

COMMISSION ON THE STATUS OF WOMEN REPORT OF THE EIGHTH SESSION

22 MARCH - 9 APRIL 1954

ECONOMIC AND SOCIAL COUNCIL

OFFICIAL RECORDS: EIGHTEENTH SESSION

SUPPLEMENT No. 6

NEW YORK

TABLE OF CONTENTS

Chapter		Paragraphs	Page
I.	Organization of the eighth session of the Commission	1–11	1
II.	Agenda	12–14	2
III.	Political rights of women	15–25	3
IV.	Nationality of married women	26–35	5
v.	Equal pay for equal work	36-43	8
VI.	Economic opportunities for women	44-53	10
VII.	Status of women in private law	54-69	11
VIII.	Educational opportunities for women	70-76	15
IX.	Technical assistance programmes in relation to the status of women	77–83	16
X.	Participation of women in the work of the United Nations and the specialized agencies .	84–88	17
XI.	Study of documentation prepared by the Secretary-General for the Social Commission on the subject of protection of mother and child	89–98	18
XII.	Report of the representative of the Commission on the Status of Women to the sixth session of the Sub-Commiss on on the Prevention of Discrimination and the Protection of Minorities	99100	19
XIII.	Report of the Inter-American Commission of Women	101	19
XIV.	Communications concerning the status of women	102-104	19
XV.	Action taken upon decisions reached by the seventh session of the Commission on the Status of Women, review of programme of work and establishment of priorities, and concentration of efforts	105–110	19
XVI.	Consideration of the place of meeting of the next session	111-114	20
XVII.	Adoption of the report of the Commission to the Economic and Social Council	115	21
	ANNEXES		
1.	Summary of financial implications of resolutions concerning nationality of married women and political rights of women		21
2.	Draft resolutions for the Economic and Social Council		21

NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

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UNITED NATIONS

ECONOMIC AND SOCIAL COUNCIL OFFICIAL RECORDS

EIGHTEENTH SESSION

SUPPLEMENT No. 6

COMMISSION ON THE STATUS OF WOMEN

Report to the Economic and Social Council on the eighth session of the Commission, held at Headquarters, New York, from 22 March to 9 April 1954

CHAPTER I

Organization of the eighth session of the Commission

- 1. The eighth session of the Commission on the Status of Women opened on Monday, 22 March 1954, in the United Nations Headquarters. The Commission held twenty-seven plenary meetings and terminated its work on 9 April 1954.
- 2. The following representatives of member States of the Commission attended:
- Burma: Daw Ngwe Khin, representative; Mr. U Ba Maung, alternate:
- Byelorussian SSR: Mrs. Faina Novikova, representative; Chile: Miss Gabriela Mistral, representative; Miss Mónica González, alternate;

China: Miss Grace Yang, alternate;

- Cuba: Miss Uldarica Mañas, representative; Miss Ana María Perera, alternate;
- Dominican Republic: Miss Minerva Bernardino, representative:
- France: Madame Marie-Hélène Lefaucheux, representative:
- Haiti: Madame Fortuna Augustin Guéry, representative;
- Iran: Madame Safiyeh Firouz, representative; Lebanon: Madame Laure Tabet, representative;
- Pakistan: Begum Anwar Ahmed, representative;
- Poland: Mrs. Zofia Dembinska, representative;
- Sweden: Mrs. Agda Rossel, representative;
- Union of Soviet Socialist Republics: Mrs. Vera A. Fomina, representative;
- United Kingdom of Great Britain and Northern Ireland: Mrs. John Warde, representative; Mr. H. P. L. Attlee, alternate;
- United States of America: Mrs. Lorena Hahn, representative;
- Venezuela: Mrs. Isabel Sánchez de Urdaneta, representative; Mrs. Carlota Benitez de Socorro, alternate; Yugoslavia: Madame Mitra Mitrovic, representative.
- At the 149th meeting statements were made concerning the representation of China at the session. The representatives of the USSR, Byelorussian SSR and Poland said that the seat of China in this Commission could be occupied only by a person accredited by the Government of the Central People's Republic of China, the only legal government of China. The representatives

- of the USA and China stated that the delegate present was the proper representative of the Chinese Republic and that a discussion of membership was outside the terms of reference of the Commission. The Chairman declared that the views expressed would be included in the records of the session.
- The Commission at its 149th meeting elected the following officers:
- Chairman: Miss Minerva Bernardino (Dominican Repub-
- First Vice-Chairman: Mrs. John Warde (United King-
- Second Vice-Chairman: Mrs. Zofia Dembinska (Poland); Rapporteur: Madame Safiyeh Firouz (Iran).
- The following representatives of specialized agencies were also present at the session:
- International Labour Organisation: Mrs. Ana Figueroa; United Nations Educational, Scientific and Cultural Organization: Mrs. G. Cruz Santos, Mr. Solomon V. Arnaldo:
- World Health Organization: Dr. Rodolphe L. Coigny, Dr. Mabel Ingalls.
- 6. The Inter-American Commission of Women, an inter-governmental organization, was represented by Mrs. María Concepción de Chaves and Mrs. Esther N. de Calvo, in accordance with resolution 48 B (IV), paragraph 7, of the Economic and Social Council.
- The following authorized representatives from non-governmental organizations were also present:

CATEGORY A

International Confederation of Free Trade Unions: Miss Toni Sender:

International Co-operative Alliance: Mrs. Cedric Long; International Federation of Christian Trade Unions:

Mr. Gerard Thormann;

World Federation of Trade Unions: Miss Elinor Kahn; World Federation of United Nations Associations: Mrs. Beresford Fox, Miss M. Eren.

CATEGORY B

All-Pakistan Women's Association: Begum Nafisa Hamdani;

Catholic International Union for Social Service: Mrs. A. D. Vergara, Mrs. Carmen Giroux;

International Alliance of Women: Equal Rights, Equal Responsibilities: Mrs. Charlotte Mahon, Miss Anne Guthrie, Miss Ruth Woodsmall;

International Association of Penal Law: Dr. Sabin Manuila:

International Conference of Catholic Charities: Mr. Louis Longarzo, Miss Mary L. Gibbons;

International Co-operative Women's Guild: Mrs. Margaret Bender;

International Council of Women. Mrs. Laura Dreyfus-Barney, Mrs. Frances M. Freeman, Mrs. Marjorie Register, Mrs. Rose P. Parsons;

International Federation of Business and Professional Women: Mrs. Esther Hymer, Miss Jean M. Randall; International Federation of Friends of Young Women: Miss Anna Lagemann, Miss Marguerite Schwarzenbach:

International Federation of University Women: Dr. Janet Robb, Miss Frances McGillicuddy;

International Federation of Women Lawyers: Miss A. Viola Smith, Mrs. Anne Makinen-Ollinen, Dr. Hernina Luiz Ovelar:

International League for the Rights of Man: Mr. Max Beer, Mrs. Rose Wishner, Dr. H. Wolle-Egenolf;

International Movement for a Brotherly Union of Races and Peoples: Miss Mariette Wickes;

International Union for Child Welfare: Mrs. Mary Dingman;

Liaison Committee of Women's International Organizations: Mrs. Eleanor S. Roberts, Miss Frances McGillicuddy;

Nouvelles équipes internationales — Union des démocrates chrétiens: Dr. Maria Andras;

Pan-Pacific Women's Association: Miss Josephine Schain, Mrs. Henry Fowler, Mrs. B. D. Evans;

Pax Romana: Mr. J. H. Price;

Women's International Democratic Federation: Mrs. Dora Russell (Grace):

Women's International League for Peace and Freedom: Mrs. Gladys D. Walser;

World Jewish Congress: Mr. Gerhard Jacoby;

World Women's Christian Temperance Union: Mrs. Helen G. Estelle, Miss Florence A. Boole;

World's Young Women's Christian Associations: Miss Alice Arnold, Miss Margaret E. Forsyth;

World Union for Progressive Judaism: Mr. Ronald L. Ronalds, Mrs. Eleanor S. Polstein;

World Union of Catholic Women's Organizations: Miss Catherine Schaefer, Dr. H. Weber, Dr. Alba Zizzamin; Young Christian Workers: Miss Caroline Pezzullo, Mr. Marx Mannix.

REGISTER

Associated Country Women of the World: Mrs. Eleanor S. Roberts, Mrs. Philip H. Jones;

St. Joan's International Social and Political Alliance: Miss Moya C. Merrick.

8. Dr. Teresa H. I. Flouret, observer representing Argentina Miss Irma Morales, observer representing

Costa Rica, Mrs. Zena Harman, observer representing Israel, attended meetings of the session.

- 9. Mr. Dag Hammarskjold, Secretary-General, and Mr. Guillaume Georges-Picot, Assistant Secretary-General for the Departments of Economic Affairs and of Social Affairs, attended the first meeting; at subsequent meetings Mr. John P. Humphrey, Director of the Division of Human Rights, and Mrs. Mary Tenison-Woods, Chief of the Section on the Status of Women, represented the Secretary-General. Mrs. Sophie Grinberg-Vinaver acted as Secretary to the Commission.
- 10. The expression of the views of the members of the Commission is embodied in the summary records of the plenary meetings (E/CN.6/SR.149 to E/CN.6/SR.175).
- 11. In order to expedite its work the Commission at its 152nd meeting established two committees, as follows:

Committee on Resolutions: the representatives of France (Chairman), Cuba, Sweden, Union of Soviet Socialist Republics, United States of America, Venezuela and Yugoslavia;

Committee on Communications: the representatives of Pakistan (Chairman), Iran, Lebanon, Poland and United Kingdom.

CHAPTER II

Agenda

- 12. The Commission considered its provisional agenda (E/CN.6/241) drawn up by the Secretary-General in consultation with the Commission's chairman at its 149th meeting.
- 13. The representative of France, who had been the Commission's representative to the ninth session of the Commission on Human Rights suggested that her report on her attendance at that session should be considered in connexion with item 7 (c) of the provisional agenda, instead of under item 13, since this report would primarily deal with the additional article of the draft covenant on civil and political rights which had been referred by the Economic and Social Council to the Commission for further consideration.
- 14. This suggestion was accepted, and the agenda in its final form, which was adopted unanimously, reads as follows:
- 1. Election of officers.
- 2. Adoption of the agenda.
- 3. Political rights of women:
 - (a) Memorandum prepared annually by the Secretary-General on the advancement of political rights of women;
 - (b) Report on ways in which equal political rights for women may be achieved and made effective;
 - (c) Reports on political rights of women in Trust and Non-Self-Governing Territories;
 - (d) Draft survey on women in public services and functions;

- (e) Plan for a proposed report on women in political and public life;
- (f) Report on fellowships and other assistance available to governments through the United Nations or the specialized agencies for the training of persons interested in improving the status of women.
- 4. Nationality of married women:
 - Report on comments from governments on the draft convention on the nationality of married persons.
- Equal pay for equal work for men and women workers:
 - Progress report on the implementation of the principle of equal pay for equal work, including information on Trust and Non-Self-Governing Territories.
- 6. Economic opportunities for women:
 - (a) Report on older women workers;
 - (b) Progress reports on part-time work for women.
- 7. Status of women in private law:
 - (a) Family law:
 - (i) Report on parental rights and duties;
 - (ii) Report on domicile and residence of married women:
 - (b) Property rights:
 - (i) Report on the right of a married woman to engage in independent work;
 - (ii) Report on matrimonial regimes;
 - (c) Additional article of the draft covenant on civil and political rights:
 - (i) Note by the Secretary-General;
 - (ii) Report of the representative of the Commission on the Status of Women to the ninth session of the Commission on Human Rights.
- 8. Educational opportunities for women:
 - (a) Progress report on access of women to education including information concerning Trust and Non-Self-Governing Territories;
 - (b) Report on scholarships and fellowships granted to men and women students respectively in primary, secondary, higher and technical education;
 - (c) Note on access of women to apprenticeship.
- 9. Technical assistance programmes in relation to the status of women:

 Program report of the Secretary General
 - Progress report of the Secretary-General.
- 10. Participation of women in the work of the United Nations and of the specialized agencies:

 Report of the Secretary-General.
- 11. Study of documentation prepared by the Secretary-General for the Social Commission on the subject of protection of mother and child.
- 12. Action taken upon decisions reached by the seventh session of the Commission on the Status of Women: Report of the Secretary-General.

- 13. Report of the representative of the Commission on the Status of Women to the sixth session of the Sub-Commission on the Prevention of Discrimination and the Protection of Minorities.
- Report of the Inter-American Commission of Women.
- 15. Communications concerning the status of women.
- 16. Review of the programmes of work and establishment of priorities.
- 17. Adoption of the report to the Economic and Social Council.

CHAPTER III

Political rights of women

- The Commission on the Status of Women considered item 3 of its agenda, at its 150th, 151st, 152nd, 154th and 156th meetings. In discussing this item, which consisted of six sub-items (a-f) the Commission had before it the following documentation prepared by the Secretary-General: on sub-item (a): Memorandum prepared annually for the General Assembly showing changes in constitutions, electoral laws and other legal instruments relating to the franchise of women and their eligibility to public office, including tables showing, inter alia, in which countries women have full, limited or no voting rights and the countries which have signed and ratified the Convention on Political Rights of Women (document A/2462); on sub-item (b): Report containing information supplied by various non-governmental organizations on ways in which equal political rights for women may be achieved and made effective (document E/CN.6/244); on sub-item (c): report containing information on the Status of Women in Trust and Non-Self-Governing Territories taken from the annual reports of the Administering Authorities on the Administration of these Territories (documents E/CN.6/235 and E/CN. 6/237) and a note on the steps taken by the General Assembly and the Trusteeship Council to implement Economic and Social Council resolution 504 F (XVI) concerning measures leading to the development of political rights of women in areas where they do not fully enjoy such rights (document E/CN.6/239); on subitem (d): Draft survey prepared at the request of the Commission on discriminations against women in the field of public services and functions and with respect to civil liberties (confidential document SW-Misc. 1) and supplementary reports based on replies of governments to the Questionnaire on the Legal Status and Treatment of Women (received since the seventh session) on women in public services and functions and on civil liberties for women (documents E/CN.6/158/Add.5 and E/CN.6/157/Add.5); on sub-item (f): Report on fellowships and other assistance available to governments through the United Nations or the specialized agencies for the training of persons interested in improving the status of women (document E/CN.6/242).
- 16. The debate centred around sub-items a, b and c, which were discussed together. Several members noted that, although considerable progress had been

achieved in the field of political rights, much work was still to be done before equal political rights for men and women in all countries would be attained. In this connexion it was pointed out that document A/2462 showed that in seventeen countries women still had no voting rights.

17. In commenting on document A/2462, several members held the view that the Convention on the Political Rights of Women was the most important achievement of the Commission. It was noted, however, that although thirty-five governments had signed the Convention, only three had deposited instruments of ratification with the Secretary-General, and several members felt that an appeal should be made to governments to accelerate the signing and ratification of or accession to the Convention. A joint draft resolution to this effect was presented by the representatives of Cuba, the Dominican Republic and France (E/CN.6/L.122) and was adopted by the Commission at its 152nd meeting by 16 votes to none with 2 abstentions. The resolution reads as follows:

RESOLUTION

The Commission on the Status of Women,

Noting with satisfaction that thirty-five States have signed the Convention on the Political Rights of Women but regretting that only three States have ratified it to date.

Recommends that the Economic and Social Council adopt the following resolution:

- " The Economic and Social Council,
- "Noting that the Convention on Political Rights of Women, approved by General Assembly resolution 640 (VII) of 20 December 1952, was opened for signature and ratification or accession by States Members of the United Nations on 30 March 1953,
- "Noting also that, by resolution 793 (VIII) of 23 October 1953, the General Assembly invited signature and ratification or accession of this Convention by non-member States which are or become members of one or more of the specialized agencies of the United Nations or are or become Parties to the Statute of the International Court of Justice,
- "Considering its resolution 504 F (XVI) of 23 July 1953, by which it urged Member States which have not yet done so to sign and ratify or accede to this Convention,
- "Reiterates its appeal to Member States of the United Nations and recommends to non-member States which have been invited by the General Assembly, to sign, ratify or accede to the Convention on the Political Rights of Women."
- 18. There was general agreement among the members of the Commission as to the importance of political education of women. Several of them expressed their gratitude to the non-governmental organizations for their co-operation in supplying the Commission with

¹ At the 175th meeting, it was announced that Bulgaria had acceded to the Convention and Sweden and Cuba had ratified it, and that the Convention would therefore come into force on 7 July 1954.

information and suggestions on this subject, and emphasized the important part which such organizations could play in teaching women how to make use of their political rights.

- 19. In the course of the debate the Commission heard a statement by the representative of UNESCO, who outlined the work done in the field of education in citizenship rights for women by that organization during the previous year. Statements were also made by the representatives of the Inter-American Commission of Women and of the following non-governmental organizations: International Alliance of Women, International Federation of Business and Professional Women, International Federation of Women Lawyers, Women's International Democratic Federation, and Women's International League for Peace and Freedom.
- The Commission had before it two draft resolutions on this subject. One, originally sponsored by the representative of Pakistan (E/CN.6/L.121) was subsequently withdrawn in favour of a revised text, sponsored jointly by the representatives of Cuba, France, Pakistan, and the United Kingdom (E/CN.6/L.121/Rev.1) which recommended to the Economic and Social Council that member governments should be asked to expedite political education through educational institutions, through information media and by encouraging women's organizations in their work. The sponsors later introduced a revised version of this draft (E/CN.6/L.121/ Rev.2) making the suggestions directly to the non-governmental organizations. Some members expressed their disagreement with this alteration and suggested that the resolution should be addressed to governments. Several minor amendments were also introduced, and the draft resolution was therefore referred to the Ad Hoc Committee on Resolutions, which recommended to the Commission a slightly amended text (E/CN.6/L.121/ Rev.3). At its 156th meeting the Commission adopted the following resolution by 15 votes to none with 3 abstentions:

RESOLUTION

The Commission on the Status of Women,

Noting with satisfaction the memorandum prepared by the Secretary-General based on reports by nongovernmental organizations on the ways in which equal political rights for women can be achieved and made effective.

Expressing its appreciation of the co-operation by the non-governmental organizations and their valuable suggestions,

Urges non-governmental organizations to continue to further the development of education for women in the field of citizenship, thus enabling women to obtain a better understanding of their civic rights and responsibilities and to equip them more fully for participation in public life by the following methods:

(i) Through all educational institutions, e.g. by working for the adoption of a wider curriculum covering training for the responsibilities of public life;

- (ii) Through all available media of information which would impress upon the women their rights and responsibilities as citizens;
- (iii) By encouraging all interested organizations in their work to bring to women the knowledge of the responsibilities inherent in the exercise of their political rights.

Expresses the hope that UNESCO will continue to give appropriate attention to this subject.

- 21. The other draft resolution, presented by the representative of Lebanon (E/CN.6/L.124), expressed the belief that the memorandum on the franchise of women (A/2462) and the pamphlet: Political Education of Women would be helpful in the political education of women, and suggested that these publications should be made available in greater numbers. The draft resolution was referred to the Ad Hoc Committee on Resolutions, which presented a revised text to the Commission (E/CN.6/L.124/Rev.1). The revised draft resolution was considered by the Commission at its 156th meeting. The Commission was in this connexion informed by a representative of the Secretariat of the number of copies of the pamphlet which had been printed and distributed in the various languages, and of the financial implications of the draft resolution.
- 22. Separate votes were taken on the third and fourth paragraphs, the latter being voted on in two parts. Paragraph 3 was adopted by 14 votes to none with 3 abstentions; the first part of paragraph 4 reading: "Expresses appreciation of the Secretary-General's memorandum and" was adopted by 14 votes to none with 3 abstentions; the remainder of the paragraph was adopted unanimously. The resolution as a whole was adopted by a vote of 15 to none with 3 abstentions. It reads as follows:

RESOLUTION

The Commission on the Status of Women

Notes that women of Mexico and Syria have been assured full political rights, since its last session;

Notes also that in certain Trust and Non-Self-Governing Territories the Administrating Authorities encourage women to share in public life;

Believes that the Secretary-General's memorandum on the franchise of women (document A/2462), together with the pamphlet on Political Education of Women, will be helpful to governments and organizations in areas where women do not yet exercise suffrage or have only recently undertaken the full responsibilities of citizenship;

Expresses appreciation of the Secretary-General's memorandum and suggests that a full revision of this document, to include A/1342 and succeeding memoranda, be prepared in advance of the next session of the General Assembly;

Suggests that because of the interest of non-governmental organizations in this field, the revised memorandum on women's franchise and the pamphlet on political education of women be made available in larger quantities.

- 23. The Commission, on sub-item (c), Status of Women in Trust and Non-Self-Governing Territories, decided at its 152nd meeting to take note of the documentation prepared on this question by the Secretary-General. Several members felt that considerable progress had been made and that women in some of the Trust and Non-Self-Governing Territories enjoyed greater political rights than women in some sovereign States. Some others expressed the opinion that no or very little advancement had taken place in these territories.
- 24. During the debate on sub-item (e) of agenda item 3, the representative of the Secretary-General informed the Commission that he had not prepared the plan for a report on women in political and public life, which had been requested by the Commission at its seventh session, due to the fact that this project had been given a low priority and that a considerable amount of documentation of a higher priority had to be prepared for the eighth session. Further, in view of Economic and Social Council resolution 402 B (XIII), the Secretary-General intended to suggest that this project, together with the project listed under sub-item (d), could be deferred indefinitely by the Commission. On the understanding that the Secretary-General would continue to transmit to it further information which might be received from governments concerning women in public service and functions, the Commission at its 152nd meeting decided to defer indefinitely sub-items (d) and (e) of agenda item 3.
- 25. At its 151st meeting, the Commission decided to consider the report listed under sub-item (f) dealing with facilities available for the training of persons interested in the improvement of the status of women, in conjunction with item 9 of the agenda, concerning technical assistance programmes in relation to the status of women.

CHAPTER IV

Nationality of married women

- 26. The Commission discussed item 4 of its agenda at its 153rd, 155th and 159th meetings; it considered in that connexion a memorandum by the Secretary-General supplementing previous reports on statutory and constitutional provisions relating to the nationality of married women (E/CN.6/206/Add.3 and 4) and a report by the Secretary-General (E/CN.6/243 and Add.1-3) containing the comments by governments on the draft convention on the nationality of married persons which had been circulated to Member States in accordance with Economic and Social Council resolution 504 B (XVI).
- 27. At the outset of its discussion, the Commission had under consideration two draft resolutions introduced by Cuba and the United States respectively. The Cuban draft resolution (E/CN.6/L.119)² contained a draft convention on the nationality of married women with the request to the Economic and Social Council to recommend it for adoption by the General Assembly. The

 $^{^{\}rm 2}$ This symbol number was subsequently changed to E/CN.6/ L.152.

text of this draft convention took into account comments by governments on the draft convention on nationality of married persons which had been circulated to Member States pursuant to the Commission's recommendations at its seventh session. The United Kingdom submitted an amendment (E/CN.6/L.123) adding a territorial application clause and a consequential addition to the reservations article. The United States draft resolution (E/CN.6/L.120) provided for an Economic and Social Council request to the Secretary-General to transmit to the International Law Commission the earlier draft convention on the nationality of married persons, together with the comments thereon received from governments and other documents; the draft resolution also contained a recommendation to governments on the nationality rights of married women and a request to the Secretary-General for a new edition of the publication on nationality of married women.

- In the course of the debate the draft convention on nationality of married persons, previously proposed by the Commission and referred to in the United States resolution was compared with the draft convention on nationality of married women contained in the Cuban draft resolution; some members expressed the opinion that the provisions of the latter retrogressed from the principle adopted at previous sessions that there should be no distinction based on sex regarding nationality. Several members, however, expressing their continued support of that position, nonetheless favoured the new draft; they pointed out that the revised version was drafted in the light of comments by several governments, and was intended to render the convention more widely acceptable particularly by States whose legislation or practice grants to an alien wife of a national the right to acquire her husband's nationality on request but does not extend this right to the alien husband of a While such legislation or practice makes a certain distinction based on sex, it nonetheless was considered by several members to be consistent with the Commission's most immediate concern, namely, to prevent the automatic loss by a woman of her nationality upon marriage to an alien or her automatic acquisition of her husband's nationality in the absence of her positive request.
- 29. The opinion was expressed that an insufficient number of comments had thus far been received from governments and that it might be advisable to postpone final consideration of the substance of a draft convention until more replies were received.
- 30. In considering the proposal to refer the matter back to the International Law Commission, many members recalled that at its fourth session the ILC had decided not to draft a convention on the nationality of married women incorporating the principles adopted by the Commission on the Status of Women at its fourth session; it was also noted that in its report of the fifth session (A/2456, para. 144) and in the two draft conventions of statelessness set forth therein, the ILC had taken no position on the effect of marriage on the nationality of the woman except where the automatic loss of her nationality results in statelessness.

- 31. Certain members felt that the nationality of children ought to be considered in connexion with the nationality of married women; however, since it had been decided that that aspect of the nationality problem was outside the terms of reference of the Commission it would have to be dealt with by a different organ of the United Nations; it was however the duty of the Commission on the Status of Women to deal with the urgent problem of nationality rights of married women. Some members expressed the opinion that nationality was a matter within the domestic jurisdiction of States.
- After considerable discussion, the two draft resolutions were revised. The Cuban draft as revised (E/CN.6/L.119/Rev.2) proposed that the draft convention on nationality of married women as contained in that resolution be circulated to governments for comments and that those Member States which had not previously commented on the earlier draft convention on married persons be urged to send their replies promptly. This was generally considered advisable since further replies provide a more adequate basis for the final drafting of a convention which would achieve the greatest degree of acceptance by States while retaining the essential principles sought to be effected. Since the revised Cuban draft resolution did not entail a decision on the substance of the draft convention, it was agreed that the United Kingdom amendment (E/CN.6/L.123) be attached as an annex; it was understood that the comparative merits of the two texts of the draft convention as well as the other substantive points raised, including those relating to the reservations article, would be considered together with the comments by governments at the next session when the Commission hoped to make a recommendation on a final text.
- 33. At its 159th meeting, after a separate vote on the first two considerations recommended to the Economic and Social Council, the Commission adopted the following resolution by a roll-call vote of 14 to none with 3 abstentions.

RESOLUTION

The Commission on the Status of Women,

Recalling its recommendation made at its seventh session to the Economic and Social Council that the Secretary-General be requested to circulate to governments of Member States, for their comments, the text of the draft convention on the nationality of married persons which the Commission had adopted,

Noting resolution 504 B (XVI), in which the Economic and Social Council accepted this recommendation and requested the Secretary-General to circulate this draft convention, the substance of which the Council had not considered, together with the records of the discussions held and the amendments submitted at the sixteenth session,

Having considered and noted the comments of governments on the text of the draft convention on the nationality of married persons adopted by it at its seventh session and their suggestions as to the changes which should be made in this text in order to make it acceptable to the largest possible number of States,

Recommends that the Economic and Social Council adopt the following resolution:

- " The Economic and Social Council,
- "Noting the recommendation of the Commission on the Status of Women at its eighth session that a convention on the nationality of married women be opened for signature and ratification or accession by interested States,
- "Considering that the time is appropriate for an international convention on the nationality of married women under the auspices of the United Nations designed to eliminate conflicts in law arising out of provisions on the loss or acquisition of nationality by women as a result of marriage, of its dissolution or of the change of nationality by the husband during marriage,

" T

"Requests the Secretary-General to circulate to the Governments of the States Members for their observations the following text of the Draft Convention on the Nationality of Married Women, with the request that they send their observations to the Secretary-General before 1 January 1955 in order that these may be laid before the Commission on the Status of Women for examination at its ninth session:

Draft Convention on the Nationality of Married Women The Contracting Parties,

Recognizing that conflicts in law and in practice with reference to nationality arise as a result of provisions concerning the loss or acquisition of nationality by women as a result of marriage, of its dissolution or of the change of nationality by the husband during marriage,

Recognizing that in article 15 of the Universal Declaration of Human Rights the General Assembly of the United Nations has proclaimed that "everyone has the right to a nationality", and that "no one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality",

Desiring to co-operate with the United Nations in promoting universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to sex.

Hereby agree as hereinafter provided:

Article 1

Each of the Contracting States agrees that neither the celebration or the dissolution of a marriage between one of its nationals and an alien nor the change of nationality by the husband during marriage shall automatically affect the nationality of the wife.

Article 2

Each of the Contracting States agrees that neither the voluntary acquisition of the nationality of another State nor the renunciation of its nationality by one of its nationals will affect the retention of its nationality by the wife of such national.

Article 3

Each of the Contracting States agrees that the alien wife of one of its nationals shall, subject to such limitations only as may be imposed by law in the interests of security and public policy, have the right to acquire its nationality at her request.

Article 4

Each of the Contracting States agrees that this Convention shall not be construed as affecting any existing legislation or practice which gives to the alien wife of one of its nationals the right to acquire the latter's nationality, either at her request or through privileged naturalization procedures.

Article 5

- 1. This Convention shall be open for signature on behalf of any Member of the United Nations and also on behalf of any other State to which an invitation has been directed by the General Assembly.
- 2. This Convention shall be ratified and the instruments of ratification shall be deposited with the Secretary-General of the United Nations.

Article 6

- 1. This Convention shall be open for accession to all States referred to in paragraph 1 of article 5.
- 2. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

Article 7

- 1. This Convention shall come into force on the ninetieth day following the date of deposit of the sixth instrument of ratification or accession.
- 2. For each State ratifying or acceding to the Convention after the deposit of the sixth instrument of ratification or accession, the Convention shall enter into force on the ninetieth day after deposit by such State of its instrument of ratification or accession.

Article 8

- 1. At the time of signature, ratification, or accession, any State may make reservations to any article of this Convention other than article(s)...
- 2. Any State making a reservation in accordance with paragraph 1 of this article may at any time withdraw the reservation by communication to this effect addressed to the Secretary-General of the United Nations.

Article 9

- 1. Any State may denounce this Convention by written notification to the Secretary-General of the United Nations. Denunciation shall take effect one year after the date of receipt of the notification by the Secretary-General.
- 2. This Convention shall cease to be in force as from the date when the denunciation which reduces the number of Parties to less than six becomes effective.

Article 10

Any dispute which may arise between any two or more Contracting States concerning the interpretation or application of this Convention, which is not settled by negotiation, shall at the request of any one of the Parties to the dispute be referred to the International Court of Justice for decision, unless they agree to another mode of settlement.

Article 11

The Secretary-General of the United Nations shall notify all Members of the United Nations and the non-member States contemplated in paragraph 1 of article 5 of this Convention of the following:

- (a) Signature and instruments of ratification received in accordance with article 5;
- (b) Instruments of accession received in accordance with article 6;
- (c) The date upon which this Convention enters into force in accordance with article 7;
- (d) Communications and notifications received in accordance with article 8;
- (e) Notifications of denunciation received in accordance with paragraph 1 of article 9;
 - (f) Abrogation in accordance with paragraph 2 of article 9.

Article 12

- 1. This Convention, of which the Chinese, English, French, Russian and Spanish texts shall be equally authentic, shall be deposited in the archives of the United Nations.
- 2. The Secretary-General of the United Nations shall transmit a certified copy to all Members of the United Nations and to the non-member States contemplated in paragraph 1 of article 5.

" II

"Urges States Members which have not yet sent their observations on the draft convention on the nationality of married women in accordance with resolution 504 B (XVI) to send these as early as possible in order that the Commission on the Status of Women may examine them at its ninth session."

Annex. - United Kingdom of Great Britain and Northern Ireland: amendments to the draft resolution presented by Cuba (E/CN.6/L.119)

1. New article

After article 7, insert new article:

- "Any State may at the time of its ratification or accession or thereafter declare by notification addressed to the Secretary-General that the present Convention shall extend to all or any of the territories for whose international relations it is responsible."
 - 2. Present article 8

Add new paragraph 3:

- "3. At the time of notification of a declaration under article... a State may make reservations so far as concerns the territory to which the declaration refers to any article of this Convention except article(s)...".
- 34. The revised United States draft resolution (E/CN.6/L.120/Rev.1) omitted reference to the International Law Commission. Its proposed recommendation to governments on the nationality rights of married women was supported by most members as possibly helpful to countries revising their nationality legislation; some members noted with satisfaction that the Secretary-General's memorandum on nationality (E/CN.6/206/Add.1-4) indicated a considerable number of recently revised nationality laws. The Commission heard a statement on the financial implications of the proposed new edition of the publication on nationality of married women.
- 35. At the 159th meeting the Commission adopted, by 16 to none with 1 abstention, after a separate vote on each paragraph, the following draft resolution:

RESOLUTION

The Commission on the Status of Women,

Recalling its belief in the principles on the nationality of married women adopted by the Commission on the Status of Women at its fourth session, namely,

- "1. There shall be no distinction based on sex as regards nationality, in legislation or in practice;
- "2. Neither marriage no: its dissolution shall affect the nationality of either spouse",

Noting that a considerable number of States have revised their legislation in order to permit a woman to retain her own nationality on marriage to an alien and to prevent her from automatically acquiring her husband's nationality;

Recommends the following resolution for adoption by the Economic and Social Council:

- "The Economic and Social Council,
- "Believing that a recommendation regarding the nationality of married women, based on the principle of equality and the experience of governments in giving it effect in relation to nationality, will be useful to States contemplating changes in their legislation;
- "Recommends to governments that they take action, as necessary, to ensure that a woman have the same right as a man to retain her nationality on marriage to a person of different nationality, and further, in order to give the principle of equality full effect, that an alien wife shall acquire the nationality of her husband only as the result of her positive request, and not as the result of her failure to object to such change at the time of her marriage or her failure to make a declaration that she desires to retain her own nationality;
- "Requests the Secretary-General to continue the collection of information on recent changes in legislation and to arrange promptly for a new edition, with revisions to date, of the sales publication on the Nationality of Married Women (United Nations publication, sales No. 1950.IV.12)."

CHAPTER V

Equal pay for equal work

- 36. The Commission considered this item of its agenda at its 155th, 156th, 157th and 158th meetings. The Commission had before it a report prepared by the International Labour Office (E/CN.6/231) on the application of the International Labour Convention (No. 100) and Recommendation (No. 90) concerning Equal Remuneration for Men and Women Workers for Work of Equal Value.
- The Commission heard the representative of the International Labour Office, who reported on the action taken by the States Members of the International Labour Organisation on Convention No. 100 and Recommendation No. 90 in accordance with Article 19 of the Constitution of the ILO. She stated that the ILO would continue to report to the Commission on measures taken in Member States to further the application of the equal remuneration principle, and suggested that the Commission on the Status of Women and the non-governmental organizations were the most effective organs to bring about implementation and further ratifications of Convention No. 100. She emphasized that the International Labour Organisation has a particular interest in the improvement of the status of women through the improvement of their working conditions. She further noted that the ILO would continue to co-operate with the Commission to achieve this end and that its services were available to assist the Commission and the nongovernmental organizations in their endeavours. representative of the ILO noted that Convention No. 100 and Recommendation No. 90 were the only inclusive international instruments existing on this subject.
- 38. The consensus of opinion in the Commission was that although the Convention had come into force on 23 May 1953, it had as of 1 December 1953 been

ratified by only six countries (Austria, Belgium, the Dominican Republic, France, Mexico and Yugoslavia), and that much remained to be done before the principle of equal pay could be said to be fully implemented. All members participating in the debate emphasized the importance of the continued need for informed public opinion on this subject. During the course of the debate, several members of the Commission reported on the action taken by their governments to promote the principle of equal pay for equal work, and expressed satisfaction with the continuing progress as reported to the Commission. One member of the Commission noted that there remained a common misconception that men were entitled to higher wages because of their family responsibilities, but that in fact most women worked outside the home from economic necessity, and that marital status was not the sole criterion for family responsibility. It was emphasized by several members that lower wages paid to women presented unfair competition to men wage-earners, and that pay rates based on the job irrespective of sex ensured greater employment security to both men and women, and were beneficial to the economy as a whole through the maintenance of purchasing power at higher and consistent levels. One member pointed out that too few countries had ratified Convention No. 100, and that the ratifying countries were penalized in economic competition by the delay of those countries which had not so far implemented the principle of equal pay for equal work. Several members emphasized the importance of encouraging women to participate in trade unions so as to be in a better position to fight for equal pay for equal work.

- 39. Some members of the Commission felt that the Convention was inadequate in that it failed to make the implementation of equal pay obligatory in ratifying States, and did not set a definite time limit for the carrying out of its provisions; further the scope of the Convention did not specifically include Trust and Non-Self-Governing Territories nor did it cover such matters as social security, maternity and child care and other essential principles. It was stressed that, notwithstanding these shortcomings, this convention had been ratified by very few States and that discrimination in wages and salaries still continued to exist in wide areas. These members stressed the importance of again asking the Economic and Social Council to recommend to member States to take the necessary legislative measures to implement the principle of equal pay for equal work.
- 40. The Commission heard statements by the representatives of the Inter-American Commission of Women, the International Confederation of Free Trade Unions, the International Federation of Business and Professional Women, the Women's International Democratic Federation, the World Federation of Trade Unions, and the World Union of Catholic Women's Organizations.
- 41. The Commission had before it two draft resolutions, proposed respectively by the representative of the Byelorussian Soviet Socialist Republic (E/CN.6 L.125) and by the representatives of Sweden and the States of America (E/CN.6/L.126/Rev.1).
- 42. At the 158th meeting, the representatives of France and of the Dominican Republic proposed verbal amend-

ments to draft resolution E/CN.6/L.125 which were accepted by the sponsor of the resolution. The Commission voted separately on the two paragraphs of the operative part of the draft resolution, both of which were adopted, the first by a roll-call vote. The Commission then adopted the following resolution by 13 votes in favour, 3 against and 2 abstentions.

RESOLUTION

The Commission on the Status of Women,

Recalling its previous resolutions on the question of equal pay which were approved by the Economic and Social Council,

Requests the Economic and Social Council to adopt the following resolution:

- "The Economic and Social Council,
- "Recognizing the importance of carrying into effect without delay the principle of equal pay for equal work for men and women workers;
- "Observing that in many countries the appropriate legislative and other action for carrying that principle into effect has not yet been taken;
- "1. Recommends that all States, both Members and non-members of the United Nations, which have not as yet done so take legislative and other action to establish and carry into effect the principle of equal pay for equal work for all classes of men and women wage-earners;
- "2. Recommends that all States encourage the activities of governmental and non-governmental organizations the purpose of which is to carry into effect the principle of equal pay for equal work for men and women workers everywhere, including the Trust and Non-Self-Governing Territories."
- 43. At its 158th meeting the Commission also considered draft resolution E/CN.6/L.126/Rev.1, and after adopting the operative part of the resolution by a paragraph-by-paragraph vote, adopted the following resolution by 14 votes in favour, none against and 4 abstentions.

RESOLUTION

The Commission on the Status of Women,

Noting the progress toward implementation of the principle of equal pay for men and women for work of equal value that is being made in the various countries through application of the ILO Convention and Recommendation on equal pay, and through legislative enactments, collective bargaining agreements and voluntary employer practices,

Expressing appreciation of the valuable information reported annually by the ILO on the progress of equal pay, and looking forward to a continuation of such reports,

Recognizing the importance of obtaining widespread public support for the equal pay principle as a means for obtaining increased adoption of equal pay practices,

Believing that both governments and non-governmental organizations have need for additional information as to practical steps that can be taken in putting the equal pay principle into effect,

- 1. Reaffirms its support for the equal pay principle as a basic economic policy designed to bring justice to women workers, to safeguard fair wage standards for both men and women workers, and to help maintain basic purchasing power;
- 2. Commends the non-governmental organizations for their constructive efforts, in many countries, to promote increased public acceptance of the equal pay principle and to secure its implementation through voluntary action and through enactment of appropriate legislation;
- 3. Recommends that further attention be given in each country to the development of appropriate measures by which the principle of equal pay for men and women for work of equal value can be given practical effect;
- 4. Requests the Secretary-General to obtain from non-governmental organizations and other appropriate sources information on methods which have been found useful in the various countries in creating a favourable climate of public opinion on the need for equal pay for equal work for men and women;
- 5. Requests the Secretary-General to prepare a report based on such information and to continue, in collaboration with the International Labour Office, to submit reports on the implementation of the Convention and Recommendation on Equal Pay for discussion by the Commission.

CHAPTER VI

Economic opportunities for women

- 44. The Commission discussed item 5 of its agenda at its 159th, 160th, 161st, 162nd and 163rd meetings. The Commission had before it the reports of the Secretary-General on older women workers (E/CN.6/251) and on part-time work for women (E/CN.6/236) and a selected bibliography on part-time work for women prepared by the Secretary-General (E/CN.6/245); the Commission also had before it a report prepared by the International Labour Office on part-time employment (E/CN.6/238). During the course of the debate it was decided that the two sub-items on older women workers and on part-time work for women would be discussed simultaneously.
- 45. The Commission heard a statement by the representative of the International Labour Office, who drew the attention of the Commission to the statement made by the representative of that organization at the previous session on the subject of older women workers and stated that a report on this subject would be presented to the Commission at its ninth session on the findings of the ILO Advisory Committee on Salaried Employees and Professional Workers which will meet in May 1954.
- 46. In her statement on the subject of part-time work the representative of the ILO noted the necessity of distinguishing part-time employment accepted voluntarily by the worker from short-time employment, and pointed out that industrialized countries faced different problems in this regard than under-developed countries whose economies might sometimes be characterized by under-employment. She also emphasized

- that most women sought part-time employment through economic necessity, and that part-time employment suited the needs of mothers of young children, older women workers and those who suffer from physical limitations; she noted that the conditions of work of both men and women part-time workers were more susceptible to discriminatory treatment by employers than those of full-time workers. She stated that the ILO was prepared to continue its studies of part-time employment and requested the Commission to make concrete suggestions regarding these studies.
- 47. During the course of the general debate, several members of the Commission stressed the importance of the contribution which could be made by older women workers and by part-time workers to the economies of their countries, and considered that the general problems presented by these questions were stated in the documentation prepared for the Commission. Several members of the Commission participating in the debate reported on action taken in their own countries to meet the difficulties presented by these problems.
- Members of the Commission speaking particularly on the subject of older women workers emphasized the valuable experience and the devotion and maturity which characterized the work of older women, and the psychological and economic advantages of making creative full-time or part-time work, commensurable with their capacities, available to older women. It was noted that unreasonable hiring policies restricted the opportunities of older women and that such women faced added psychological difficulties when entering the labour market for the first time or after a prolonged absence. Some members stressed the need for vocational training refresher courses and placement services for older women seeking employment. The Commission felt that further study of the problem confronting older women and of courses of action designed to meet these problems was a matter for urgent consideration.
- 49. In remarks directed to the subject of part-time employment, members of the Commission emphasized the necessary distinction between voluntary part-time employment and short-time employment arising from adverse economic conditions. Several members stressed the difficulties inherent in uncontrolled part-time employment and especially the possible danger of relegating all women workers to that type of employment; they emphasized the need for assuring part-time workers the same benefits and protective measures enjoyed by full-time workers. One member pointed out that women did not seek protective measures for themselves, but rather equality with men in opportunities for work and in conditions of employment.
- 50. Other members participating in the debate noted the advantages of part-time work in permitting women with family responsibilities, older women and students, to make use of their skills and to gain additional income. One member pointed out that income from part-time work should not necessarily be regarded as supplementary to the main source of family income, and that part-time work should be regarded on its own merits. Several members noted the importance of lessening the burden of housekeeping duties and of

improving household equipment and facilities, particularly in under-developed countries, as well as the need for adequate child care facilities. Some members stressed the contributions which could be made to the economies of under-developed countries by the development of cottage industries and handicrafts, and pointed out that the encouragement of these part-time occupations would contribute to improving the over-all status of women.

- 51. The Commission heard statements by representatives of the Inter-American Commission of Women, the International Federation of Business and Professional Women, the International Federation of Christian Trade Unions, the International Federation of Friends of Young Women, the International Federation of University Women and the World Union of Catholic Women's Organizations.
- The Commission had before it a draft resolution on part-time work for women proposed by the representatives of Pakistan and Sweden (E/CN.6/L.127); a draft resolution on economic opportunities proposed by the representative of the United Kingdom (E/CN.6/ L.128) was withdrawn and a new resolution was proposed by the same sponsor (E/CN.6/L.130). Consideration of a draft resolution sponsored by the representative of Haiti (E/CN.6/L.129) was deferred at the request of the sponsor for consideration under item 11 of the The Commission referred draft resolutions agenda. E/CN.6/L.127 and E/CN.6/L.130 to the Ad Hoc Committee on Resolutions; the Committee recommended to the Commission a text incorporating the substance of both draft resolutions (E/CN.6/L.131).
- 53. At its 163rd meeting the Commission considered the draft resolution recommended by the Committee and after adopting the first paragraph of the preamble by a separate vote, adopted the following resolution by 16 votes to none with one abstention.

RESOLUTION

The Commission on the Status of Women,

Noting with appreciation the reports prepared by the Secretary-General and the work which the International Labour Office is doing in the field of employment of older women and of part-time employment for women,

Considering that both the employment, full-time and part-time, of older women workers, and the part-time employment of those with family or other ties which prevent them from engaging in full-time employment, are matters of particular interest from the social and economic point of view,

Considering that the determination of standards for the conditions of work and employment of part-time workers and older workers within the framework established for all workers requires careful study,

Requests the Secretary-General in collaboration with the International Labour Office to:

(i) Continue the study of the economic and social factors affecting, and the ways and means of promoting, full and satisfactory employment for older workers and those seeking part-time

- employment with a view to making recommendations for practical action;
- (ii) Transmit to the Commission on the Status of Women the information requested by the Commission at its seventh session on the work of women in cottage industries and handicrafts and in seasonal agricultural work particularly in the economically under-developed countries of the world;

Suggests that studies could usefully be directed upon, inter alia:

- (i) The scope and nature of employment available to part-time workers and to older women workers;
- (ii) Conditions of employment for part-time workers and for older women workers;
- (iii) Extent of the demand for part-time work (a) by women workers and (b) by employers;
- (iv) The possibility of providing further education in work which can be termed "cottage industries";
- (v) The marketing possibilities for the products of "cottage industries";
- (vi) Information on the technical assistance being provided and the future prospects for technical assistance in this field;

Requests the Secretary-General to transmit to the International Labour Office with this resolution the records of the Commission's debate.

CHAPTER VII

Status of women in private law

- The Commission considered item 7 of its agenda at its 163rd, 164th, 165th, 166th, 167th, and 168th meetings. It had before it in connexion with family law, sub-item (a), three addenda to previous reports by the Secretary-General compiling information supplied by governments on the status of women in family law (E/CN.6/185/Add.11-13), a report by the Secretary-General on domicile and residence of married women (E/CN.6/229), and a report by the Secretary-General on parental rights and duties (E/CN.6/230); in connexion with property rights of women, sub-item (b), it considered a supplementary report of the Secretary-General on property rights of women (E/CN.6/208/Add.1), a report by the Secretary-General on the right of women to engage in independent work (E/CN.6/228) and a report on matrimonial régimes (E/CN.6/233); in connexion with sub-item (c), the Commission had before it a note by the Secretary-General (E/CN.6/234) on the additional article in the draft covenant on political and civil rights (ECOSOC resolution 504 C (XVI)). The Commission also considered certain information on private law contained in reports dealing with the status of women in Trust and in Non-Self-Governing Territories (E/CN.6/ 235 and E/CN.6/237).
- 55. The Commission combined consideration of all three sub-items in a general discussion of the status of women in private law; statements were made by representatives of the International Council of Women, the International Federation of Business and Professional Women, the International Federation of University

Women, the International Federation of Women Lawyers, the Nouvelles équipes internationales, the World Union of Catholic Women's Organizations, and the World Union of Progressive Judaism.

- 56. Several members expressed the opinion that the documentation by the Secretary-General on the status of women in various aspects of private law was of considerable value and ought to be supplemented and broadened to cover more legal systems.
- 57. The following resolution, submitted by the Dominican Republic and France (E/CN.6/L.132), was adopted unanimously by the Commission at its 165th meeting.

RESOLUTION

The Commission on the Status of Women,

Noting the valuable comparative reports on the status of women in family law and property rights prepared by the Secretary-General on the basis of replies of governments to parts II and III of the questionnaire on the legal status and treatment of women,

Noting that these reports do not contain information concerning all Member States of the United Nations and that only twenty-two governments have replied to part II (property rights) and twenty-seven to part III (family law) of the questionnaire,

Believing that in order to give a complete picture the reports should be extended to cover all Member States as well as such non-member States for which information can be obtained by the Secretariat from authoritative sources.

Recommends that the Economic and Social Council adopt the following resolution:

- "The Economic and Social Council,
- "Noting that the reports of the Secretary-General on family law and property rights do not include information concerning all States, whether or not Members of the United Nations,
- "1. Invites governments of Member States which have not replied to part II or III or both of the questionnaire on the legal status and treatment of women to furnish replies by 1 November 1954,
- "2. Requests the Secretary-General to provide the Commission on the Status of Women at its future sessions with supplementary reports on the various aspects of the status of women in family law and property rights, based on new replies of governments, supplementing this information from other sources necessary to ensure a complete picture."
- 58. Consideration of property and family rights of women was deemed by several members to be a most useful approach to the Commission's work since women's status in their relationships as wives and mothers was of prime significance to most women of the world.
- 59. Several members stated that the achievement of political and economic rights by women would be hampered as long as women were treated in law as incompetent persons incapable of handling property or of performing a variety of legal acts, and relegated to a subordinate position with respect to family rights.

Many members felt that the elimination of such inequalities would be favourable not only to women but also to family relationships themselves.

- 60. A number of members observed that the discriminations against women with respect to family law and property rights reflected a great variety of legal systems and religious and social customs and practices. Some considered it necessary that the Commission make a recommendation on the principle of equal rights in marriage in sufficiently general terms to be applicable to a variety of legal systems as well as other recommendations directed at particular discriminatory laws and practices.
- 61. In this connexion the opinion was expressed that the Commission ought to recommend again that an article on equal rights of men and women on marriage, during marriage and at its dissolution, be included in the draft covenant on civil and political rights. The Commission heard a report by Mme Marie-Hélène Lefaucheux, the representative of France, who represented it at the ninth session of the Commission on Human Rights, on the action taken on the recommendation by the Commission on the Status of Women that article 16 of the Declaration of Human Rights be embodied in the Covenant on Civil and Political Rights; she reported on the discussion at the ninth session of the Commission on Human Rights which ended with the decision to adopt as paragraph 4 of article 22 of the draft Covenant, a provision for States to "direct their legislation toward" the equality contemplated in article 16 of the Declaration of Human Rights. The Commission was also informed of the discussion (E/CN.4/SR.429) and decision (E/CN.4/ L.335) by the Commission on Human Rights at its current tenth session on article 49 of the Draft Covenant in which specific reference is made to reporting by States on factors affecting the progressive implementation of article 22. The Commission had before it a draft resolution, submitted by Sweden and Yugoslavia (E/CN.6/ L.138) requesting the Economic and Social Council to amend article 22 of the draft covenant adopted by the Commission on Human Rights. Certain members felt that although article 22 of the draft covenant did not conform entirely with the recommendation by the Commission on the Status of Women, it was nonetheless a step in the right direction; and that since equality would involve considerable legislative changes in some countries, and in others might run counter to religious mores, more mandatory language than that contained in paragraph 4 of article 22 might unduly delay States in becoming parties to the Covenant, and, in the opinion of one member would be incompatible with article 18 guaranteeing freedom of religion. The majority, however, felt that the Commission on the Status of Women ought to recommend that equality of rights between men and women in the family be put on the same legal footing as other human rights dealt with in the Covenant, and considered the mere moral obligation provided for in article 22 to "direct legislation toward" such equality to be inadequate.
- 62. After expressing appreciation to its representative at the ninth session of the Human Rights Commission, the Commission, at its 168th meeting, adopted the following resolution by 15 votes to 2 with 1 abstention.

RESOLUTION

The Commission on the Status of Women,

Recalling that, at its seventh session, it had recommended that the Economic and Social Council request the Commission on Human Rights to include in the covenant on civil and political rights article 16 of the Universal Declaration of Human Rights,

Noting that the Commission on Human Rights, at its ninth session, considered this proposal, and that it adopted an article on the right to marry and found a family and the equality of rights of spouses for inclusion as article 22 of the draft covenant on civil and political rights,

Noting further that the Economic and Social Council at its sixteenth session suggested to the Commission on the Status of Women that it reconsider its recommendation in the light of these provisions.

Considering that article 22, paragraph 4 of the draft Covenant on Civil and Political Rights states that "the legislation of the States Parties to this Covenant shall be directed towards equality of rights and responsibilities for the spouses as to marriage, during marriage and at its dissolution"; that this provision does not embody the principle of equality to which the spouses would be entitled under article 16 of the Universal Declaration of Human Rights, as adopted by the General Assembly of the United Nations,

Recommends that the Economic and Social Council adopt the following resolution:

- "The Economic and Social Council,
- "Considering that article 22, paragraph 4, of the draft Covenant on Civil and Political Rights does not provide for equality of spouses but merely for the legislation of States Parties to be directed towards such equality,
- "Believing that this provision does not embody the substance of article 16, paragraph 1, of the Universal Declaration of Human Rights according to which spouses 'are entitled to equal rights as to marriage, during marriage and at its dissolution',
- " Decides to substitute for the first sentence of paragraph 4 of article 22 of the draft Covenant on Civil and Political Rights the following:
- "' Men and women shall have equal rights and responsibilities as to marriage, during marriage and at its dissolution'."
- 63. The Commission had before it draft resolution E/CN.6/L.136 submitted by France and Lebanon by which the Commission would request the Economic and Social Council to recommend that Member States ensure equality as between parents in the exercise of rights and duties with respect to their children. A draft resolution (E/CN.6/L.137) was also submitted by France and Sweden concerning the problem of legal domicile of married women by which the Economic and Social Council would be requested to recommend that governments take measures to ensure the right of a married woman to have an independent legal domicile. General agreement with the principles embodied in these texts was expressed by several members of the Commission. It was agreed, however, that the detailed consideration

and the voting of these two proposals would be deferred until the next session, at which time it was expected that information covering a greater number of countries would be available to the Commission.

- The Commission had before it a draft resolution concerning the family status of women in certain areas, including Trust and Non-Self-Governing Territories, submitted by Haiti and Iran (E/CN.6/L.134) which was withdrawn by its sponsors in favour of a revised text (E/CN.6/L.134/Rev.1) which incorporated oral amendments made by the representative of Yugoslavia. The opinion was expressed that various customs, laws and practices enumerated in the draft resolution were severe handicaps to the achievement of basic rights for women. One member pointed out that several of the problems dealt with in the draft were being considered by the Economic and Social Council in connexion with slavery. Several members mentioned the particular problem of governments, whether as administering authorities of dependent territories, or as central governments of sovereign States, where personal status was determined by religious law; in such countries very often there was no civil legislation which discriminated against women although there were discriminations under the customary or religious law applicable in certain communities. An amendment orally proposed by the representative of France to insert the word "ancient" before the word "laws" wherever it appeared in the resolution was accepted by the sponsors. An oral proposal by the representatives of the United States and the United Kingdom that the last two paragraphs of the draft resolution be amended so as to conform with the preamble and by including other areas along with Trust and Non-Self-Governing Territories, was also accepted by the sponsors. An oral proposal by the representative of the United States of America to delete the word "all" before the word "marriage" in the penultimate paragraph was put to the vote and defeated by 2 in favour, six against with 5 abstentions.
- 65. At its 167th meeting the Commission adopted the following resolution by 14 votes to one with 3 abstentions.

RESOLUTION

The Commission on the Status of Women,

Having considered information on the status of women in many areas of the world including certain Trust and Non-Self-Governing Territories, and

Believing that certain practices, ancient laws and customs relating to marriage and the family are basic impediments to the attainment by women of their basic rights as contemplated in the United Nations Charter and in the Universal Declaration of Human Rights,

Recommends that the Economic and Social Council adopt the following resolution:

- "The Economic and Social Council,
- "Considering that there are areas of the world, including certain Trust and Non-Self-Governing Territories, where women are subject to customs, ancient laws and practices respecting marriage and the family which are inconsistent with the principles set forth in the United Nations Charter and the Universal Declaration of Human Rights, and

- "Believing that the elimination of such customs, ancient laws and practices would tend to the recognition of the human dignity of womer and contribute to the benefit of the family as an institution,
- Requests the General Assembly and the Trusteeship Council, as appropriate, in collaboration with States including States administering Trust and Non-Self-Governing Territories where such customs, ancient laws and practices exist to take all appropriate measures to ensure complete freedom in the choice of a spouse; to abolish the practice of the bride-price; to guarantee the right of widows to the custody of their children and their freedom as to remarriage; to eliminate completely child marriages and the betrothal of young girls before the age of puberty, establishing appropriate penalties where necessary; to establish a civil register in which all marriages and divorces will be recorded; to ensure that all cases involving personal rights be tried before a duly appointed magistrate; to ensure also that family allowances, where these are provided, be administered in such a way as to benefit directly the wife and children,
- "2. Recommends that special efforts be made through fundamental education, both private and public schools, and various media of communications to inform public opinion in all areas mentioned in paragraph 1 above including Trust and Non-Self-Governing Territories concerning the Universal Declaration of Human Rights and existing decrees and legislation which affect the status of women."
- The Commission had before it a draft resolution concerning matrimonial regimes submitted by Cuba, France, Venezuela and Yugoslavia (E/CN.6/L.133). Some members felt that a recommendation on a specific system of property relations between spouses was premature. Most members, however, favoured a recommendation on statutory matrimonial regimes which would remove restrictions on married women's rights over property, whether her own separate property or community property, and which would also provide a wife with the financial protection necessitated by the fact that a great number of women, during marriage, contributed to family resources by unpaid work in the home. It was noted that in most countries where the community property regime was statutory, married women did not have administration rights respecting community property and in several such systems could not administer even their own separate property. The draft resolution (E/CN.6/L.133) was referred to the Resolutions Committee where it was revised (E/CN.6/ L.133/Rev.1).
- 67. At its 167th meeting, the Commission adopted the following resolution as recommended by the Committee on Resolutions by 15 voices to 2 with 1 abstention.

RESOLUTION

The Commission on the Status of Women,

Noting that it appears from the report prepared by the Secretary-General that the legal systems of many countries provide for a statutory matrimonial regime which governs the property relations of spouses except where a specific marriage contract is entered into by the

parties; that in many of these countries the statutory matrimonial regime is that of community property which gives to the wife either no rights or limited rights over common property and over her own property; that in other countries the statutory regime is that of separate property which, at the dissolution of marriage, does not entitle the wife to share in the property acquired during marriage either by common efforts or by the husband as a result partly of the wife's work and savings,

Considering that, in order to ensure fair and equal property rights of spouses during marriage and at its dissolution, the statutory matrimonial regime should provide either for the separate ownership of property during marriage or the pooling of such property as is acquired by either spouse during marriage, this common property being administered jointly and in either case at the dissolution of marriage, for equal distribution of property acquired during marriage by both spouses,

Recommends that the Economic and Social Council should adopt the following resolution:

- "The Economic and Social Council,
- "Considering that the equality of rights of spouses during marriage and at its dissolution has been proclaimed in the Universal Declaration of Human Rights,
- "Believing that the statutory matrimonial regimes in many countries are incompatible with this principle, some of them depriving the wife during marriage of her rights over community property and over her own property and others depriving her at the dissolution of marriage of her share in property in the acquisition of which she has participated either directly or indirectly,
- "Recommends that Member States should take all necessary steps to eliminate such discriminatory provisions from their legislation and draws their attention to the desirability of a statutory matrimonial regime which would provide for the separation of the property belonging to the spouses at the time of marriage and either for the separation of property acquired during marriage or for common ownership of property acquired by both spouses during marriage, such community property to be administered jointly by the spouses; and in either case, on dissolution of marriage, property acquired during marriage would be divided equally between them or their heirs."
- 68. The Commission had before it a draft resolution submitted by France and Haiti concerning the right of married women to undertake independent work (E/CN.6/L.135). Several members observed that restrictions on this right had been removed in a great number of countries.
- 69. At its 167th meeting the Commission adopted the following resolution by 15 votes to none with 2 abstentions.

RESOLUTION

The Commission on the Status of Women,

Noting the discrimination against women apparent in the report on the Right of Married Women to engage in independent work prepared by the Secretary-General,

Recommends that the Economic and Social Council adopt the following resolution:

- " The Economic and Social Council,
- "Noting that in the legal systems of many countries the husband has the power to prevent his wife from engaging in independent work and that in some he has control over her earnings,
- "Believing that this limitation of the legal capacity and of the property rights of married women is incompatible with the principle of equality of spouses during marriage as proclaimed in the Universal Declaration of Human Rights,
- "Recommends that governments take all necessary measures to ensure the right of a married woman to undertake independent work, to carry it on and to administer and dispose of her earnings without the necessity of securing her husband's authorization."

CHAPTER VIII

Educational opportunities for women

- 70. The Commission discussed item 8 of its agenda at its 167th, 168th, 169th, and 172nd meetings. The Commission had before it a progress report prepared by UNESCO on access of women to education (E/CN.6/250), and a note prepared by the International Labour Office on access of women to apprenticeship (E/CN.6/240).
- The Commission heard the representative of UNESCO, who stressed the fact that in the UNESCO report now before the Commission, emphasis had been placed on the problem of illiteracy among women, and on that of primary education for girls including primary teacher training; she indicated that reports for forthcoming sessions would stress secondary and vocational education for girls and opportunities for higher education. The representative of UNESCO stated that the material contained in the report was based on information forwarded by governments to UNESCO and to the International Bureau of Education, and that the information on UNESCO's own programme should be evaluated in conjunction with information on UNESCO activities in document E/CN.6/242 which was before the Commission in connexion with agenda item 9. She also noted that in view of the lack of adequate material available to UNESCO, it had not been possible to present the report requested by the Commission at its seventh session on the number of national scholarships and fellowships granted to men and women students.
- 72. The Commission heard a statement by the representative of the International Labour Office, who stated that the Governing Body of the International Labour Office had approved at its 124th session in February-March 1954 a general plan for comprehensive study of the general problem of the access of women and girls to apprenticeship in certain trades. She stated that the ILO hoped to be in a position to present a report on this subject to the Commission on the Status of Women in the near future, if possible for the Commission's ninth session.
- 73. During the course of the debate, several members emphasized the vital importance of education in preparing

women to fulfil their responsibilities in society, and one member commented that the progress of nations could be measured by the progress made by their women citizens in attaining education. All members stressed the importance of assuring equal educational opportunities for girls, and several noted the need for teachers in general and especially for more women teachers, as well as for an increase in the numbers of fellowships and scholarships granted to women. Several members emphasized the importance of fundamental education for women and of anti-illiteracy campaigns, particularly in the under-developed areas of the world. Some members expressed appreciation of the UNESCO report, while others pointed out that some of the statistics presented in this report were out-dated and did not correspond to facts. One member, moreover, strongly criticized this fact as it affected her country. It was noted by several members that although some improvements in the situation were apparent in the report, much nevertheless remained to be done in the field of women's education. Several members stressed the need for free Another member noted and compulsory education. that in cases of financial stringency, parents often gave preference to boys over girls in the matter of education.

- 74. The Commission heard statements by representatives of the Inter-American Commission of Women, the International Alliance of Women, the International Federation of Business and Professional Women, the International Federation of University Women and the Women's International Democratic Federation.
- 75. The Commission had before it a draft resolution proposed jointly by the representatives of Burma, Chile, Haiti, Iran, Pakistan, United States of America and Venzuela (E/CN.6/L.139); this resolution was later withdrawn by its sponsors in favour of an amended version which also incorporated an amendment proposed by the representative of the United Kingdom (E/CN.6/L.139/Rev.1). The Commission also had before it a draft resolution presented by the representative of the Union of Soviet Socialist Republics (E/CN.6/L.141). The Commission referred these two draft resolutions to the Ad Hoc Committee on Resolutions.
- 76. The Ad Hoc Committee on Resolutions recommended to the Commission a resolution incorporating the substance of the two draft resolutions (E/CN.6/L.145). At its 172nd meeting, the Commission adopted the following resolution by 17 votes to none with one abstention.

RESOLUTION

The Commission on the Status of Women,

Recalling article 26 of the Universal Declaration of Human Rights,

Believing that equal educational opportunities for girls and boys are essential in equipping women for all their personal and civic responsibilities in life,

Having noted the report of UNESCO on the Access of Women to Education (E/CN.6/250) and also the memorandum of the Secretary-General on the Education of Girls (A/AC.35/L.133), prepared for the Committee on Information from Non-Self-Governing Territories,

Noting that the Sub-Commission on the Prevention of Discrimination and Protection of Minorities plans to study discrimination in education, and that it is informed of the extensive studies of the Commission on the Status of Women, and of the priority given by it to this problem,

Expresses its appreciation of the continuing interest of UNESCO in promoting equal educational opportunities for women:

Invites the co-operation of non-governmental organizations in relation to the education of women in the various countries;

Requests the Economic and Social Council to adopt the following resolution:

- "The Economic and Social Council,
- "Considering that in many countries there exist serious defects with respect to educational facilities for women, that in such countries women have a lower level of education than men and that there is discrimination against women as regards access to education, especially vocational and technical education, and that in some countries women have virtually no access to education,
- "Recognizing that in some areas fewer girls than boys attend school, and for a shorter time, and that in such areas special measures are needed to encourage increased school attendance by girls and also to provide more extensive opportunities for fundamental education of women,
- "Noting that the lack of compulsory and free education in primary schools is one of the important reasons for the non-attendance of girls in such schools,
- "Noting that orientation and vocational courses are seldom provided in primary education, and that the possibility of such training is often a factor in persuading parents to send their children to school,
- "Noting also that a shortage of teaching personnel is frequently among the problems faced by authorities seeking to expand school facilities for girls, and that in many parts of the world women have demonstrated competence as teachers,
- "1. Recommends that States, both Members and non-members of the United Nations should:
- "(a) Take the necessary steps to ensure that women have equal access with men to all types of education, without any of the distinctions mentioned in article 2 of the Universal Declaration of Human Rights;
- "(b) Enact the necessary laws and regulations to eliminate all forms of discrimination against women in education and to ensure access for women to all types of education, including vocational and technical education, and equal opportunities to obtain state scholarships for education in any field and in preparation for all careers;
- "(c) Take the necessary measures to institute free compulsory primary education and take full advantage of the facilities and resources of UNESCO in developing additional educational opportunities for girls and women, as needed;

- "2. Invites the Secretary-General in collaboration with the Director-General of UNESCO to provide studies of methods used:
- "(a) To increase school attendance by girls, including vocational education, and
- "(b) To encourage the use of women, including married women, as teachers in areas where it has not been customary to employ them in schools;
- "3. Expresses the hope that UNESCO, in allocating scholarships and fellowships, will continue to give appropriate attention to the need for additional women leaders in the field of education, particularly fundamental education."

CHAPTER IX

Technical assistance programmes in relation to the status of women

- 77. The Commission discussed Item 9 of its agenda at its 170th, 171st and 172nd meetings; it had before it a progress report by the Secretary-General on technical assistance programmes in relation to the status of women (E/CN.6/189/Add.2) and a report by the Secretary-General on fellowships and other assistance available to governments through the United Nations and the specialized agencies for the training of persons interested in improving the status of women (E/CN.6/242).
- 78. It was noted that, as a result of the recommendation of the Commission at its seventh session and the consequent action by the Economic and Social Council and the General Assembly, there now existed a programme of assistance to States in promoting and safeguarding the rights of women; and that this programme was an addition to those programmes which had been in operation for several years and which were designed primarily to raise living standards and increase productivity.
- 79. The opinion was expressed that women were deriving considerable benefit from these earlier programmes both through the resultant higher living standards as well as by the inspiration of women participating as experts or consultants.
- 80. Many members felt that the new programme was of special interest to the Commission since aid could now be received to promote such objectives as elimination of discriminatory legislation, equal political rights, and other matters. It was stressed that the usefulness of all assistance programmes depended in the first instance on requests by governments. Some members indicated the nature of requests which they considered could appropriately be met under the new programme, making use of members of the Secretariat. Advice based on a survey of the particular legal situation in a country with respect to women's rights was mentioned as likely to be more adequate than a mere exchange of documentation. It was suggested that experts could be of assistance in organizing, in a country or on a regional basis, seminar or training conferences on education for the exercise of political rights and civic responsibilities.

- 81. There was general agreement that non-governmental organizations as well as governments ought to be fully apprised of the new programme so that they might give consideration to the situation of women in their countries in the light of the assistance available from the United Nations. In this connexion, a joint draft resolution was submitted by Iran, Pakistan and the United States of America (E/CN.6/L.144).
- 82. The Commission heard a statement by the representative of the International Alliance of Women.
- 83. The following resolution was unanimously adopted at the 172nd meeting of the Commission:

RESOLUTION

The Commission on the Status of Women,

Noting the approval by the General Assembly of the decision of the Economic and Social Council to authorize the Secretary-General to render, at the request of Member States, services which do not fall within the scope of existing programmes in order to assist these States in promoting and safeguarding the rights of women;

Believing that this assistance may be especially useful to governments engaged in revising their laws and administrative practices which have been found to discriminate against women;

Noting also the improvement in the status of women which results from the operation of other programmes of technical assistance, particularly in the fields of home economics and nutrition, health, education and welfare;

Requests the Secretary-General to make certain that full information on the availability of expert assistance in promoting and safeguarding the rights of women is included in information to governments on technical assistance, so that they may request such aid if they wish, and also to make certain that this information is readily accessible to non-governmental organizations;

Calls attention, in this connexion, to the memorandum on fellowships and other assistance available to governments for the training of persons interested in improving the status of women, as helpful in describing the technical assistance programmes.

CHAPTER X

Participation of women in the work of the United Nations and the specialized agencies

- 84. The Commission discussed item 10 of its agenda at its 170th and 171st meetings. It had before it a memorandum by the Secretary-General on the participation of women in the work of the United Nations and the Specialized Agencies (E/CN.6/246).
- 85. At the 149th meeting, the Secretary-General, in his welcoming address to the eighth session of the Commission, had assured the Commission that under his administration there would be no discrimination on the ground of sex nor on any of the other grounds specified in the Charter or in the Universal Declaration of Human Rights, and that the best persons available would be selected for posts in the Secretariat. He pointed

- out that the emancipation of women was too recent to have produced highly qualified women in numbers approaching those of men, and that this situation was apparent in the relatively few women occupying high positions in the public life of all countries. He noted that as the proportion of trained women in public life gradually increased, this increase would logically be reflected in the staffs of the international organizations, and that the low number of women at present holding high positions in these secretariats did not therefore provide evidence of discrimination. The Secretary-General suggested that future representations on this subject could be channelled through the Fifth Committee of the General Assembly as the appropriate body to which the Secretary-General reports on all matters of personnel administration.
- 86. During the discussion on this agenda item, several members noted with appreciation the assurance of the Secretary-General that there would be no discrimination on the ground of sex in the United Nations Secretariat. Several members expressed the hope that increasing numbers of qualified women would be appointed to the staffs of the United Nations and the specialized agencies as the number of trained women was gradually increased; in this connexion one member stressed the important role which could be played by the non-governmental organizations in emphasizing the importance of increasing the participation of women in public services at the national level.
- 87. The Commission heard a statement by the representative of the International Federation of University Women.
- 88. The Commission had before it a draft resolution proposed by the representative of the Dominican Republic (EC/N.6/L.142). At its 171st meeting, the Commission unanimously adopted the following resolution:

RESOLUTION

The Commission on the Status of Women,

- 1. Expresses its appreciation of the fact that the Secretary-General attended in person the opening meeting of the eighth session of the Commission on the Status of Women:
- 2. Notes with satisfaction the statement in which, referring to the agenda item entitled "Participation of women in the work of the United Nations", he said: "I wish to assure you that this matter will not escape my attention, that under my administration there will be no discrimination on the ground of sex nor on any of the other grounds specified in the Charter or in the Universal Declaration of Human Rights; that the best person available for a post will be given that post irrespective of sex, race, colour, or creed";
- 3. Looks forward with confidence to a constantly increasing number of women in policy-making or senior positions in the Secretariat of the United Nations;
- 4. Recommends to non-governmental organizations that they continue to emphasize the importance of expanding opportunities for women in public service at the national level as a means of encouraging their participation in international civil service.

CHAPTER XI

Study of documentation prepared by the Secretary-General for the Social Commission on the subject of protection of mother and child

- 89. The Commission considered item 11 of the agenda at its 171st, 172nd, and 173rd meetings. The documentation of the Social Commission relating to the protection of mother and child, listed in document E/CN.6/232, was made available to members of the Commission by the Secretary-General. The Commission heard a statement by the Director of the Division of Social Welfare of the Secretariat, in which she outlined the work of the Social Commission in this field as well as the practical field work carried out in various countries; she also referred to the studies and other documentation prepared for or at the request of the Social Commission.
- 90. The representative of the Secretary-General drew the attention of the Commission to resolutions adopted by the General Assembly and the Economic and Social Council designed to prevent the overlapping of work and duplication of efforts of the various organs of the United Nations and to establish procedures for establishing priorities for future work. In the light of these considerations and of the activities of the Social Commission, which had been charged by the Economic and Social Council with the primary responsibility for the work relating to the protection of mother and child, the Secretary-General was of the opinion that the necessary documentation, should the Commission decide to consider the substance of the question, ought not to be given a high priority.
- 91. There was general agreement among the members of the Commission as to its interest in the subject of protection of mother and child and the need for the Commission to concern itself with it.
- 92. Some members, however, suggested that the Social Commission was the proper body to undertake practical action in this field, and the Commission on the Status of Women should therefore only be kept informed of the work of the Social Commission. Other members felt that it was fully within the Commission's terms of reference to consider the substance of the matter and to make concrete recommendations for action, particularly since the Commission, at its first session, had established as one of its aims the protection of mother and child. The work of the Commission on the Status of Women should complement that of the Social Commission.
- 93. Some of these members felt that, in view of the importance and urgency of the problem, the Commission should discuss it fully in all its aspects at the present session. Others were of the opinion that because of shortage of time, the consideration of the question should be postponed to the ninth session. They also felt that the primary interest of the Commission on the Status of Women in this field should be the protection of the working mother, since this was closely linked with the question of equal pay for equal work as well as with economic opportunities for women in general, and also in view of the work being done by the Social

- Commission. It was therefore suggested that the question could appropriately be considered either as a sub-item under the item "Economic Opportunities for Women", or as a separate item in conjunction with that item.
- 94. During the debate, the Commission heard a statement by the representative of the International Labour Office who outlined the protection of mothers and children provided for in international legal instruments drawn up under the auspices of the International Labour Organisation. Statements were also made by the representatives of the following non-governmental organizations: International Union for Child Welfare, and Catholic International Union for Social Services.
- 95. Four draft resolutions were placed before the Commission. The first (E/CN.6/L.143), sponsored by the representative of Poland, requested the Council to recommend to governments to (a) adopt measures to ensure protection of motherhood and childhood, (b) to increase funds allocated for such protection, and (c) to plan and execute special measures for improving the working conditions of pregnant women. The second draft resolution (E/CN.6/L.148), presented by the representative of the United Kingdom, requested the Social Commission in its study of this question to take note of the views expressed by the members of the Commission on the Status of Women, and suggested that the subject be postponed until the tenth session. This draft resolution was later withdrawn by its sponsor in favour of a revised text (E/CN.6/L.148/Rev.1) in which it was suggested that the subject be placed as a sub-item on the agenda of the ninth session of the Commission under the subject of "Economic Opportunities for Women ". The third draft resolution (E/CN.6/L.150) tabled by the representative of Yugoslavia, suggested that the subject of protection of mother and child be placed as a separate item on the agenda of the ninth session, to consist of the following two sub-items: (a) study of documentation prepared by the Secretary-General for the Social Commission on the subject of protection of mother and child; (b) protection of the working mother. The fourth draft resolution (E/CN.6/ L.129/Rev.1) sponsored by the representative of Haiti, and introduced during the discussion of the item " Economic Opportunities for Women", requested the Council to propose that governments adopt a system of family allowances.
- 96. In order to reconcile the position of the representatives of the United Kingdom and Yugoslavia, the representative of France orally proposed an amendment to the revised United Kingdom draft resolution to delete the third paragraph of the preamble reading: "Considering that future action on this subject is being studied by the Social Commission" and to place the subject as a separate item on the agenda of the ninth session, immediately following the item Economic Opportunities for Women, which was accepted by the representative of the United Kingdom, whereupon the representative of Yugoslavia withdrew her draft resolution (E/CN.6/ L.150). The Commission also agreed to combine the first two paragraphs of the preamble into one. At the request of the representative of Byelorussian SSR a separate vote was taken on the new consolidated

paragraph, which was adopted by 15 votes to none, with 3 abstentions.

97. The following resolution was adopted unanimously by the Commission at its 173rd meeting:

RESOLUTION

The Commission on the Status of Women,

Noting with appreciation the documentation prepared for the Social Commission relating to the protection of mother and child, and the practical work which the Secretary-General is doing in this field,

Requests the Secretary-General to transmit to the Social Commission the records of discussion in the Commission on the Status of Women,

Decides to place on the agenda of its ninth session after the subject "Economic Opportunities for Women" the following item: "Protection of the mother and child: Study of the documentation prepared by the Secretary-General for the Social Commission on the subject of protection of mother and child, with particular reference to the protection of the working mother";

Requests the Secretary-General to provide a summary of this documentation in so far as it bears on the question of the protection of the working mother.

98. The Commission also decided to consider the draft resolutions presented by the representatives of Poland (E/CN.6/L.143) and Haiti (E/CN.6/L.129/Rev.1) in connexion with the consideration of this item at its next session.

CHAPTER XII

Report of the representative of the Commission on the Status of Women to the sixth session of the Sub-Commission on the Prevention of Discrimination and the Protection of Minorities

- 99. At the Commission's 173rd meeting, Miss Uldarica Mañas, the representative of Cuba, who had been the Commission's representative to the sixth session of the Sub-Commission on the Prevention of Discrimination and the Protection of Minorities, introduced her report (document E/CN.6/252) on her attendance at that session.
- 100. The Commission took note of the report, and expressed appreciation for the able manner in which Miss Mañas had represented the Commission.

CHAPTER XIII

Report of the Inter-American Commission of Women

101. The Commission had before it the report of the Inter-American Commission of Women (E/CN.6/249), and, at its 173rd meeting, heard a statement by the President of that Commission. The Commission took note of the report and expressed its appreciation of the work of the Inter-American Commission of Women.

CHAPTER XIV

Communications concerning the status of women

- 102. In accordance with resolution 76 (V) of the Economic and Social Council as amended by resolution 304 (XI), the communications concerning the status of women had been summarized by the Secretary-General and included, according to their content, in a non-confidential list (document E/CN.6/CR.7) and in a confidential list (document SW/Communications List No. 4).
- 103. The non-confidential list was reviewed by the Ad Hoc Committee on Communications, and the report of the Committee (document E/CN.6/L.146) was unanimously approved by the Commission at its 172nd meeting.
- 104. The confidential list was distributed to and taken note of by the members of the Commission in a closed meeting.

CHAPTER XV

Action taken upon decisions reached by the seventh session of the Commission on the Status of Women, review of programme of work and establishment of priorities, and concentration of efforts

- The Commission discussed items 12 and 16 of its agenda at its 173rd and 174th meetings and decided to consider these items in conjunction with one another. It had before it a report of the Secretary-General on the action taken upon decisions reached by the seventh session of the Commission on the Status of Women (E/CN.6/247). It also had before it a note by the Secretary-General on the review of programme of work and establishment of priorities (E/CN.6/248) and a working paper on the programme of work and establishment of priorities (E/CN.6/L.149) prepared by the Secretary-General in accordance with resolutions 324 (XI), 402 B (XIII) and 451 A (XIV) of the Economic and Social Council. A proposal by the representative of the United States (E/CN.6/L.147) in regard to documentation was withdrawn by its sponsor.
- 106. The Commission took note of the report of the Secretary-General on action taken upon decisions reached by the seventh session of the Commission on the Status of Women.
- 107. The Commission reviewed its programme of work in the light of the above resolutions of the Council.

The programme of future work contained in the working paper prepared by the Secretary-General met with the general approval of the members of the Commission. It was unanimously adopted by the Commission at its 174th meeting with an amendment to the effect that items (d) and (f) listed under "Continuing projects of high priority" be interchanged.

108. Commenting on item (d), one representative expressed the wish that the Newsletter be in the future produced in the Spanish language. Another representative suggested that the question of social security for working women be taken up by the Commission at one of its future sessions.

109. The programme of future work as adopted by the Commission reads as follows:

I. Continuing projects of high priority

- (a) Political rights of women: (i) consolidated memorandum on the franchise of women for the ninth session of the General Assembly; (ii) report on the status of women in Trust Territories; (iii) report on the status of women in Non-Self-Governing Territories; (iv) additional reports on women in public services and functions and civil liberties.
- (b) Nationality of married women: collection of information on recent changes in legislation concerning nationality of married women.
- (c) Equal pay for equal work: progress report on implementation by governments on the principle of equal pay for equal work including signature and ratification of the ILO Convention on Equal Remuneration for Men and Women Workers for Work of Equal Value.
- (d) Access of women to education: progress report, including studies of methods used (a) to increase school attendance by girls, including vocational education, and (b) to encourage the use of women, including married women, as teachers in areas where it has not been customary to employ them in schools.
- (e) Progress report on technical assistance programmes in relation to the status of women.
 - (f) Bi-annual Newsletter on the status of women.

II. Ad hoc projects of high priority:

- (a) Political rights of women: reprinting of the pamphlet on the political education of women.
- (b) Nationality of married women: (i) revision of the publication on nationality of married women; (ii) circulation to governments of the text of the draft convention on nationality of married women and report containing comments of governments.
- (c) Private law: (i) transmission of request to governments to reply to parts II and III of questionnaire on legal status and treatment of women and supplementary reports on the status of women in family law and property rights of women; (ii) additional reports on parental rights and duties, domicile and residence of married women, matrimonial regimes, and right of women to engage in independent work, based on additional information received from governments and obtained from other dependable sources.
- (d) Economic opportunities of women: (i) further reports on the employment of older women workers; (ii) further reports on part-time employment of women including cottage industries, handicrafts and seasonal agricultural work, particularly in under-developed countries.
- (e) Equal pay for equal work: requests to non-governmental organizations for information on methods of implementation of the principle of equal pay for equal work and report based on this information.
- (f) Educational opportunities for women: ILO report on access of women to apprenticeship.

III. Projects of low priority

- (a) Study of the documentation prepared by the Secretary-General for the Social Commission on the subject of protection of mother and child.
- (b) Publication of a pamphlet on the convention on the political rights of women.
- (c) Draft survey on women in public services and functions.¹
- (d) Plan for a report on women in political and public life.¹
- 110. In adopting the above programme of work, the Commission was mindful of the request of the Economic and Social Council in resolution 497 C (XVI) to concentrate its efforts. The progress made towards this goal is reflected, *inter alia*, in:
- (a) The comparison with the original proposals of the recommendations for future work as finally adopted;
- (b) The indefinite postponement of two sub-items of the agenda;
- (c) The decision concerning the protection of mother and child aimed at avoiding duplication with the work of the Social Commission.

CHAPTER XVI

Consideration of the place of meeting of the next session

- 111. The Commission considered the place of meeting of its next session at its 173rd meeting. The view was expressed that it was desirable for the Commission to meet away from Headquarters at regular intervals, particularly since it enabled the Commission to establish contact with local non-governmental organizations and other bodies working for the advancement of the status of women.
- 112. It was also pointed out that previous sessions of the Commission held away from Headquarters had proved helpful in improving the status of women in the areas where the Commission had met.
- 113. The attention of the Commission was drawn to General Assembly resolution 790 (VIII) requesting organs of the United Nations to adhere to the pattern of conferences established for 1954-1957.
- 114. A draft resolution (E/CN.6/L.151) presented by the representatives of Sweden and Venezuela was unanimously adopted by the Commission. The resolution reads as follows:

RESOLUTION

The Commission on the Status of Women

Recommends to the Economic and Social Council to decide that the Commission on the Status of Women meet in 1955 in Geneva.

¹ At the suggestion of the representative of the Secretary-General, the Commission decided at its 152nd meeting to postpone indefinitely the consideration of these projects.

CHAPTER XVII

Adoption of the report of the Commission to the Economic and Social Council

115. At its 175th meeting the Commission unanimously adopted the report of its eighth session to the Economic and Social Council.

ANNEXES

ANNEX 1

Summary of financial implications of resolutions concerning nationality of married women and political rights of women

- 1. In the course of its eighth session, the Commission took note of statements of financial implications made by the Secretary-General in respect of those proposals, the implementation of which would entail additional budgetary provision. A summary of these statements relating to the proposals as adopted by the Commission is given below:
- 2. Nationality of married women (see paragraph 34 above. The proposed new edition of the publication on Nationality of Married Women will be fitted into the United Nations publications programme so as to be available in 1955. The estimated cost of printing is about \$1,650 for English and French editions, taking into account normal free distribution as well as sales; this cost is expected to be partially offset by sales income.
- 3. Political rights of women (see paragraph 21 above). The proposal for a wider distribution of the Secretary-General's memorandum on the franchise of women can be implemented without additional funds. Concerning the proposal for an increased distribution of the pamphlet on the political education of women, any financial implications would be dependent upon the numbers of copies (including languages) required.

ANNEX 2

Draft resolutions for the Economic and Social Council

Α

The Economic and Social Council

Takes note of the report of the Commission on the Status of Women (eighth session).

В

CONVENTION ON POLITICAL RIGHTS OF WOMEN

The Economic and Social Council,

Noting that the Convention on Political Rights of Women, approved by General Assembly resolution 640 (VII) of 20 December 1952, was opened for signature and ratification or accession by States Members of the United Nations on 30 March 1953,

Noting also that, by resolution 793 (VIII) of 23 October 1953, the General Assembly invited signature and

ratification or accession of this Convention by nonmember States which are or become members of one or more of the specialized agencies of the United Nations or are or become Parties to the Statute of the International Court of Justice.

Considering its resolution 504 F(XVI) of 23 July 1953, by which it urged Member States which have not yet done so to sign and ratify or accede to this Convention,

Reiterates its appeal to Member States of the United Nations and recommends to non-member States which have been invited by the General Assembly, to sign, ratify or accede to the Convention on the Political Rights of Women.

 \mathbf{C}

DRAFT CONVENTION ON THE NATIONALITY OF MARRIED WOMEN

The Economic and Social Council,

Noting the recommendation of the Commission on the Status of Women at its eighth session that a convention on the nationality of married women be opened for signature and ratification or accession by interested States.

Considering that the time is appropriate for an international convention on the nationality of married women under the auspices of the United Nations designed to eliminate conflicts in law arising out of provisions on the loss or acquisition of nationality by women as a result of marriage, of its dissolution or of the change of nationality by the husband during marriage,

I

Requests the Secretary-General to circulate to the Governments of the States Members for their observations the following text of the draft convention on the nationality of married women, with the request that they send their observations to the Secretary-General before 1 January 1955 in order that these may be laid before the Commission on the Status of Women for examination at its pinth session:

DRAFT CONVENTION ON THE NATIONALITY OF MARRIED WOMEN

The Contracting Parties,

Recognizing that conflicts in law and in practice with reference to nationality arise as a result of provisions concerning the loss or acquisition of nationality by women as a result of marriage, of its dissolution or of the change of nationality by the husband during marriage.

Recognizing that in article 15 of the Universal Declaration of Human Rights the General Assembly of the United Nations has proclaimed that "everyone has the right to a nationality", and that "no one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality",

Desiring to co-operate with the United Nations in promoting universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to sex,

Hereby agree as hereinafter provided:

Article 1

Each of the Contracting States agrees that neither the celebration or the dissolution of a marriage between one of its nationals and an

alien nor the change of nationality by the husband during marriage shall automatically affect the nationality of the wife.

Article 2

Each of the Contracting States agrees that neither the voluntary acquisition of the nationality of another State nor the renunciation of its nationality by one of its nationals will affect the retention of its nationality by the wife of such national.

Article 3

Each of the Contracting States agrees that the alien wife of one of its nationals shall, subject to such limitations only as may be imposed by law in the interests of security and public policy, have the right to acquire its nationality at her request.

Article 4

Each of the Contracting States agrees that this Convention shall not be construed as affecting any existing legislation or practice which gives to the alien wife of one of its nationals the right to acquire the latter's nationality, either at her request or through privileged naturalization procedures.

Article 5

- 1. This Convention shall be open for signature on behalf of any Member of the United Nations and also on behalf of any other State to which an invitation has been directed by the General Assembly.
- 2. This Convention shall be ratified and the instruments of ratification shall be deposited with the Secretary-General of the United Nations.

Article 6

- 1. This Convention shall be open for accession to all States referred to in paragraph 1 of article 5.
- 2. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

Article ?

- 1. This Convention shall come into force on the ninetieth day following the date of deposit of the sixth instrument of ratification or accession.
- 2. For each State ratifying or acceding to the Convention after the deposit of the sixth instrument of ratification or accession, the Convention shall enter into force on the ninetieth day after deposit by such State of its instrument of ratification or accession.

Article 8

- 1. At the time of signature, ratification, or accession, any State may make reservations to any article of this Convention other than article(s)...
- 2. Any State making a reservation in accordance with paragraph 1 of this article may at any time withdraw the reservation by communication to this effect addressed to the Secretary-General of the United Nations.

Article 9

- 1. Any State may denounce this Convention by written notification to the Secretary-General of the United Nations. Denunciation shall take effect one year after the date of receipt of the notification by the Secretary-Genera.
- 2. This Convention shall cease to be in force as from the date when denunciation which reduces the number of Parties to less than six becomes effective.

Article 10

Any dispute which may arise between any two or more Contracting States concerning the interpretation or application of this Convention, which is not settled by negotiation, shall at the request of any one of the Parties to the dispute be referred to the International Court of Justice for decision, unless they agree to another mode of settlement.

Article 11

The Secretary-General of the United Nations shall notify all Members of the United Nations and the non-member States contemplated in paragraph 1 of article 5 of this Convention of the following:

- (a) Signature and instruments of ratification received in accordance with article 5;
 - (b) Instruments of accession received in accordance with article 6:
- (c) The date upon which this Convention enters into force in accordance with article 7;
- (d) Communications and notifications received in accordance with article 8;
- (e) Notifications of denunciation received in accordance with paragraph 1 of article 9;
 - (f) Abrogation in accordance with paragraph 2 of article 9.

Article 12

- 1. This Convention, of which the Chinese, English, French, Russian and Spanish texts shall be equally authentic, shall be deposited in the archives of the United Nations.
- 2. The Secretary-General of the United Nations shall transmit a certified copy to all Members of the United Nations and to the non-member States contemplated in paragraph 1 of article 5.

H

Urges States Members which have not yet sent their observations on the draft convention on the nationality of married women in accordance with resolution 504 B (XVI) to send these as early as possible in order that the Commission on the Status of Women may examine them at its ninth session.

Annex. - United Kingdom of Great Britain and Northern Ireland: amendments to the draft resolution presented by Cuba (E/CN.6/L.119)

1. New article

After article 7, insert new article:

- "Any State may at the time of its ratification or accession or thereafter declare by notification addressed to the Secretary-General that the present Convention shall extend to all or any of the territories for whose international relations it is responsible."
- 2. Present article 8

Add new paragraph 3:

"3. At the time of notification of a declaration under article... a State may make reservations so far as concerns the territory to which the declaration refers to any article of this Convention except article(s)...."

D

NATIONALITY OF MARRIED WOMEN

The Economic and Social Council,

Believing that a recommendation regarding the nationality of married women, based on the principle of equality and the experience of governments in giving it effect in relation to nationality, will be useful to States contemplating changes in their legislation;

Recommends to governments that they take action, as necessary, to ensure that a woman have the same right as a man to retain her nationality on marriage to a person of different nationality, and further, in order to give the principle of equality full effect, that an alien wife shall acquire the nationality of her husband only as the result of her positive request, and not as the result of her failure to object to such change at the time of her marriage or her failure to make a declaration that she desires to retain her own nationality;

Requests the Secretary-General to continue the collection of information on recent changes in legislation and to arrange promptly for a new edition, with revisions to date, of the sales publication on the Nationality of Married Women (United Nations publications, sales No. 1950.IV.12).

E

EQUAL PAY FOR EQUAL WORK

The Economic and Social Council,

Recognizing the importance of carrying into effect without delay the principle of equal pay for equal work for men and women workers:

Observing that in many countries the appropriate legislative and other action for carrying that principle into effect has not yet been taken;

- 1. Recommends that all States, both Members and non-members of the United Nations, which have not as yet done so take legislative and other action to establish and carry into effect the principle of equal pay for equal work for all classes of men and women wage-earners;
- 2. Recommends that all States encourage the activities of governmental and non-governmental organizations the purpose of which is to carry into effect the principle of equal pay for equal work for men and women workers everywhere, including the Trust and Non-Self-Governing Territories.

F

STATUS OF WOMEN IN PRIVATE LAW

The Economic and Social Council,

Noting that the reports of the Secretary-General on family law and property rights do not include information concerning all States, whether or not Members of the United Nations,

- 1. Invites governments of Member States which have not replied to part II or III or both of the questionnaire on the legal status and treatment of women to furnish replies by 1 November 1954,
- 2. Requests the Secretary-General to provide the Commission on the Status of Women at its future sessions with supplementary reports on the various aspects of the status of women in family law and property rights, based on new replies of governments, supplementing this information from other sources necessary to ensure a complete picture.

G

ARTICLE 22 OF THE DRAFT COVENANT ON CIVIL AND POLITICAL RIGHTS

The Economic and Social Council,

Considering that article 22, paragraph 4, of the draft covenant on civil and political rights does not provide for equality of spouses but merely for the legislation of States Parties to be directed towards such equality,

Believing that this provision does not embody the substance of article 16, paragraph 1 of the Universal Declaration of Human Rights according to which spouses "are entitled to equal rights as to marriage, during marriage and at its dissolution",

Decides to substitute for the first sentence of paragraph 4 of article 22 of the draft covenant on civil and political rights the following:

"Men and women shall have equal rights and responsibilities as to marriage, during marriage and at its dissolution."

H

CUSTOMS, ANCIENT LAWS AND PRACTICES AFFECTING THE HUMAN DIGNITY OF WOMEN

The Economic and Social Council,

Considering that there are areas of the world, including certain Trust and Non-Self-Governing Territories, where women are subject to customs, ancient laws and practices respecting marriage and the family which are inconsistent with the principles set forth in the United Nations Charter and the Universal Declaration of Human Rights, and

Believing that the elimination of such customs, ancient laws and practices would tend to the recognition of the human dignity of women and contribute to the benefit of the family as an institution,

- Requests the General Assembly and the Trusteeship Council, as appropriate, in collaboration with States including States administering Trust and Non-Self-Governing Territories where such customs, ancient laws and practices exist to take all approprite measures to ensure complete freedom in the choice of a spouse; to abolish the practice of the bride-price; to guarantee the right of widows to the custody of their children and their freedom as to remarriage; to eliminate completely child marriages and the betrothal of young girls before the age of puberty, establishing appropriate penalties where necessary; to establish a civil register in which all marriages and divorces will be recorded; to ensure that all cases involving personal rights be tried before a duly appointed magistrate; to ensure also that family allowances, where these are provided, be administered in such a way as to benefit directly the wife and children,
- 2. Recommends that special efforts be made through fundamental education, both private and public schools, and various media of communications to inform public opinion in all areas mentioned in paragraph 1 above including Trust and Non-Self-Governing Territories concerning the Universal Declaration of Human Rights and existing decrees and legislation which affect the status of women.

MATRIMONIAL REGIMES

The Economic and Social Council,

Considering that the equality of rights of spouses during marriage and at its dissolution has been proclaimed in the Universal Declaration of Human Rights,

Believing that the statutory matrimonial regimes in many countries are incompatible with this principle, some of them depriving the wife during marriage of her rights over community property and over her own property and others depriving her at the dissolution of marriage of her share in property in the acquisition of which she has participated either directly or indirectly,

Recommends that Member States should take all necessary steps to eliminate such discriminatory provisions from their legislation and draws their attention to the desirability of a statutory matrimonial regime which would provide for the separation of the property belonging to the spouses at the time of marriage and either for the separation of property acquired during marriage or for common ownership of property acquired by both spouses during marriage, such community property to be administered jointly by the spouses; and in either case, on dissolution of marriage, property acquired during marriage would be divided equally between them or their heirs.

J

RIGHT OF MARRIED WOMEN TO ENGAGE IN INDEPENDENT WORK

The Economic and Social Council,

Noting that in the legal systems of many countries the husband has the power to prevent his wife from engaging in independent work and that in some he has control over her earnings,

Believing that this limitation of the legal capacity and of the property rights of married women is incompatible with the principle of equality of spouses during marriage as proclaimed in the Universal Declaration of Human Rights,

Recommends that governments take all necessary measures to ensure the right of a married woman to undertake independent work, to carry it on and to administer and dispose of her earnings without the necessity of securing her husband's authorization.

K

EDUCATIONAL OPPORTUNITIES FOR WOMEN

The Economic and Social Council,

Considering that in many countries there exist serious defects with respect to educational facilities for women,

that in such countries women have a lower level of education than men and that there is discrimination against women as regards access to education, especially vocational and technical education, and that in some countries women have virtually no access to education,

Recognizing that in some areas fewer girls than boys attend school, and for a shorter time, and that in such areas special measures are needed to encourage increased school attendance by girls and also to provide more extensive opportunities for fundamental education of women,

Noting that the lack of compulsory and free education in primary schools is one of the important reasons for the non-attendance of girls in such schools,

Noting that orientation and vocational courses are seldom provided in primary education, and that the possibility of such training is often a factor in persuading parents to send their children to school,

Noting also that a shortage of teaching personnel is frequently among the problems faced by authorities seeking to expand school facilities for girls, and that in many parts of the world women have demonstrated competence as teachers,

- 1. Recommends that States, both Members and non-members of the United Nations should:
- (a) Take the necessary steps to ensure that women have equal access with men to all types of education, without any of the distinctions mentioned in article 2 of the Universal Declaration of Human Rights;
- (b) Enact the necessary laws and regulations to eliminate all forms of discrimination against women in education and to ensure access for women to all types of education, including vocational and technical education, and equal opportunities to obtain state scholarships for education in any field and in preparation for all careers;
- (c) Take the necessary measures to institute free compulsory primary education and take full advantage of the facilities and resources of UNESCO in developing additional educational opportunities for girls and women, as needed;
- 2. Invites the Secretary-General in collaboration with the Director-General of UNESCO to provide studies of methods used:
- (a) To increase school attendance by girls, including vocational education, and
- (b) To encourage the use of women, including married women, as teachers in areas where it has not been customary to employ them in schools;
- 3. Expresses the hope that UNESCO, in allocating scholarships and fellowships, will continue to give appropriate attention to the need for additional women leaders in the field of education, particularly fundamental education.

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