian working there was a** woman.

380. In response **to** the Committee's question on the measures through which women had equal rights with **men** with regard to the nationality of their children, in regard to article 9, she stated that the law made no distinction between men and women, even in cases of divorce.

381. Concerning questions about **access** to education under article 10, it was noted that 40 per cent **of** the specialists in the *economy* with higher education were women, **up** from 27 per cent in 1975. The proportion **of** women in institutions **of** higher education had **been increasing** steadily **and women** now made up 55.7 per cent, as well as 50.6 per cent **of** students in secondary schools and 60.3 per cent of students **in** vocational-technical schools. **Few** students **of** either sex dropped out of school.

382. There was no difference in wages between women and men in the same profession; it was stated in response to Committee questions on article 11, that wages depended on education level and profession. Based on a follow-up question, she noted that several **areas** of the *economy*, such **as** health services and general education, social and community services, were **feminized**. There were policies to encourage women to enter non-traditional fields such as science and technology where there were **37 per cent women**, and law, where there were 35 per cent. With 40 per cent of the population under 16 and **most** families having **four** children (or five to six in the rural areas), child care was a problem. There were places for only 20 per cent of the demand; the policy **of** the next five-year plan was to reach 30 per cent and enterprises were being encouraged to provide their own facilities.

383. Responding to questions on article 12, *it was* stated that the decree adopted on 23 December 1989 **was to permit** women to decide on the number and spacing of their children, as specified in the Convention. Under the new legislation, abortions *were* permitted on request of the woman, *free* and without conditions, in the first three months **of** pregnancy. **After** three months, permission from medical authorities was required.

384. There were no **differences between** women and men in economic rights, including access to credit. The new law on individual work and the increases in wages in the medical profession, which was made up **of many women**, would help women's economic status.

385. Regarding article 14, problems of rural women reflected the differences between rural and urban areas in **amenities** although there were few relevant statistics. An expert mission of the Economic and Social Commission for Asia and the Pacific (**ESCAP**) had noted the differences. Women **mostly** worked as livestock breeders within co-operatives and therefore were all paid. There were lower wages

for some types of work and there might be unpaid work in the home in connection with personal cattle, although that did produce **income for** the family.

Egypt

366. The Committee considered the second periodic report of Egypt (CEDAW/C/13/Add.2 and Amend.1) at **its** 164th and 165th meetings on 31 January 1990 (CEDAW/C/SR.164 and 165).

387. Introducing the second periodic report, the representative of Egypt stated that the legal concept of equality had to be seen within the framework of the economic and political scenario. Political **systems** might succeed in enacting laws that easured equality, but the development of a society was based on the **de facto** situation. In Egypt, Islam was based on equality. The educational **system** enshrined **courses** on religion, that also had a bearing **on** personal **matte**re, such as marriage and divorce. **As** the country had been faced with numerous economic and social problems, **women were** not able to exercise their **fu'l** rights. However, Egypt had put much emphasis on legal equality and recommended another Decade **for** Women to build on the achievements of the first Decade. He also adverted to the global tendency towards conservatism, in **general**, and **admi**tted the **existence of** conservative groups also in Islamic countries.

388. In reply to specific questions presented in writing, he said that statistical data **more** recent than those mentioned **in** the two reports were about to be circulated to the members of the Committee. Referring to the question as to whether Egypt was considering withdrawing any of its reservations, he stated that it was a country's sovereign right to enter reservations to an international legal instrument. He said that his Government took the view that it was **more** advisable to adhere to an international treaty with reservations rather than not becoming a party to it at all. However, there was **a** discussion **among** intellectuals and officials to **reconsi**der the position regarding some **of** the reservations.

399. Concerning the question under article 2 **of** the relation between State law and Islamic law, the representative said that there was only one law that applied to all citizens. Islamic law governed the personal status **of** **Muslims**, and non-Muslims were governed by their own religious laws in personal **matte**rs. The reservations entered by his country would not affect the application **of** article 2 as the Constitution guaranteed equality for all persons irrespective of sex **or** religion. He quoted certain provisions of the Penal Code, the Civil Code and regulations referring to freedom of establishing political parties without any **discrimination** based on sex or religion. He also quoted provisions of the law which prescribed **sanctions**, guaranteed recourse to the court and compensation in case of discrimination and said that women could avail themselves of those **rights**. He said further that in the same way as civil matters were dealt with **for** Muslims according to **Sharia** Law and for **Christians** according to Christian Law, civil **and family law** matters for **Coptic** citizens were dealt with according to the rules of the **Coptic** Church.

390. Turning to article 4, he said that its implementation was improving on **a** continuing basis.

391. Referring to programmes to change the stereotyped concepts with regard to women, under article 5, he said that the educational curricula did not differentiate between women and men, that co-education was practised at primary and

university level **and** that the mass **media**, seminars and non-governmental organisations played **a major role** in that respect. The National **Commission** for Women and the Ministry of Social Affairs had disseminated information about recent legislation affecting women.

392. Turning to article 6, he said that there were no laws that governed trafficking in women and the exploitation **of** the prostitution of women. However, under the Penal Code, kidnapping was punishable by a life sentence and kidnapping combined **with** rape incurred the death penalty.

393. Referring to questions raised under article 7, the representative said that there was no quota regulation for **the** number of seats to be held by women in Parliament. The removal of the allocation of seats in the past did not constitute a limitation on the rights of women. Regarding the ratio of women to **men** on ballot lists, he said that any **citizen** regardless of sex could be entered in such lists and it was up to each individual to exercise that right. After the 1987 elections, there were 16 women in the Lower House and 10 **women** in the Upper House of Parliament. Concerning questions on women's organisations, he said that currently there were six political parties with their corresponding women's **organizations**. The National Commission for Women was chaired by the **Minister** of Social Affairs and conducted field surveys on the rights of women and prepared relevant publications for the mass media. The mention of two women Ministers in the report was due to an inaccurate **translation** of the report; there was **only** one woman Minister who held two portfolios. He did not answer the question as to whether that constituted Progress when compared with the initial periodic report.

394. Regarding the reservation entered under article 9, the representative stated that there was a discussion to reconsider that reservation.

395. Turning to article 10, he said that **women** had full rights to education and had made inroads into several non-traditional areas. The two reasons for the higher drop-out rate for women at each educational level were economic factors and early marriage. Although education was compulsory **at** primary level and free from the primary to the university level, illiteracy had still not been totally eliminated because of the high school drop-out rate. Currently, more women than **men** were outstanding personalities in the research fields.

396. Referring to questions raised concerning article 11, the representative said that the unemployment rate for men was 8 per cent and for women 6 per cent, and that the **apparent** lower rate was to be explained by the lack of accurate statistics. Many men were emigrating to seek better employment opportunities abroad. Regarding **measures** taken to **ensure** that employers did employ more **women** in the whole **range** of occupations, he said that the authorities could not impose any such conditions but that the authorities encouraged employers to provide the same working conditions for the private, as well as public sectors. The compensation for part-time work with 50 per cent of regular pay had so far been only a recommendation **by** the Parliament, and was yet to be enacted into **law**. The ordinary age of retirement was 60. Women had the option to retire with full entitlements at the age of 50. **He** said **further** that the limit placed on maternity leave to only three times **during** a woman's working life **was** a **move** to encourage smaller **families**.

397. Turning to questions raised under article 12, he said that abortion was prohibited and punishable, but that contraception was made available free of charge. **Some** progress had been made with regard to the reduction of the mortality

rate of infants **and** mothers since the initial report. In spite of the practice of **family** planning, the prevailing high **birth rate was** due to culture and tradition. **There was a lower rate of juvenile** delinquency among girls than among boys and certain homes took care **of** the rehabilitation of **their** juvenile delinquents. Regarding the penalties for violence against women, he said that violence against women outside the home was punishable by life sentence or death, violence against women within the **family** was punishable like any other act of cruelty and was a ground for seeking divorce. The Koran emphasised fair treatment **of** wives by their husbands and **women** could seek divorce **on** grounds **of** maltreatment. He said that the Egyptian Bar Association had prepared a study that should instruct women about all their rights in marriage. **Rape** was a culpable **offence**.

398. Regarding questions raised about the practice **of** female circumcision, the **representative** said that the issue must be addressed by **women's organizations**. It was practised in the villages, but had no legal or religious connotation and was gradually dying out.

399. Turning to article 13 concerning women's rights to obtain bank loans, mortgages and other forms of financial credit, he said that under Islam women had their full economic rights and responsibilities on an equal footing with men.

400. In **answer** to questions raised under article 14 as to whether women **in the** agricultural labour force had similar working conditions and protection as urban workers, he said that rural work was not regulated! however, **farmers' clubs** helped to enhance the education of rural women and some improvement **was** noticeable. The substantive changes within the preceding 10 years **referred to** in the report concerned the health sector, family planning, availability **of** television and modern household appliances and the electrification of all households. However, the standard of health **services** in rural areas was lower than in urban **areas**. As a consequence **of** men's migration, women **became** heads **of** the **families** with increased responsibilities, but on the other **hand** it had led to an increase in the rate of **family** conflicts. Women could own land and join agricultural co-operatives.

401. Referring to article 15, he said that women had the same right as men to institute legal proceedings, they could also be witnesses in court, but their testimony did not have the same weight as that of **men**, which amounted to discrimination. Women **had** the same access to legal aid as men, they could conclude contracts in their own name and they could sue and be sued.

402. Under article 16, in reply to several questions concerning marriage, the **representative** stated that the prerequisite for a marriage contract to be valid under Islam was that it was entered into with the free and full consent **of** the woman. The age for attaining majority for both women and men under statutory law **was 21 years**. However, the age of marriage for a girl was 16 years and for a boy 18 years. Marriages and divorces were registered by **a** civil registrar. Regarding trusteeship and guardianship, women had priority over **men because** according to Egyptian concept, women were more capable than men **of** taking care of children. Adoption, however, was forbidden under Egyptian law. In reply to the question of how many women inserted a clause into the marriage contract to retain the option **of** a divorce, the representative said that women were free under Egyptian and Islamic law to enter such a clause, but that it was not **a** widespread practice.

403. In their additional comments and questions, members of the Committee hoped for an early withdrawal of the reservations to articles 2 and 9. Since double

nationality was allowed in Egypt, the issue **of** reservations on article 9 should be reconsidered in the light of this development. Furthermore, **they noted** that they would urge that subsequent periodic reports adhere more closely to the Committee's general guidelines and take into account the **comments** made **at the current session**. They also noted the lack of progress on the part of the National Commission **for** Women, the lack of interest among women to use **their rights** and the paucity **of** party programmes for the advancement **of** women.

404. It was noted that Islam **gave** women so many privileges, but due to misinterpretations women did not enjoy their rights. The **Government** should make **every effort to** give women the rights enshrined in the **Koran**. In answer to the suggestion touching on the relatively favourable condition of women under Islamic law in **certain** fields and **the** question whether **some** interpretations of Islam were correct and whether the world-wide conservative tendency applied to Egypt as well and, **if it** did, which age group, the representative said that the concept of Islam was the concept **of** equality and that in reality, however, there were **some** misinterpretations, which ought to be corrected.

405. The statement **in** the **report** that "**the** question **of** the validity of the provisions **of** the Convention **or of** referral to them **before courts** did not arise" was questioned. In reply to **that** query the representative said that the State having **become** a party to **an** international legal instrument, that legal **instrument** became **an** integral **part** of the national law. Therefore, the Convention could be directly invoked before courts **of** law.

406. Concern was expressed concerning the high school drop-out rate **of girls**, the high **rate of illiteracy** and why, if those issues related to economic reasons, it should affect only girls and not also boys, and also at the statement that a woman's testimony did not have the same weight as that **of** a man. It was hoped that women's **participation in political** life would increase. There was disagreement with the statement that the achievement of equality for women depended on the stage **of** economic development **of** a country.

407. More detailed statistics **on** the rate of unemployment were requested **as** well as information on the social security entitlements **of** domestic servants and women working in family enterprises. In reply to a question concerning the work of women **in** the mining, petroleum and construction industry, the representative said there was no discrimination against women in any type **of** occupation. **However**, women were entitled to protection in certain jobs that were considered harmful to their health.

408. As abortion was against the law, it was asked whether measures **were** envisaged **to** combat clandestine abortion. A certain discrepancy was **noted between** the limit placed on maternity leave and **the** ban on abortion. In reply, the representative emphasised the free access to contraceptives in **family planning** centres.

409. Concerning the questions as to whether **there** were **different** laws in the country and how the Constitution could harmonise the **various** religious groups, he repeated that the **Constitution** applied to all **persons irrespective** of sex and that there was only one statute; however, matters **related to** personal status were governed by different regulations according to the religion **of** the persons concerned. Islamic law was **not** imposed upon the adherents **of** other religions. With regard to the question what happened to orphaned children considering that adoption was forbidden by law, the representative said that instead **of** adoption, Islam had enshrined the custody **system** to take care of children who were orphans,

under which the child **was given full financial support** and protection, but not the family **name** of the custodians. In addition **to that, there were** orphanages. Concerning **the** rights of women after a divorce, the **representative** explained that women **were** entitled to alimony during the **first** year **and** were **given** custody of the children, for **whom** the father had to pay maintenance. The **women** were also entitled to **keep** the matrimonial home,

Canada

410. The Committee considered the second periodic report of *Canada* (CEDAW/C/13/Add.11, parts I and **II**) at its 167th meeting, on 1 February 1990 (CEDAW/C/SR.167).

411. The representative **of** Canada, in introducing the report, stated that the size of the **delegation** reflected the importance attached to the preparation and presentation of the report. **He** noted that Canada was a federal State with responsibilities for various subjects divided **between** the federal and provincial levels and, in addition, there was a large number **of** non-governmental organisations involved with **women's** matters. Considerable progress had **been** recorded **and** the advancement of women continued to be a high priority of the Government.

412. The Charter of Rights and Freedoms, in section 15, guaranteed equality between women and men. Based on those provisions, 50 cases that cited gender as a ground of discrimination had been litigated over the past three years and the decisions on them had resulted in practical progress **for women**. The Supreme Court of Canada had ruled that international instruments had relevance **for** the interpretation **of** the **Charter**. A national court challenges programme had been established to provide funding for women seeking redress **under** the law so that they could **take** court to **cases** that would clarify and advance equality and language rights. **However**, the process of dismantling systemic discrimination **was** long and complex.

413. Anti-discrimination legislation was a key to implementing the Convention and the Supreme Court had adopted a broad interpretation of equality and the dignity of individuals, applying it to sexual harassment and discrimination on the basis **of** pregnancy. There were also amendments in order to eliminate discriminatory provisions in the Indian **Act**.

414. In terms of employment, women made **up** 44 per cent of the **labour** force, with 60 **per** cent working in some **sectoral** concentration⁶ with wage disparities. There had been federal employment **equity** legislation requiring federally regulated employers and larger corporations to report *on* efforts to **redress** systemic discrimination against **women**, disabled persons, aboriginal minorities and **members** of visible minorities. The federal Government and seven provinces had taken initiatives to deal with the question of equal pay for work of equal value. There had been an **increase** in training and education to eradicate stereotypical attitudes about the woman's role in the workplace.

415. Concerning work and family responsibilities, in addition to the implementation of such measures as maternity and parental leave benefits, legislation had been **enacted** promulgating the national strategy on child care, *giving* priority to the needs of special groups **of** children.

416. In relation to women in public life, 40 out of 295 **members of** the House of Commons were women, up from 16 in **1982**; there were six women in the federal

cabinet, one **woman** at the head of a major national political party and three women among the **nine** justices of the Supreme Court.

417, New legislation related to abortion had recently been tabled in Parliament. The proposed legislation established that abortion was a medical decision to be made **between** a woman and her doctor based on broadly defined health **grounds**.

418, New measures had been adopted to address the problem of violence against women, **emphasizing immediate** needs and **the** federal **Government** had allocated **\$Can. 40** million to prevention and protection; a national strategy was being elaborated and one province had allocated **\$Can. 42** million to deal with the problem **of** spousal assault,

419, Responding to general questions posed by the Committee, the head of **Canada's** national machinery explained the **work** of provincial **agencies**, including the Office **for** the Prevention of Family Violence in Alberta, the Advisory Committee on **Women's** Issues in Education in New Brunswick, the **Family Task Force** in Nova Scotia and the Task **Force** on Day Care **for** Children *in* Quebec. She noted that more updated statistics **were** in the process of being prepared) the updated **comprehensive** analysis entitled "**Women in Canada**" would be **issued** in a few months and updated statistics would be included in the **next periodic** report in 1991. The structure of the next report would be considered in the light of the Committee's suggestion that information be presented under one head rather **than** under individual provinces. The governments in Canada maintained close contact with non-governmental organisations, **which** were integral parts of the national machinery and their views were **consequently** always taken into **consideration**. There had been a number **of** efforts to publicise the Convention, including wide distribution **of** the text as well as Canada's report **on** the Convention and United Nations information material **on it**.

420. Concerning decisions of the Supreme **Court** relevant to discrimination and the Convention, in the light of article 2, it was noted that section 15 of the Charter had been cited in two cases, neither involving discrimination by sex, but which had interpreted the section **as** precluding **systemic** or indirect discrimination as well as direct discrimination. **The** interpretation also covered analogous grounds, such as personal characteristics that were associated with **other** disadvantages such as marital status. Section 7 on the right to life, liberty and security **of** the person had been interpreted **so** as to strike down the therapeutic abortion provisions **of** the Criminal Code, and the Court had ruled that **international** agreements to which Canada had become a party could be **used** in the interpretation of the Charter. The Charter applied to all citizens equally including to immigrant women and **Inuit** persons. Also in relation to article 2, the Government had introduced Bill C-5 to amend the Criminal Code and the Canada Evidence Act dealing with sexual abuse **of** children. The **amendment** had **come** into force on 1 January 1988 and a Special Adviser on Child Sexual Abuse had been given a mandate **to** co-ordinate federal action on that subject. To examine new legislation in the light **of** the Charter, the Federal Minister of Justice undertook reviews, including the question of consistency with international human rights obligations. It was noted that proposed new legislation on abortion did not constitute sexual discrimination contrary to article 2 **(g)**.

421. In relation to article 3, with reference to special programmes aimed at equal educational and cultural opportunities for Indian women, it was noted that the Aboriginal Women's Program, Native Citizens Directorate, Secretary **of** State had a

mandate in the area and a number of activities were under way. Aboriginal women were not, however, fully involved in the economic and political life **of** the country, although that **was** gradually **changing as aboriginal women became increasingly active in their communities.** With regard to guidelines for immigrant women who lost their sponsorship because **of** family violence, it was explained that, under the guidelines, the sponsored spouse was not required to meet immigration selection criteria because of the promise of 10-year sponsorship by the spouse, which many **feared** might lead to automatic deportation if the sponsored spouse left the home and sought assistance in **cases** of violence or marital breakdown. Under the **Charter, leaving a** spouse was never sufficient **grounds for** deportation and immigrants had the same protection as **citizens.**

422. **On** article 4, relating to affirmative action, the Employment Equity Act **was** intended to ensure that all federal contractors doing business with the **Government** achieved **and** maintained a **fair and** representative workplace. In addition, the Women's Career Counselling and Referral Bureau of the Public **Service** had had a positive impact on the **mobility** of women within the public service and its mandate had been **extended for** another five years.

423. On article 5, regarding obscenity legislation, it was **stated** that a bill had been **introduced** that would prohibit child pornography and pornography containing violent **or** degrading material. That would place tighter controls and add sex to the **list** of items against which hate propaganda was prohibited. The legislation was still pending. There were still **many** stereotyped attitudes and that constituted **an** obstacle to advancement.

424. Regarding article **6,** it was confirmed that Bill C-15 dealing with juvenile prostitutes had come into force **on** 1 January 1988.

425. **On** article 7, there had been a slow but steady increase **in** the percentage of women in Parliament, the **Government,** public **office** and the judicial system, as reflected in **an** increase from 5.7 per cent in 1982 to 13.2 per cent in 1990 in the House of **Commons,** from 6.9 per **cent to** 14.5 per cent **in** provincial legislatures, from 6.3 per cent to 8.5 per cent in federal appointments as well as from 2 **to** 13 per cent **in** the number of women **who** held the highest diplomatic **ranks.** The political parties did not have quota systems **but** the main parties had taken steps to ensure female representation at party **conferences** and at the executive levels. Candidates were selected locally and women's political action was focused on that level. **For** minority women, the National Organisation of Immigrant **and** Visible Minority Women had served as a catalyst in the interest of those groups and the now president of the Advisory Committee **on Women** was a member **of** the board **of** directors of that group. The political parties had instituted special programmes to attract and involve women in the political process,

426. **In** terms of article 8, there was a **co-ordinated** federal government approach to providing candidates for vacancies in international organisations. Women were actively sought for those vacancies and **the** Government had also been **a** persistent voice for the advancement of women in the United Nations system.

427. Programmes were in place to encourage boys and girls to break away from **stereotyped** choices of education and training, in the context **of** article 10, mostly at the provincial level to which educational responsibility was delegated, including in particular information campaigns, curriculum changes, monitoring of teaching material and scholarship programmes.

428. Regarding article 11, **it** was stated that the Pay Equity Acts **of** several provinces had been drafted in the light of the Convention and the general approach adopted by the Canadian Human Rights Commission had been **to** base evaluations on a composite **of** skill, effort, responsibility and working conditions. **Regarding** the problem that Canadian women on average earned only 65 per cent of men's earnings, steps taken included the application **of** pay equity provisions, provincial initiatives **to** ensure equal **access** to employment opportunities and affirmative action policies supported by the trade unions in the context of contract **negotiations**. Regarding child care, places were subsidised **under** the Canada Assistance Plan that cost-shared with provincial and territorial governments and that had led to an increase from 102,000 places in 1985 to 300,000 in 1989. There was an ongoing debate as to the State's role in that issue. Wages for child-care workers varied across the country but were generally low relative to the responsibilities involved and that was an **area of concern** that would be addressed in the next report. Although there would be a general review of labour standards, there was no change in the current policy **of** coverage of part-time workers, although some provincial jurisdictions had implemented legislative and regulative changes ensuring equal treatment of part-time and full-time workers. In relation to the pension system, a number of plans were intended to provide income security in old **age**, including the public pension plan and employer-sponsored and individual pension and retirement savings plans. For the public service in **the** federal **sector**, equal value was enforced through a complaint-based mechanism. A joint union-management mechanism had undertaken a study of jobs in the public service that had led to equal pay adjustments for several classes of public servants, mostly women.

429. In terms of article 12, the issue of abortion was being addressed through legislation being considered in the House of Commons that would establish **abortion** as a medical decision to be made between a woman and her doctor on health grounds, including physical, mental and psychological health. After the striking down **of** the Criminal Code provisions on abortion there had been no measured change in the number of abortions, but statistics had shown that many Canadian women had had abortions in the United States. Maternal mortality/morbidity rates were 5.35 in 1983, 3.18 **in** 1984, 4.02 in 1986 and 2.97 in 1987. Regarding the issue of women infected with HIV and AIDS, it was noted that, **as of** 15 January 1990, 189 adult female AIDS cases had been reported, or 5.6 per cent of total adult cases and there had been a number of programmes to **reach** out to women with education and support, **as** well as a concern with the human rights implications of AIDS testing and medical research.

430. On article 13, it **was** noted that a number of social services were provided for single mothers and the tax law had been revised to allow single mothers to be taxed at a similar rate to married mothers. There **were** also efforts to train single women, including providing allowances for child and dependent care during training. To assist women in the enforcement of child-support decisions, **there** had been a \$1.2 million grant to assist in the development of automatic enforcement procedures.

431. Regarding article 16, it was noted that the procedure of garnishing wages for maintenance payments was applicable to all federal and provincially regulated businesses through normal proceedings and the procedures now applicable to the public service would eliminate the previous protection **of** civil servants from such **garnishment**. A number of results had been obtained from the 1983 intergovernmental working group on wife-battering and were reflected in federal initiatives and the

\$40 million family violence initiative noted previously. However, a study entitled "The City **for** Women; No Safe Place" had noted that 1 million Canadian women had been abused by husbands **or** live-in partners, more homicides involve husbands killing wives than the reverse and most Canadian women felt unsafe walking alone in their neighbourhoods after dark. A study **of** Indian and **metis** women also revealed extensive abuse .

432. Responding to a follow-up question, she noted that the success of Canada in achieving the advancement of women **was**, as suggested, due to both the strength **of** the feminist movement and the political will of the leaders of Canada, supported by the action of individuals and organisations to achieve that objective. In addition, the existence of a well-defined national machinery with a Minister sitting in important cabinet committees and connections with a network of women's organisations was also important, as was the understanding by both business and governments **of** the demographics of women's involvement in the economy. The political commitment was reflected as well in the involvement of the country's permanent representative in the presentation of the report.

433. In response to other follow-up questions, she noted that there would be follow-up with non-governmental organisations in the light of comments on the report. The issue of violence against elderly women was receiving **attention** but there was a need to deal more broadly with the issue, although Canada had a Minister of State for senior citizens to **organize** responses to those issues. It was noted that progress was stalled temporarily in social services for the poor, as well as child care, owing to ~~the~~ economic conditions faced by the country and the lack of a consensus on the role of the State in child care, but the picture showed signs **of** improving. Regarding a question on the composition of the Royal Commission of Inquiry into New Reproductive Technologies, it was explained that the Commission was composed of six experts in law and *genetics* and was chaired by a woman. On support for and opposition to the draft abortion legislation, opinion on the specific bill was divided, although most people supported a pro-choice position in general. Concerning age of marriage, it was noted that the matter was provincial but there was a growing move towards a federal standard **of** 18 years for both sexes. Efforts were being made to support aboriginal women in **their languages** but the basic languages of the country for business purposes **for** all citizens would continue to be English and French. **The** role of the National Film Board of Canada in producing films on violence against women was acknowledged.

434. The operation of the Secretariat of Appointments in the Office of the Prime Minister was described and its effect on increasing the number of *women* appointees noted. The results of **studies** describing the division of labour in the home had shown that, where women worked full-time in the home, spouses contributed 10 hours a week to domestic work and where women worked full-time outside the home, spouses contributed only 11 hours.

435. She noted that there continued to be opposition to equality, rooted in unchanged attitudes and slowly changing structures. That opposition was **not** increasing but had rather become better **organized**, and there was no opposition to affirmative action as that was guaranteed by the Charter.

436. The very comprehensive report of Canada indicated skill in fulfilling the reporting obligations, and it was suggested that Canada consider, in the context of its developments, assistance programmes to aid developing countries in their efforts to implement the Convention.

IV. WAYS AND MEANS OF IMPLEMENTING **ARTICLE 21** OF THE CONVENTION

437. At its 168th meeting, on 1 **February**, the Committee considered and discussed the draft general recommendations presented by Working Group II. The Committee **adopted general** recommendations 14 and 15 and agreed to defer, because of time constraints, the other draft general recommendations, which Working Group II was considering, to the tenth session. The Secretariat was asked to include in the **organization of work of the tenth session** an item referring to the discussion of **priority** general recommendations.

General recommendations based on article 21 of the Convention

438. The general recommendations adopted by the **Committee** at its 168th meeting, on 1 **February** 1990, read as **follows**:

General recommendation No. 14 (ninth session, 1990)

Female circumcision

The Committee on the Elimination of Discrimination against Women,

Concerned about the continuation of the practice of female circumcision and other traditional practices harmful to the health of women,

Noting with satisfaction that Governments, where such practices exist, national women's organisations, non-governmental organisations, and bodies of the United Nations system, such as the World Health **Organization** and the United Nations Children's Fund, as well as the Commission on Human Rights and its Sub-Commission on Prevention of Discrimination and Protection of Minorities, remain **seized** of the issue having particularly recognised that such traditional practices as female circumcision have serious health and other consequences for women and children,

Taking note with interest of the study of the Special Rapporteur on Traditional Practices⁶ Affecting the Health of Women and Children, **7/** and of the study of the Special Working Group on Traditional Practices, **8/**

Recognizing that women are **taking** important action **themselves** to identify and to combat practices that are prejudicial to the health and well-being of women and children,

Convinced that the important action that is being taken by women and by all interested groups needs to be supported and encouraged by Governments,

Noting with grave concern that there are continuing cultural, traditional and economic pressures which help to perpetuate harmful practices, such as female circumcision,

Recommends that States parties:

(a) Take appropriate and effective measures with a view to eradicating the practice of female circumcision. Such measures could include:

- (i) The collection and dissemination by universities, medical or nursing associations, national women's organizations or other bodies of basic data about such traditional practices;
- (ii) The support of women's organizations at the national and local levels working for the elimination of female circumcision and other practices harmful to women;
- (iii) The encouragement of politicians, professionals, religious and community leaders at all levels, including the media and the arts, to co-operate in influencing attitudes towards the eradication of female circumcision;
- (iv) The introduction of appropriate educational and training programmes and seminars based on research findings about the problems arising from female circumcision;

(b) Include in their national health policies appropriate strategies aimed at eradicating female circumcision in public health care. Such strategies could include the special responsibility of health personnel, including traditional birth attendants to explain the harmful effects of female circumcision;

(c) Invite assistance, information and advice from the appropriate organizations of the United Nations system to support and assist efforts being deployed to eliminate harmful traditional practices:

(d) Include in their reports to the Committee under articles 10 and 12 of the Convention on the Elimination of All Forms of Discrimination against Women information about measures taken to eliminate female circumcision.

General recommendation No. 15 (ninth session, 1990)

Avoidance of discrimination against women in national strategies for the prevention and control of acquired immunodeficiency syndrome (AIDS)

The Committee on the Elimination of Discrimination against Women,

Having considered information brought to its attention on the potential effects of both the global pandemic of acquired immunodeficiency syndrome (AIDS) and strategies to control it on the exercise of the rights of women,

Having regard to the reports and materials prepared by the World Health Organization and other United Nations organizations, organs and bodies in relation to human immunodeficiency virus (HIV), and, in particular, the note by the Secretary-General to the Commission on the Status of Women on the effects of AIDS on the advancement of women ^{2/} and the Final Document of the International Consultation on AIDS and Human Rights, held at Geneva from 26 to 28 July 1989, ^{10/}

Noting World Health Assembly resolution WHA 41.24 on the avoidance of discrimination in relation to HIV-infected people and people with AIDS of 13 May 1988, resolution 1989/111 **of** the Commission on Human Rights on non-discrimination in the field of health, of 2 March **1989**, and in particular the Paris Declaration on Women, Children and AIDS, of 30 November 1989,

Noting that the World Health Organisation has announced that the theme of World Aids Day, 1 December 1990, will be "Women and Aids",

Recommends:

(a) That States **parties** intensify efforts in disseminating information to increase public awareness of the risk of HIV infection and AIDS, especially in women **&** children, and of its effects on them;

(b) That programmes to combat AIDS **should** give special attention to the rights and needs of women and children, **&** to the factors relating to the reproductive role **of** women and their subordinate position in some societies which make them especially vulnerable to HIV infection;

(c) That States parties ensure the active participation of women in primary health care and take measures to enhance their role as care providers, health workers and educators in the prevention of infection with HIV;

(d) That all States parties include in their reports under article 12 of the Convention information on the effects **of** AIDS on the situation of women and on the action taken to cater to the needs **of** those women who are infected and to prevent specific discrimination against women in response to AIDS.

V. ADOPTION OF THE ~~R~~REPORT

439. At its 169th and 170th meetings, on 2 February 1990, the **Committee** considered its draft report (**CEDAW/C/L.7** and Add.1-22) on the work of its ninth session. The Committee adopted the report as amended in the course of the discussion.

Notes

- 1/ Official records of the General Assembly, Forty-fourth Session, Supplement No. 38 (A/44/38).
- 2/ Ibid., paras. 22-25.
- 3/ Ibid., para. 392.
- 4/ Ibid., para. 26 (d) (ii).
- 5/ Ibid., para. 392.
- 6/ Ibid., Forty-third Session, Supplement No. 38 (A/43/38), para. 770.
- 7/ E/CN.4/Sub.2/1989/42.
- 8/ E/CN.4/1986/42.
- 9/ E/CN.6/1989/6/Add.1.
- 10/ HR/AIDS/1989/3.

ANNEX I

**States parties to the Convention on the Elimination of All Forms
of Discrimination against Women as at 2 February 1990**

<u>States parties</u>	<u>Date of receipt of the instrument of ratification or accession</u>	<u>Date of entry into force</u>
Angola	17 September 1986 a/	17 October 1986
Antigua and Barbuda	1 August 1989 a/	31 August 1989
Argentina	15 July 1985 b/	14 August 1985
Australia	28 July 1983 b/	27 August 1983
Austria	31 March 1982 b/	30 April 1982
Bangladesh	6 November 1984 a/ b/	6 December 1984
Barbados	16 October 1980	3 September 1981
Belgium	10 July 1985 b/	9 August 1985
Bhutan	31 August 1981	30 September 1981
Brazil	1 February 1984 b/	2 March 1984
Bulgaria	8 February 1982 b/	10 March 1982
Burkina Faso	14 October 1987 a/	13 November 1987
Byelorussian Soviet Socialist Republic	4 February 1981 c/	3 September 1981
Canada	10 December 1981 b/	9 January 1982
Cape Verde	5 December 1980 a/	3 September 1981
Chile	7 December 1989	6 January 1990
China	4 November 1980 b/	3 September 1981
Colombia	19 January 1982	18 February 1982
Congo	26 July 1982	25 August 1982
Costa Rica	4 April 1986	4 May 1986
Cuba	17 July 1980 b/	3 September 1981
Cyprus	23 July 1985 a/ b/	22 August 1985
Czechoslovakia	16 February 1982 b/	18 March 1982
Democratic Yemen	30 May 1984 a/ b/	29 June 1984
Denmark	21 April 1983	21 May 1983
Dominica	15 September 1980	3 September 1981
Dominican Republic	2 September 1982	1 October 1982
Ecuador	9 November 1981	9 December 1981
Egypt	18 September 1981 b/	18 October 1981
El Salvador	19 August 1981 b/	18 September 1981
Equatorial Guinea	23 October 1984 a/	22 November 1984
Ethiopia	10 September 1981 b/	10 October 1981
Finland	4 September 1986	4 October 1986
France	14 December 1983 b/ c/	13 January 1984
Gabon	21 January 1983	20 February 1983
German Democratic Republic	9 July 1980 b/	3 September 1981
Germany, Federal Republic of	10 July 1985 b/	9 August 1985
Ghana	2 January 1986	1 February 1986
Greece	7 June 1983	7 July 1983
Guatemala	12 August 1982	11 September 1982
Guinea	9 August 1982	8 September 1982
Guinea-Bissau	23 August '85	22 September 1985

<u>States parties</u>	<u>Date of receipt of the instrument of ratification or accession</u>	<u>Date of entry into force</u>
Guyana	17 July 1980	3 September 1981
Haiti	20 July 1983	3 September 1981
Honduras	3 March 1983	2 April 1983
Hungary	22 December 1980 b/	3 September 1981
Iceland	18 June 1985	18 July 1985
Indonesia	33 September 1984 b/	13 October 1984
Iraq	13 August 1986 a/ b/	12 September 1986
Ireland	23 December 1985 a/ b/ c/	22 January 1986
Italy	10 June 1985	10 July 1985
Jamaica	19 October 1984 b/	18 November 1984
Japan	25 June 1985	25 July 1985
Kenya	9 March 1984 a/	8 April 1984
Lao People's Democratic Republic	14 August 1981	13 September 1981
Liberia	17 July 1984 a/	16 August 1984
Libyan Arab Jamahiriya	16 May 1989 a/ b/	15 June 1989
Luxembourg	2 February 1989 b/	4 March 1990
Madagascar	17 March 1989	16 April 1989
Malawi	12 March 1987 a/ b/	11 April 1987
Mali	10 September 1985	10 October 1985
Mauritius	9 July 1984 a/ b/	8 August 1984
Mexico	23 March 1981	3 September 1981
Mongolia	20 July 1981 b/	3 September 1981
New Zealand	10 January 1985 b/ c/	9 February 1985
Nicaragua	27 October 1981	26 November 1981
Nigeria	13 June 1985	13 July 1985
Norway	21 May 1981	3 September 1981
Panama	29 October 1981	28 November 1981
Paraguay	6 April 1987 a/	6 May 1987
Peru	13 September 1982	13 October 1982
Philippines	5 August 1981	4 September 1981
Poland	30 July 1980 b/	3 September 1981
Portugal	30 July 1980	3 September 1981
Republic of Korea	27 December 1984 b/	26 January 1985
Romania	7 January 1982 b/	6 February 1982
Rwanda	2 March 1981	3 September 1981
Saint Kitts and Nevis	25 April 1985 a/	25 May 1985
Saint Lucia	8 October 1982 a/	7 November 1982
Saint Vincent and the Grenadines	4 August 1981 a/	3 September 1981
Senegal	5 February 1985	7 March 1985
Sierra Leone	11 November 1988	11 December 1988
Spain	5 January 1984 b/	4 February 1984
Sri Lanka	5 October 1981	4 November 1981
Sweden	2 July 1980	3 September 1981
Thailand	9 August 1985 a/ b/	8 September 1985
Togo	26 September 1983 a/	26 October 1983
Tunisia	20 September 1985 b/	20 October 1985
Turkey	20 December 1985 a/ b/	19 January 1986
Uganda	22 July 1985	21 August 1985

<u>States parties</u>	<u>Date of receipt of the instrument of ratification or accession</u>	<u>Date of entry into force</u>
Ukrainian Soviet Socialist Republic	12 March 1981 a/	3 September 1981
Union of Soviet Socialist Republics	23 January 1981 a/	3 September 1981
United Kingdom of Great Britain and Northern Ireland	7 April 1906 b/	7 May 1986
United Republic of Taneania	20 August 1985	19 September 1985
Uruguay	9 October 1981	8 November 1981
Venezuela	2 May 1903 b/	1 June 1983
Viet Nam	17 February 1982 b/	19 March 1982
Yugoslavia	26 February 1982	28 March 1982
Zaire	17 October 1986	16 November 1986
Zambia	21 June 1985	21 July 1985

a/ Accession.

b/ Reservation.

a/ Reservation subsequently withdrawn.

ANNEX II

Submission of reports by States parties under article 18 of the Convention as at 2 February 1990

A, Initial reports due or submitted as at 22 January 1990
(issued under the series CEDAW/C/5/...)

<u>States parties</u>	<u>Invitation to submit reports</u>	<u>Date due</u>	<u>Date of submission</u>
Angola	22 October 1986	17 October 1987	
Antigua and Barbuda	4 September 1989	31 August 1990	
Argentina	16 August 1985	14 August 1986	6 October 1986 (Add.391) f/
Australia	12 September 1983	27 August 1984	3 October 1986 (Add.40) f/
Austria	23 April 1982	30 April 1983	20 October 1983 (Add.171) c/
Bangladesh	2 April 1985	6 <i>December</i> 1985	12 March 1986 (Add.34) e/
Barbados	2 March 1982	3 September 1982	
Belgium	16 August 1985	9 August 1986	20 July 1987 (Add.531) g/
Bhutan	2 March 1982	30 September 1982	
Brazil	2 March 1984	2 March 1985	
Bulgaria	2 March 1982	10 March 1983	13 June 1983 (Add.15) c/
Burkina Faso	24 November 1987	13 November 1988	
Byelorussian Soviet Socialist Republic	2 March 1982	3 September 1982	4 October 1982 (Add.5) a/
Canada	2 March 1982	9 January 1983	15 July 1983 (Add.16) c/
Cape Verde	2 March 1982	3 September 1982	
Chile	6 January 1990	6 January 1991	
China	2 March 1982	3 September 1982	25 May 1983 (Add.141) b/
Colombia	2 March 1982	18 February 1983	16 January 1986 (Add.32) e/
Congo	14 September 1982	25 August 1983	
Costa Rica	7 May 1986	4 May 1987	
Cuba	2 March 1982	3 September 1982	27 September 1982 (Add.41) a/
Cyprus	23 August 1985	22 August 1986	
Czechoslovakia	14 September 1982	18 March 1983	4 October 1984 (Add.26) d/
Democratic Yemen	24 August 1964	29 June 1985	23 January 1989 (Add.61)
Denmark	7 July 1983	21 May 1984	30 July 1984 (Add.221) d/
Dominica	2 March 1982	3 September 1982	
Dominican Republic	14 September 1982	2 October 1983	2 May 1986 (Add.37) f/

<u>States parties</u>	<u>Invitation to submit reports</u>	<u>Date due</u>	<u>Date of submission</u>
Ecuador	2 March 1982	9 December 1982	14 August 1984 (Add.23) d/
Egypt	2 March 1982	18 October 1982	2 February 1983 (Add.10) b/
El Salvador	2 March 1982	18 September 1982	3 November 1983 (Add.19) d/
Equatorial Guinea	2 April 1985	22 November 1985	16 March 1987 (Add. 50) g/
Ethiopia	2 March 1982	10 October 1982	
Finl and	6 October 1966	4 October 1987	16 February 1989 (Add.56) g/
France	8 February 1984	13 January 1985	13 February 1986 (Add.33) e/
Gabon	28 February 1983	20 February 1984	19 June 1987 (Add.54) g/
German Democratic Republic	2 March 1982	3 September 1982	30 August 1962 (Add.1) a/
Germany, Federal Republic of	16 August 1985	9 August 1986	15 September 1988 (Add.59) h/
Ghana	3 February 1986	1 February 1987	
Greece	7 July 1983	7 July 1984	5 April 1985 (Add.28) e/
Guatemala	14 September 1982	11 September 1983	
Guinea	14 September 1982	8 September 1983	
Guinea-Bissau	25 September 1985	22 September 1986	
Guyana	2 March 1982	3 September 1982	23 January 1990 (Add.63)
Haiti	2 March 1982	3 September 1982	
Honduras	13 April 1983	2 April 1984	3 December 1986 (Add.44)
Hungary	2 March 1982	3 September 1962	20 September 1982 (Add.3) b/
Iceland	16 August 1985	18 July 1986	
Indonesia	31 October 1984	13 October 1985	17 March 1986 (Add.36) f/
Iraq	15 September 1986	12 September 1987	
Ireland	24 January 1986	22 January 1987	18 February 1987 (Add.47) g/
Italy	11 July 1985	10 July 1986	20 October 1989 (Add.62)
Jamaica	31 October 1984	18 November 1985	12 September 1986 (Add.38) f/
Japan	16 August 1905	25 July 1966	13 March 1987 (Add.48) f/
Kenya	16 April 1984	8 April 1985	
Lao People's Democratic Republic	2 March 1982	13 September 1982	
Liberia	24 August 1984	16 August 1985	
Libyan Arab Jamahiriya	18 January 1989	15 June 1990	
Luxembourg	28 March 1989	4 March 1990	

<u>States parties</u>	<u>Invitation to submit reports</u>	<u>Date due</u>	<u>Date of submission</u>
Madagascar	18 April 1989	16 April 1990	
Malawi	18 May 1987	11 April 1988	15 July 1988 (Add.58) h/
Mali	14 October 1985	10 October 1986	13 November 1986 (Add.431) f/
Mauritius	24 August 1984	8 August 1985	
Mexico	2 March 1982	3 September 1982	14 September 1982 (Add.21) a/
Mongolia	2 March 1982	3 September 1982	18 November 1983 (Add.20) d/
New Zealand	2 April 1985	9 February 1986	3 October 1986 (Add.41) f/
Nicaragua	2 March 1982	26 November 1982	22 September 1987 (Add.55) g/
Nigeria	14 July 1985	13 July 1986	1 April 1987 (Add.49) f/
Norway	2 March 1982	3 September 1982	18 November 1982 (Add.7) b/
Panama	2 March 1982	28 November 1982	12 December 1982 (Add.91) c/
Paraguay	18 June 1987	6 May 1988	
Peru	12 October 1982	13 October 1983	14 September 1988 (Add.60) h/
Philippines	2 March 1982	4 September 1982	22 October 1982 (Add.6) b/
Poland	2 March 1982	3 September 1982	10 October 1985 (Add. 31) a/
Portugal	2 March 1982	3 September 1982	19 July 1983 (Add.21) d/
Republic of Korea	2 April 1985	26 January 1986	13 March 1986 (Add.35) a/
Romania	2 March 1982	6 February 1983	14 January 1987 (Add.45)
Rwanda	2 March 1982	3 September 1982	24 May 1983 (Add.131) b/
Saint Kitts and Nevis	24 June 1985	25 May 1986	
Saint Lucia	17 December 1982	7 November 1983	
Saint Vincent and the Grenadines	2 March 1982	3 September 1982	
Senegal	2 April 1985	7 March 1986	5 November 1986 (Add.421) f/
Sierra Leone	13 December 1988	11 December 1989	
Spain	8 February 1984	4 February 1985	20 August 1985 (Add.30) a/
Sri Lanka	2 March 1982	4 November 1982	7 July 1985 (Add.291) a/
Sweden	2 March 1982	3 September 1982	22 October 1982 (Add.8) a/
Thailand	10 September 1985	8 September 1986	1 June 1987 (Add.51) h/
Togo	9 November 1983	26 October 1984	

<u>States parties</u>	<u>Invitation to submit reports</u>	<u>Date due</u>	<u>Date of submission</u>
Tunisia	22 October 1985	20 October 1986	
Turkey	22 January 1986	19 January 1987	27 January 1987 (Add. 46) h/
Uganda	23 August 1985	21 August 1986	
Ukrainian Soviet Socialist Republic	2 March 1982	3 September 1982	2 March 1983 (Add. 11) a/
Union of Soviet Socialist Republics	2 March 1982	3 September 1983	2 March 1983 (Add. 12) a/
United Kingdom of Great Britain and Northern Ireland	9 May 1986	7 May 1987	25 June 1987 (Add. 52) h/
United Republic of Tanzania	23 September 1985	19 September 1986	9 March 1988 (Add. 57) h/
Uruguay	2 March 1982	8 November 1982	23 November 1984 (Add. 271) f/
Venezuela	7 July 1983	1 June 1984	27 August 1984 (Add. 24) d/
Viet Nam	14 September 1982	19 March 1983	2 October 1984 (Add. 25) d/
Yugoslavia	14 September 1982	28 March 1983	3 November 1983 (Add. 18) c/
Zaire	21 January 1987	16 November 1987	
Zambia	16 August 1985	21 July 1986	

a/ Considered by the Committee at its **second session**, held from 1 to **12 August** 1983.

b/ Considered by the **Committee** at its third session, held from **26** March to 6 April 1984.

c/ Considered by the Committee at its fourth session, held from 21 January to 1 February 1985.

d/ Considered by the Committee at its fifth **session**, held from 10 to 21 **March** 1986.

e/ Considered by the Committee at its sixth session, held from **30** March to 10 April 1987.

f/ Considered by the **Committee** at its seventh session, held from 16 February to 4 March 1988.

g/ Considered by the Committee at its eighth session, held from 20 February to 3 March 1989.

h/ Considered **by** the **Committee** at its ninth session, held from 22 January to 2 February 1990.

B. Second periodic reports of States parties due or submitted as at 2 February 1990 (issued under the series CEDAW/C/13/...)

<u>States parties</u>	<u>Invitation to submit reports</u>	<u>Date due</u>	<u>Date of submission</u>
Argentina	30 November 1989	14 August 1990	
Australia	18 December 1987	27 August 1988	
Austria	18 December 19⁸⁷	30 April 1987	18 December 1989 (Add.27)
Bangladesh	31 October 1988	6 December 1989	
Barbados	30 January 1987	3 September 1986	
Bhutan	30 January 1987	30 September 1986	
Brazil	31 October 1988	2 March 1989	
Bulgaria	18 December 1987	10 March 1987	
Byelorussian Soviet Socialist Republic	12 August 1985	3 September 1986	3 March 1987 (Ada.51 b/)
Canada	18 December 1987	9 January 1987	20 January 1988 (Add.11) c/
Cape Verde	30 January 1987	3 September 1986	
China	12 August 1985	3 September 1986	22 June 1989 (Add.261)
Colombia	18 December 1987	18 February 1987	
Congo	18 December 1987	25 August 1987	
Cuba	12 August X 1985	3 September 1986	
Czechoslovakia	18 December 1987	18 larch 1987	16 June 1989 (Add.25)
Democratic Yemen	31 October 1988	29 June 1989	8 June 1989 (Ada.241)
Denmark	18 December 1987	21 May 1988	2 June 1988 (Add.141)
Dominica	30 January 1987	3 September 1986	
Dominican Republic	18 December 1987	2 October 1987	
Ecuador	12 August 1985	9 December 1986	
Egypt	12 August 1985	18 October 1986	19 December 1986 (Add.2) c/
El Salvador	12 August 1985	18 September 1986	18 December 1987 (Add.121)
Equatorial Guinea	31 October 1988	22 November 1989	
Ethiopia	39 January 1987	10 October 1986	
France	31 October 1988	13 January 1989	
Gabon	18 October 1987	20 February 1988	
German Democratic Republic	12 August 1985	3 September 1986	28 January 1987 (Add.3) b/
Greece	18 December 1987	7 July 1988	
Guatemala	18 December 1987	11 September 1987	
Guinea	18 December 1987	8 September 1987	
Guyana	30 January 1987	3 September 1986	
Haiti	30 January 1987	3 September 1986	
Honduras		2 April X1988	28 October 1987 (Add.9)
Hungary	12 August 1965	3 September 1986	29 September 1986 (Add.1) a/

<u>States parties</u>	<u>Invitation to submit reports</u>	<u>Date due</u>	<u>Date of submission</u>
Indonesia	31 October 1988	13 October 1989	
Ireland	30 November 1989	22 January 1991	
Italy	30 November 1989	10 July 1990	
Jamaica	31 October 1988	18 November 1989	
Japan	30 November 1989	25 July 1990	
Kenya	31 October 1988	8 April 1989	
Lao People's Democratic Republic	30 January 1987	13 September 1986	
Liberia	31 October 1988	16 August 1989	
Mali	30 November 1989	10 October 1990	
Mauritius	31 October 1988	8 August 1989	
Mexico	12 August 1985	3 September 1986	3 December 1987 (Add.10) c/
Mongolia	12 August 1985	3 September 1986	17 March 1987 (Add.7) c/
New Zealand	30 November 1989	9 February 1990	
Nicaragua	18 December 1967	26 November 1986	16 March 1989 (Add.20)
Nigeria	30 November 1989	13 July 1990	
Norway	12 August 1985	3 September 1986	23 June 1988 (Add.151)
Panama	12 August 1985	28 November 1986	
Peru	18 December 1987	13 October 1987	
Philippines	12 August 1986	4 September 1986	12 December 1988 (Add.171)
Poland	18 December 1987	3 September 1966	17 November 1988 (Add.161)
Portugal	12 August 1985	3 September 1936	18 May 1989 (Add.22)
Republic of Korea	30 November 1989	26 January 1990	19 December 1989 (Add.28)
Romania	18 December 1987	6 February 1987	
Rwanda	12 August 1985	3 September 1986	7 March 1988 (Add.131)
Saint Lucia	18 December 1987	7 November 1987	
Saint Vincent and the Grenadine ⁸	30 January 1987	3 September 1986	
Senegal	30 November 1989	7 March 1990	
Spain	31 October 1988	4 February 1989	3 February 1989 (Add.19)
Sri Lanka	18 December 1987	4 November 1986	29 December 1988 (Add.181)
Sweden	12 August 1985	3 September 1986	10 March 1987 (Add.6) a/
Togo	31 October 1988	26 October 1988	
Ukrainian Soviet Socialist Republic	12 August 1985	3 September 1986	13 August 1987 (Add.8) c/
Union of Soviet Socialist Republic ⁸	12 August 1985	3 September 1986	10 February 1987 (Add.4) b/
Uruguay	12 August 1985	8 November 1986	

<u>States parties</u>	<u>Invitation to submit reports</u>	<u>Date due</u>	<u>Date of submission</u>
Venezuela	18 December 1987	1 June 1988	18 April 1989 (Add.211)
Viet Nam	18 December 1987	19 March 1987	
Yugoslavia	18 December 1987	28 March 1987	31 May 1989 (Add.231)

a/ Considered by the Committee at its seventh **session**, held *from* 16 February to 4 March 1988,

b/ Considered by the Committee at its eighth **session**, held *from* 20 February to 3 March 1989.

c/ Considered by the Committee at its ninth **session**, held from 22 January to 2 February 1990,

ANNEX III

Membership of the Committee on the Elimination of Discrimination against Women at its ninth session

<u>Name of member</u>	<u>Country of nationality</u>
MB. Ryoko Akamatsu*	Japan
Ms. Ana Maria Alfonsén de Fasan**	Argentina
Ms. Desirée P. Bernard**	Guyana
Ms. Carlota Bustelo Garcia del Real**	Spain
MB. Ivanka Corti*	Italy
Ms. Hadja Assa Diallo Soumare*	Mali
Ms. Ruth Escobar*	Brazil
MB. Elizabeth Evatt**	Australia
Ms. Grethe Fenger-Möller**	Denmark
MB. Norma M. Forde*	Barbados
MB. Aida Gonzalez Martinez**	Mexico
MB. Guan Mingqian*	China
Ms. Zagorka Ili *	Yugoslavia
MB. Chryssanthi Laiou-Antoniou**	Greece
Ms. Elvira Novikova*	Union of Soviet Socialist Republics
Ms. Edith Oeser**	German Democratic Republic
MB. Lily Pilataxi de Arenas*	Ecuador
Ms. Pudjiwati Sajogyo*	Indonesia
MB. Hanna Beate Schöpp-Schilling**	Germany, Federal Republic of
Ms. Kongit Singegiorgis**	Ethiopia
Ms. Mervat Tallawy*	Egypt
Ms. Rose N. Ukeje*	Nigeria
Ms. Kisse Walla-Tchangai**	Togo

* Term of office expires in 1990.

** Term of office expires in 1992.

ANNEX IV

Programme budget implications of the proposal of Working Group I on organizational matters of the Committee on the Elimination of Discrimination against Women

Statement submitted by the Secretary-General in accordance with rule No. 18 of the rules of procedure of the Committee on the Elimination of Discrimination against women

A. Request contained in Working Paper 4/1990/Add.4 of Working Group I

1. In its Working Paper 4/1990/Add.4 of 29 January 1990, Working Group I on organisational matters of the Committee on the Elimination of Discrimination against Women, proposed:

(a) To hold a five-day session of a pre-session working group, prior to the tenth session of the Committee in 1991, in order to prepare issues and questions relating to the second periodic report of the States Parties to be considered at the regular session of the Committee;

(b) To provide daily subsistence allowance to five members consisting of the working group of the Committee and, possibly, interpretation services in six languages: Arabic, Chinese, English, French, Russian and Spanish.

B. Relationship of request to the programme of work for the biennium 1990-1991

2. The tenth session of the Committee, to be held in 1991, would have a pre-session for a period of five working days, which will be in addition to the regular lo-working-day session. This additional meeting will need to be reflected in the calendar of conferences and meetings for 1991 for consideration and approval by the Committee on Conferences and the General Assembly. The programme budget does not include provision for the additional day of subsistence allowance to be paid to the five members of the Committee,

C. Activities by which the proposals would be implemented

3. It is the understanding of the Secretariat that interpretation would be required in six languages, and that neither pre-session, in-session nor post-session documentation would specifically be required by the working group during its session. The proposed pre-session will necessitate an additional payment of daily subsistence allowance to each of the five members of the Committee's working group. No additional honoraria will be payable to those members.

D. Requirements at full cost

4. The subsistence and conference-servicing **requirements** for holding the five working **days of meeting**8 immediately **prior** to the regular **session** of the Committee in 1991 **are** estimated, on a **full-cost basis**, as follows:

1991
Vienna
\$US

Section 8 of the programme budget

Additional subsistence allowance for five member8
of the Committee who **serve on** Working Group I

7 400

Section 29 of the programme budget

Additional meetings of five days

Meeting servicing
(10 meetings, A, C, E, F, R, S)

63 900

E. Potential for absorption

Conference-servicing costs

5. The estimates of conference-servicing costs indicated in paragraph 4 above **are** based on the theoretical assumption that no part of the **conference-servicing** costs requirements would be **met** from within the **permanent conference-servicing** capacity under section 29 of the programme budget, and that additional resources would be required for temporary **assistance for meetings**. The extent to which the **Organization's** permanent capacity need8 to be supplemented by temporary **assistance** resources can be determined only in the **light of the calendar of conferences** for 1990-1991. However, as indicated in paragraph 29.5 of the programme budget, the 1990-1991 level of **resources for temporary assistance for meetings** was estimated on the basis of previous **experience to accommodate** not only for meetings known at the time of the budget preparations but also meetings that would be authorised subsequently, provided that the number and distribution of meetings **and conferences** in the biennium 1990-1991 **was** consistent with the pattern of meetings in past years. On that **basis**, it is **estimated that no additional resources** would be **required** under section 29 of the **programme** budget for the biennium 1990-1991 as a result of the adoption of the proposal contained in Working Paper 4.

Other costs

6. As regards the costs involved for the additional daily **subsistence** allowance for five members of the Working Group, it is **anticipated** that the estimated requirement of \$7,400 can be met from **resources provided for in the programme** budget for 1990-1991 through savings from non-attendance of two member8 to the present session of CEDAW, from savings of the travel **costs** and from possible savings from consultant **resources** in the area of the advancement of women provided under section 8, **subprogramme 3** of the 1990-1991 **programme budget**.

7. Therefore, the estimated amount of \$7,400 required for the additional daily **subsistence** allowance should be **provided for** from the **amount** included in the programme budget under section 8.

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