



**Convention on the Elimination
of all Forms of Discrimination
Against Women**

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Fifth session

SUMMARY RECORD OF THE 75th MEETING

Held at Headquarters, New York,
on Monday, 17 March 1986, at 3 p.m.

Chairperson: Ms. BERNARD

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The meeting was called to order at 3.20 p.m.

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

Initial report of Czechoslovakia (CEDAW/C/5/Add.26) (continued)

1. At the invitation of the Chairperson, Mr. Kulawiec (Czechoslovakia) took a seat at the Committee table.
2. Mr. KULAWIEC (Czechoslovakia), replying to questions raised in the Committee, said that the fact that the statistics did not always show equal proportions of men and women did not automatically mean that the differences could be equated with discrimination. Such an approach would be inconsistent not only with the provisions of a number of international legal instruments, including the Charter of the United Nations, but also with the natural rules of life and society. The right of women to take decisions freely and independently had a considerable influence on statistics on the proportion of men and women in the area under consideration. That was not a negative phenomenon, because freedom to take decisions was equivalent to non-discrimination. Moreover, that approach respected personality traits, as was both necessary and natural.
3. Questions had been raised concerning contradictions in the report regarding the degree of equality between men and women in Czechoslovakia. After verification of the text prepared by the competent Czechoslovak authorities, the conclusion had been reached that the contradiction was a result of an error in the translation from the Czech original. More attention would be paid to the question in the next report. The degree of equality attained should be assessed on the basis of concrete data, not generalizations, which could conceal the essence of the matter.
4. On the questions as to whether the Czechoslovak legal system provided for equality between men and women in society, the answer was unequivocally affirmative. The question was closely linked with that of the system for implementing that right. In practice, the courts were responsible for applying those provisions. Women, like men, could bring suits in the courts. When appearing before the courts, men and women had equal rights and duties; the decisions of the courts were determined by the facts of the case, and not by the sex of the parties involved. If a woman considered that she had been discriminated against by a court on account of her sex, she could request the replacement of the judge or reconsideration of the case by a higher court. No cases of discrimination against women before the courts had been noted.
5. Women's committees in enterprises and plants had played a major role in improving the status of women. The committees could initiate the necessary action to eliminate any shortcomings that might have been found. Among the bodies striving to improve the status of women, one composed exclusively of women was the Czechoslovak Union of Women. The legislative bodies also dealt with matters relating to the status of women. In practice, the national committees played an extraordinarily important role since, on the basis of the Act on National

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Committees, they adopted measures to remedy deficiencies and looked after the interests of women. They also had the right to inform other competent authorities of violations of legal regulations pertaining to the equality of men and women. Considerable authority was vested in the trade unions, which bore in mind when evaluating compliance with labour legislation, respect for the rights of women as established in rules and regulations prescribed by law.

6. With regard to the system of remuneration of men and women, he said that work in Czechoslovakia was governed by detailed wage regulations which made no distinction on grounds of sex. The salary of an employee was determined on the basis of stipulated criteria which established a lower and upper limit for each job and took into account length of service, experience and individual ability of the employee. Some of the criteria applied were objective and others were subjective. While subjective elements could play a considerable role at the horizontal or peer level, objective factors were decisive in the classification of women by wage categories in the vertical scale. No analysis had been made of the influence of objective and subjective criteria on the differences in salaries of men and women, and it would not be right to draw conclusions solely on the basis of numerical data. Lastly, he emphasized that his country applied the principle of equal pay for equal work.

7. Women were not represented in large numbers in top political posts in his country. Nevertheless, the Chairperson of the Czechoslovak Union of Women occupied a high post in the Secretariat of the Central Committee of the Communist Party of Czechoslovakia. Women were broadly represented at middle and lower levels of management. The number of women holding executive and political posts and public office was now twice what it had been 10 years ago. The highest percentage of women was found in the upper levels of the national committees.

8. With regard to the representation of women in the trade unions, he pointed out that women held 50.1 per cent of the posts in the enterprise committees, the basic trade union organs with significant influence in enterprises and plants. In the Central Trade Union Council, 38.5 per cent of the members were women.

9. With regard to the number of women in judicial posts, he said that at the present time women occupied 60 per cent of the posts in that field.

10. With regard to the level of financing of social security benefits and services, the State budget for 1986 for that item was expected to reach 359.9 billion Czech crowns. Of that amount, almost 46 per cent had been allocated for education, health care, social security, culture and other services to the population. In 1985, per capita expenses for social welfare had averaged 11,380 crowns, which was four times the average monthly salary in Czechoslovakia.

11. A considerable part of the State's resources was expended on the operation of pre-school facilities; nursery care was either free of charge or cost a maximum of eight crowns per child per day; the State financed child care in kindergartens, and the parents contributed only to the children's meals at a cost of 5.50 to 6.50 crowns per child per day. As to micro-nurseries, their establishment in the 1970s

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was due to the lack of vacancies in nurseries. Currently, owing to lower birth rates, there were vacancies in the nurseries, which were filled by children of persons who did not necessarily need that service in order to be able to work, thereby giving women more free time.

12. Maternity leave was granted only to women. In case a woman decided to return to work, her husband could take care of the child, but he would have to relinquish his own job. If there were serious reasons to justify it, a man who took care of the child could be given unpaid leave. In justified cases, the maternity allowance could be paid to a man if he was the one who took care of the child. The State also provided a grant of 2,000 crowns upon the birth of every child. Parents who were preparing themselves for future occupations could also receive grants from the State. In Czechoslovakia, 38.3 per cent of families had one child, 45.5 per cent had two children, 12.8 per cent had three children and 3.4 per cent had four or more children.

13. To eliminate the adverse effects of taking maternity leave, a compensation allowance was granted to women who, having resumed work following their leave, received lower pay than before. That enabled them to reach their previous level of income.

14. Special loans were granted to young married couples, amounting to 30,000 crowns, payable in 10 years at an interest of 1 per cent to 2.5 per cent. When the first child was born, and when it reached one year of age, the sum owing was reduced by 2,000 crowns; for each additional child, the amount payable was reduced by another 4,000 crowns.

15. The State also granted to families with children reductions in transportation fares, rental fees and charges for children's meals, and it subsidized pre-school, school, health and sports establishments.

16. The Labour Code stipulated that the employer was under obligation to give a woman returning to work after her maternity leave a job corresponding to her work contract. Most women returned to their jobs at the end of their maternity leave although, by their own decision, they were free to come back to work earlier. Employers were required to comply with the wishes of women who requested a change in or a shortening of their working hours.

17. Pursuant to a decision by the Government of Czechoslovakia in 1967, the central authorities had prepared lists of jobs prohibited for women, which were updated according to the latest advances in science and technology. They were designed to protect women from the highly negative influences of certain jobs on their health. The progress achieved thus far in reducing accidents at work justified the Government's decision.

18. As to the participation of women in the educational process as compared to that of men, it should be noted that in the period between 1949 and 1984 the number of female university students had increased by almost 100 per cent. The figures showed that the rate of integration of women into higher education was considerably

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higher than that of men, a trend which was emerging at other educational levels. That was reflected also in the rise in the percentage of women among professionals from 37.9 per cent in 1960 to 55.1 per cent in 1983.

19. Women received the same treatment as men in the educational process. Women who met the stipulated criteria could claim scholarships on the basis of their grades or social condition. The regulations applicable to mothers and pregnant women applied also to student mothers and pregnant students. The difference between the percentage of women at secondary school and university levels was a result of personal decisions taken by women, since there were no regulating measures that would impede their admission to institutions of higher learning.

20. With regard to family relations, he noted that counselling was offered through the mass communication media. Some negative habits left over from the period when men held a preferred position in the society could still be found among older generations, but most families practised a fair division of household work, including duties relating to child care. The Czechoslovak legal system placed work in the home at a level equal to that of work performed outside the home, as determined by the civil courts. The Civil Code stipulated that property acquired by the couple during their marriage was their common property. If it became necessary, property was divided equally. Assets brought into a marriage by one of the spouses was deemed to be the personal property of that spouse. When dividing property, the court took into consideration primarily the needs of minor children and the extent to which each spouse deserved credit for acquiring and keeping common assets. The care of the children and the management of the household were also considered. In 1984 there were 35,000 cases of divorce in Czechoslovakia.

21. The national ministries of health, in co-operation with other specialized institutions, were methodically dealing with the problem of family planning, based on the need to achieve a well-balanced family life and to enable women to prepare themselves for future careers.

22. With regard to health care, it should be noted that according to the figures available at the time of the preparation of the initial report, there was one physician for every 293 inhabitants and for every 12 hospital beds. There were 451 establishments with out-patient departments for women, 66 special guidance centres for women and 1,289 female physicians. The life expectancy of the general population was 70 years, although that of women was 74.

23. Permissions for abortions were given by committees composed of a deputy of the respective national committee, a social welfare worker specializing in family and child care and a physician heading the local department of gynecology and obstetrics. Abortion had to be justified by reasons of health or other reasons deserving special consideration, and could be performed on women whose pregnancies had not been longer than 12 weeks. The application for permission for an abortion was submitted through the physician in charge of the pregnant woman, and the fee ranged between 200 and 800 crowns.

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24. The term "socially useful work" (report, p. 9) meant work performed by citizens that contributed to the fulfilment of the tasks and the realization of the objectives of the Czechoslovak society.

25. School clubs were establishments for pupils of elementary schools where children engaged in activities outside the scope of the school curricula.

26. The settlement of matters pertaining to nationality did not favour either men or women. That applied also to the nationality of the children.

27. The Czechoslovak Penal Code punished traffic in women by imposing a penalty of deprivation of liberty for one to eight years. It should be noted, however, that this offence was practically non-existent in Czechoslovakia. The Penal Code had no explicit provisions on prostitution because, when it was promulgated in 1961, the problem was practically unheard of. With the development of tourism, it began to manifest itself, but it had not yet become serious. There were regulations in the labour field which constituted effective obstacles to the pursuit of such activities. Prostitution was practised primarily by foreign nationals and it was difficult to prosecute them unless they behaved in a scandalous way.

28. With regard to the implementation of article 8 of the Convention, he pointed out that women pursued diplomatic careers and participated in the work of international organizations in the same conditions as men. There had been cases where women headed delegations in bilateral and multilateral negotiations. Women were now being included in special study programmes at universities on that subject and held important posts in the Ministry of Foreign Affairs.

29. He appealed for understanding on the part of the experts comprising the Committee, noting that he was presenting Czechoslovakia's initial report and that the next report would more closely conform to the Committee's requirements.

30. Ms. WADSTEIN made a few comments on the question of statistics. Admittedly, caution had to be exercised in using figures, but figures were insufficient, particularly because there was great inequality between men and women in all spheres of activity. Figures were especially important as a measure of the decision-making process in which women were distinctly underrepresented. The Committee should have more details on that question.

31. The functions of men and women usually had nothing to do with biology, but reflected the views of the particular society and that aspect of the problem had not been sufficiently explored in the Czechoslovak report. Men should not merely be expected to help in family chores; they should share fully in those tasks. She asked the Czechoslovak representative what plans the Government had to put an end to segregation in the labour market and to eliminate artificial distinctions.

32. Ms. EVATT pointed out that the differences in the functions of men and women could not be justified on the grounds that women had freely chosen them because there could be no freedom of choice so long as there were prejudices. She wanted to know what specific measures Czechoslovakia had taken to eliminate those prejudices in implementation of article 5 of the Convention.

33. Ms. GONZALEZ said that she was surprised by the lack of detailed information on the participation of Czechoslovak women in international life as representatives of their Governments and as officials of international organizations.

34. Ms. SMITH also noted that there were few women participating in decision-making. It appeared that Czechoslovakia gave too much emphasis to the role of women as mothers and she agreed with Ms. Evatt that one could not speak of "free choice" because choice was based on social and cultural models. She wished to know how Czechoslovakia guaranteed compliance with article 5 of the Convention and, specifically, whether women had recourse to the courts if their rights were violated.

35. Ms. LAIOU-ANTONIOU agreed with the previous speakers and said that the long maternity leaves and the general social atmosphere appeared to encourage women to stop working for two years. Nowhere in the the report was it said that fathers were also responsible for the education of the new socialist generation. Moreover, the Czechoslovak representative's comment on wage differences between men and women was surprising. With regard to abortion, she inquired in what specific circumstances abortion was permitted.

36. Ms. PEYTCHEVA expressed concern about the misunderstandings which the Czechoslovak report seemed to have generated. Apparently, a number of speakers had gleaned the impression that the lives of Czechoslovak women revolved solely around child-rearing. However, she was well acquainted with Czechoslovakia and she knew that there were nursery schools and kindergartens where children could be educated as well as in their own homes, and that all the necessary conditions existed enabling women to have a social life, a working life and a life as mothers. The fact that the President of the Czechoslovak Union of Women was a member of the Secretariat of the Central Committee of the Czechoslovak Communist Party gave some idea of the importance attached to the women's question in the Government and in the Party.

37. Mr. KULAWIEC (Czechoslovakia) said that the fact that statistical data alone could not demonstrate the social equality of women had been taken into account in preparing his country's report. The Czechoslovak political system had adopted a whole series of measures to increase the representation of women in political and public bodies, so much so that in the last 10 years the number of women in middle and senior positions had increased 100 per cent. Great importance had always been attached to the role of women in Czechoslovakia; as early as the fifteenth century, there were women in social positions equal to those of men and they even fought beside the men and led armies. Furthermore, the Convention itself recognized that women had certain tasks associated with motherhood and Czechoslovak society supported them in those functions. Accordingly, the law had prescribed certain restrictions relating to strenuous work, night work, work involving weapons, etc. All those measures were the outcome of an evolutionary process and were naturally subject to change, but they represented the trend of society at the moment and did not imply discrimination. At the same time, the intention was to increase the participation of women at all levels of society.

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38. With regard to the responsibilities of the spouses, he pointed out that the situation within the family was one of full equality before the law, but in practice, although the courts were compelled to respect that equality, there were undoubtedly some judges who might, as in any other country, let themselves be guided by their subjective opinions. Yet, even in that case, an appeal could be made to a higher court. Through education and primary schooling, the Government aimed to promote equality between men and women in the home. Men and women had the same duties within the family and problems arising in that area were dealt with in the courts, in the national committees and in the trade unions. Furthermore, there were organs competent to resolve them. On the other hand, in conformity with the Universal Declaration of Human Rights, women were free to decide what they should or should not do.

39. The Government was planning to increase the number of women in the diplomatic courts, but it took time; indeed, in the past five years, substantial progress had been made and now many delegations travelling abroad had women members or included women. It was to be hoped that in 1987, Czechoslovakia would send a woman to represent it on the Committee because a woman would have more to say about those matters. He stressed that salary levels depended on the quantity, quality and social importance of the work performed, so that the median wage of women was somewhat lower than that of men because, while there was no discrimination of any kind, women performed less skilled work.

40. As indicated in connection with abortion, there were committees in Czechoslovakia empowered to decide on every specific request for abortion and they took into account the specific circumstances and applied flexible criteria in conformity with the laws and social and humanitarian considerations.

41. He thanked the Committee for the interest it had shown in discussing his country's report and said that he had duly noted all the questions and comments made and would convey them to his Government and to the Czechoslovak Union of Women. He was confident that the next report would provide more satisfactory answers to the questions raised and would reflect the progress made by Czechoslovak society in women's rights.

42. Ms. SMITH thanked the representative of Czechoslovakia for his patience and for the copious information provided.

43. The CHAIRPERSON endorsed Ms. Smith's remarks and also congratulated the representative of Czechoslovakia.

44. Ms. LAIOU-ANTONIOU praised the report of Czechoslovakia and said that although it would not be a bad thing for the Government to send a woman the next time, men could learn a lot about the importance of the matters which the Committee dealt with if they had to attend its meetings as representatives.

45. Mr. Kulawiec (Czechoslovakia) withdrew.

Initial report of Viet Nam (continued) (CEDAW/C/5/Add.25)

46. At the invitation of the Chairperson, Ms. Nguyen Binh Thanh (Viet Nam) took a seat at the Committee table.

47. Ms. NGUYEN BINH THANH (Viet Nam) provided some demographic data which the Committee had requested. The population of Viet Nam was 57 million people in 1983 and 58 million in 1984; 51.2 per cent of the population were women, and of those, 40 per cent were under 18 years of age. Average life expectancy in 1983 was 59 years: 57 for men and 61 for women. The rate of population increase, which was 3 per cent in 1980, had been reduced by 1984 to 2.2 per cent. In 1975 the infant mortality rate was 1.5 per cent; in 1982 it was brought down to 0.8 per cent.

48. Regarding article 2 of the Convention, she said she had no information on any instances of prosecution for infringement of the article of the Penal Code which prohibited the use of violence to prevent women from participating in political, economic, cultural or social activities on an equal footing with men.

49. Turning to article 4, on special measures and the effect they might have in the long term, she said that such measures were intended to compensate women for the injustice and inequality which they had long suffered. Their aim was not to promote women who had not reached the necessary level of technical skill or knowledge. When a man and a woman both satisfied the stated requirements, however, preference would be given to the woman. As the woman would soon rise to a high level simply by exercising her rights and doing her job, there was no need for special or preferential measures.

50. There had been a question of article 6, on the elimination of prostitution, which also referred to the eradication of drug abuse which was part of the legacy of the previous régime. After liberation in 1975, Viet Nam had confronted serious problems: drug abuse, prostitution and pornography. In 20 years of war and 10 years of United States presence, Saigon had become an unrivalled centre of decadence. The Vietnamese Women's Union had helped to change the situation by setting up "schools for the new woman" where former prostitutes were given medical care and regained their dignity so that they could return to a normal and decent life. The creation of rehabilitation schools for young people was helping to reduce drug abuse. Many former addicts had taken an active part in the campaign against drugs, in dismantling the drug trafficking network and in helping other addicts to overcome their problems.

51. Pornography was at present prohibited in Viet Nam under article 99 of the Penal Code, which rendered any person who sold, disseminated or published pornographic photographs, films or books liable to punishment.

52. The Committee's questions on article 7, on women's participation in public and political life, had referred in particular to the 17 women of ministerial rank and to the participation of women in elections. The 17 women referred to included a Minister of National Education, the chairperson of the Commission for the Protection of Women and Children (a body of Ministry status), and Vice-Ministers of light industry, labour, trade, food and justice. The right of women to vote in

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elections was guaranteed under article 55 of the Constitution. In 1981, 13 million out of 25 million voters were women. Voting was not compulsory for women but they voted out of a sense of responsibility and because voting reflected their position in society, which was one of equality with men. The Women's Union was playing an important part in making them aware of their status. The Union, founded on 20 October 1930, was a non-governmental organization embracing all classes of society. It had 8 million members in 1980, and 9.3 million members in 1984. It currently represented one third of the female population. The Association of Servicemen's Mothers, an organization affiliated with the Union, had played an important role during the war years. The Women's Union was empowered to submit draft laws affecting the status and interests of women to the National Assembly for consideration. The Union was engaged in a number of activities, chief among them being to inform women of their rights and the services available to them, such as nurseries, prenatal care and gynecological treatment.

53. As for article 8 and the representation of women on the international level, she said that women made up 18.7 per cent of Viet Nam's total diplomatic staff. Four ambassadors, one chargé d'affaires, a number of counsellors and four mission secretaries were women. Through its international department, the Women's Union had established relations with 140 women's non-governmental organizations.

54. There were many women in the Vietnamese army, particularly in the health services, telecommunications units and cultural organizations. Many women had attained officer rank and had been decorated for their outstanding service during the war.

55. Turning to article 9, she said that the nationality of a Vietnamese woman married to a foreigner was a matter taken up in a new draft law establishing special legislative provisions, separate from the Family Code for all matrimonial problems. The draft law was intended to cope with the extensive social upheaval caused by the war. The old Family Code had provided that a Vietnamese woman married to a foreigner would retain her citizenship except if she expressly applied to adopt the nationality of her husband.

56. In connection with article 10, on education, she pointed out that the illiteracy rate in colonial Viet Nam had been as high as 95 per cent. Ignorance, poverty and squalor had aggravated discrimination and inequality between the sexes. Immediately after the declaration of independence following the revolution of October 1945, the Government had proclaimed a national campaign against illiteracy. Thanks to a new campaign in North Viet Nam during the war years of 1946 to 1954, illiteracy had been brought down even more and eradicated in 1958. In 1975, after liberation, another 35 million illiterates had been found in South Viet Nam, and committees had been set up at all levels to mount a campaign against illiteracy. The campaign had been carried out with extensive voluntary participation by young people, students, peasants, teachers, intellectuals and even priests. The success of the campaign - the eradication of illiteracy in southern Viet Nam by January 1978 - had earned the recognition of UNESCO and a special UNESCO award.

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57. Schooling in Viet Nam was compulsory and co-educational. Thanks to the current school reform, the secondary school curriculum now included courses on demography, family planning, sex education and vocation counselling and guidance. In 1981 the proportion of women in general educational institutions was 47 per cent, in specialized secondary schools 58.0 per cent and in centres of higher education, 38 per cent. As evidence of the advances made by Vietnamese women in the educational sphere, the Committee should note the prize won by two Vietnamese girls in an international mathematics competition and the first prize in a contest on housing for the future, which had been awarded by UNESCO and the International Union of Architects to a project by a group of four Vietnamese architects, two of whom were women.

58. The aim of establishing a women's publishing house was to emphasize women's special needs. The house published works by women, together with news, novels, poems and translations of foreign authors on the lives of famous women, in order to increase women's political awareness, extol their patriotism, encourage their increased participation in social life and help them to solve their family problems.

The meeting rose at 5.50 p.m.