



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

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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Seventh session

SUMMARY RECORD OF THE 106th MEETING

Held at Headquarters, New York,
on Wednesday, 17 February 1988, at 10 a.m.

Chairperson: Ms. BERNARD

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The meeting was called to order at 10.15 a.m.

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

Initial report of the Dominican Republic (CEDAW/C/5/Add.37)

1. At the invitation of the Chairperson, Ms. Malagón (Dominican Republic) took a seat at the Committee table.
2. Ms. MALAGON (Dominican Republic), reading out major portions of her country's report, stressed that one of the Dominican Republic's basic objectives was to achieve full equality between men and women and the integration of women in development, as a concomitant of the entire people's economic, political and social development. Since signing the Convention in 1982, her Government had been active in putting its provisions into practice.
3. Despite numerous precedents in Dominican history for the integration of women in all areas of national life, it was only since 1966, following three decades of dictatorship, that there had been a sustained democratic effort by the Government to promote the advancement of women as a national priority and to do away with political, economic, social and legal inequalities. There were, in addition, a greater number of non-governmental organizations working on women's issues in the Dominican Republic than was usual in developing countries. The Government was also working closely with INSTRAW, among other things on a project to incorporate the informal sector into the national system of accounts.
4. The State was particularly aware of the need to battle deep-rooted stereotypes that impeded the advancement of Dominican women, if the laws passed to improve their status were to have any effect. Accordingly, it had developed policies to educate the general population on that score so that women could assume de facto a role in society on a par with men, with the same rights, opportunities, responsibilities, and possibilities for individual fulfilment to which they were entitled de jure, and as active agents and beneficiaries of development.
5. Ms. EVATT thanked the representative of the Dominican Republic for her introduction; the additional information presented had given the Committee a fuller picture of the position of women in that country. Although, until recently, women in the Dominican Republic had enjoyed few rights or opportunities for advancement under the law, it was clear that that situation was changing rapidly as women's real contribution to the country's economic base and to family life was recognized.
6. Ms. WADSTEIN said that the openness of the report and the detailed information it contained showed that the Dominican Republic was committed to promoting women's equality but was also aware of the need to do more to achieve that objective. While she found the approach taken in the report rather formal, she appreciated the statistics which had been provided.

(Ms. Wadstein)

7. The proposed legislative reform was very impressive, particularly those elements of the bill which were intended to eliminate protective labour legislation and other laws which denied women their full status as human beings. She wished to know which of the provisions mentioned in the report had been enacted thus far and when the Government intended to take action on those that had not been made law. As there was often a discrepancy between the acceptance of such laws in theory and in practice, she was curious as to how the Dominican Republic intended to promote their acceptance by the general population. Finally, she requested clarification of the meaning of the phrase "overstated feminist standpoints" on page 9 of the report.

8. Ms. VELIZ DE VILLALVILLA said that the initial report of the Dominican Republic presented an objective picture of the situation of women in that country. The background section of the report, which she found particularly relevant, referred to a Centre for the Integration of Women in Development, established in 1975. She wished to know whether the Centre still existed, what its role was and what it had accomplished.

9. According to the report, a relatively high percentage of households in the Dominican Republic were headed by women. It would be useful to know what studies had yielded figures, as well as the reason for such a high percentage. Perhaps migration factors were involved. The report also indicated that, as of 1985, the economically active female population had increased to 68.7 per cent, excluding women working in the informal sector or involved in subsistence activities. She wished to know what accounted for such a significant increase in that figure during the 1980s.

10. She welcomed the fact that the entry into force of the Convention in the Dominican Republic had strengthened women's organizations in that country. In that connection, it would be useful to learn how information regarding the Convention's provisions was being disseminated throughout the country. More information about the Department for the Advancement of Women, established in 1982, would also be welcome: specifically, did it still exist and, if so, what was its position in the Government hierarchy?

11. Ms. GUAN Mingian said that her country was well aware of the support provided by the Dominican Republic to the International Training and Research Institute for the Advancement of Women (INSTRAW), which had its headquarters in Santo Domingo. It was equally clear from the report before the Committee that the country had also benefited from its association with the Institute.

12. She welcomed the information provided in the report concerning women's achievements during the 1970s and 1980s, particularly since the entry into force of the Convention, and hoped that the bill designed to enable the country to fulfil its obligations under the Convention would be adopted by the National Congress.

(Ms. Guan Mingqian)

13. The report stated that concubinage was the predominant nuptial model in the Dominican Republic. She found the use of the term "concubinage" somewhat unclear and wondered whether it referred to polygamy. If so, that would surely contradict article 212 of the Civil Code of the Republic, which stated that "spouses owe each other mutual fidelity, succour and assistance".

14. While the phenomenon of rural-to-urban migration generally involved males to a greater extent than women, the report stated that the opposite was occurring in the Dominican Republic. She asked why that was so; if the reason was largely that women sought domestic employment in towns, she wished to know if that situation posed any social problems and how such problems were dealt with.

15. Ms. LAIOU-ANTONIOU said she had hoped that the bill aimed at integrating women more fully in national life would have become law by the time the Committee considered the report. In general, she had been impressed by the importance which women in the Dominican Republic attached to the Convention and other instruments deriving from the United Nations Decade for Women. However, while the second paragraph of the report referred to the existence of "a vigorous women's movement" in the Dominican Republic, she had been somewhat surprised to find no further mention of such a movement in the report. Nevertheless, a political commitment to improving women's situation clearly existed in the Dominican Republic.

16. The Government of the Dominican Republic was to be commended for establishing the Department for the Advancement of Women; however, the information regarding the Department's budget, contained in table 18, ought to be clarified. She also wished to know whether the Department had any branches in rural areas.

17. The report contained little information about affirmative action programmes and child care facilities for working women. Moreover, the women's organizations listed in the report appeared for the most part to be professional associations rather than mass organizations which could disseminate information to women throughout the country. She found the citation from article 3 of the Dominican Constitution, stating that the "Dominican Republic recognizes and applies the norms of general international and American law ...", somewhat puzzling; perhaps the representative of the Dominican Republic could explain what was meant by "American law".

18. Ms. CORTI commended the report for its clarity and its compliance with the Committee's guidelines. It was important to note that the Dominican Republic had experienced a long period of dictatorship and was still beset by economic difficulties. It should also be pointed out that the country's Latin origins meant that women had traditionally been expected to play a subordinate role. Against that background, the country's achievements represented important progress indeed.

19. One subject not taken up in the report was the role of women in political parties and trade unions. Additional information about the Department for the Advancement of Women would also be welcome. She wished to know whether the Department was a State institution or an independent body made up of women from various political parties, trade unions or other organizations.

(Ms. Corti)

20. The report indicated that the bill to which previous speakers had referred would be taken up by the National Congress "next August". As the report was dated 31 August 1987, she wondered whether action was to have been taken in August of 1987 or 1988. In view of the importance of that bill, it would be useful for the Committee to have additional information about its status.
21. She commended the Ministry of Agriculture for having established a Women's Unit within the Division of Rural Organizations. Further information about the Unit's role and accomplishments would be welcome.
22. Ms. PILATAXI DE ARENAS expressed appreciation for the report's honesty. Clearly, the Convention had had a positive influence on women's legal status in the Dominican Republic, and it would be of interest to see what change would be brought about with the passage of the bill. The background information presented in the report was valuable because it reaffirmed the validity of Dominican women's struggle for equality.
23. The section of the report dealing with article 15 of the Convention contained the statement that "Dominican legislation confers equal civil and legal capacity on men and women, an exception being the case of the married woman, whose capacity is restricted under the system of marriage ...". She wished to know what restrictions were placed on married women, and whether the bill was likely to change that situation.
24. In the 1940s, great emphasis had been placed on the promotion of population growth, to the extent that motherhood had been virtually sanctified. It would be interesting to know whether there had been any change in the country's population policy in recent years.
25. She welcomed the inclusion of INSTRAW statistics in the tables annexed to the report. Finally, she expressed concern that regulations had yet to be drawn up for the Department for the Advancement of Women and its Consultative Council, a situation which might affect the legal status of those bodies.
26. Ms. OESER joined in commending the representative of the Dominican Republic for the frankness of her country's report and the additional information she had provided. The Dominican Republic was faced with many constraints: the report specifically referred to the imposition of protectionist measures by industrialized countries, a situation that was sure to affect women's integration in national life. It was important that the status of women in a given country should be seen in the context of the overall situation obtaining in that country.
27. She welcomed the progress reflected in the fact that 55 per cent of all State University graduates and 10 of the Dominican Republic's ambassadors were women. The granting of a 12-week maternity leave was also impressive, in view of the country's difficult economic situation.

28. Ms. AKAMATSU said that the excellent initial report of the Dominican Republic confirmed her positive impression of women in that country. She commended the report's frankness, particularly with regard to the need for legal reform, and suggested that additional information about that reform, particularly in the case of laws relating to women's status in marriage, would be of value to the Committee.

29. Women's increasing integration and the decline of paternalistic attitudes in society, particularly in the area of employment, were welcome. She joined other experts in requesting additional information about the Department for the Advancement of Women.

30. Ms. SOUMARE congratulated the Dominican representative on the quality of the report, and the women and authorities of the Dominican Republic on their efforts to advance the status of women. She had been interested to learn of the existence of a dynamic women's movement, and of a Department for the Advancement of Women. In the case of the latter, she would like more detailed information on its status, structure, degree of independence, management, and the way in which it worked with governmental health, justice, educational and employment bodies. She also wished to know how it worked with women's organizations and what means it used to disseminate knowledge of the Convention.

Article 2

31. Ms. WADSTEIN asked whether women in the Dominican Republic were aware of their right to apply to the courts for redress against discrimination, and whether any specific cases could be cited. She also asked whether, when applying to the courts, women had access to legal aid.

Article 3

32. Ms. NOVIKOVA asked for additional information on the legal safeguards and provisions guaranteeing women equal participation in various aspects of social life.

Article 4

33. Ms. WADSTEIN observed that the report said nothing about any temporary special measures taken under article 4, paragraph 1, of the Convention, and asked whether any such measures had in fact been taken or were planned.

Article 5

34. Ms. WADSTEIN said she wondered to what extent men were involved in efforts to change gender roles: how far they shared in housework and child care and how paid and unpaid work was distributed between men and women. She would also like to know what the situation was with regard to sex discrimination in advertising; what influence was wielded by religious institutions; and whether any special measures were planned or had been taken to modify the notion of male superiority.

35. Ms. OESER asked what was the official policy towards concubinage: did the Government prefer women to enter into formal marriage or did it leave them free choice in the matter.

36. Ms. LAIOU-ANTONIOU asked whether the Dominican representative could offer any explanation for the shift in higher education to a preponderance of women in 1984 and subsequent years. She requested clarification of the reference to a "marked change" in patterns in the agricultural sector and asked how the authors of the report had arrived at their conclusion that the "new working guidelines ... implemented ... following the proclamation of the Decade for Women ... [had] encouraged women to enter a whole range of production-related activities formerly regarded as exclusively the province of men".

Article 6

37. Ms. CORTI remarked that the report provided little information on article 6 of the Convention. If economic hardship was the principal inducement to prostitution and the economic situation in the Dominican Republic was difficult, and if, as the report said, the sanctions in the Dominican penal code were "very mild" in relation to the crime, she wondered how women were protected and what provision was made for the re-education of those who had engaged in prostitution. The report also made no reference to rape. She wondered whether rape was regarded as a crime in the Dominican Republic and whether there was a law penalizing it.

Article 7

38. Ms. VILLALVILLA asked how many women were now serving as deputies or senators in the national legislature, what recognition political parties accorded to women's movements and how, if at all, they had incorporated women's programmes into their political platforms. She also asked to what extent women were involved in the trade union movement.

39. Ms. EVATT asked whether there were any programmes to expand the role played by women in politics.

Article 9

40. Ms. EVATT asked whether any change was proposed in the law giving men, but not women, the right to confer Dominican nationality on their spouses. She pointed out that a British law establishing the same kind of distinction between men and women had recently been struck down as contrary to the European Convention on Human Rights. She also wished to know whether the law giving fathers priority in conferring their nationality on their children had been amended.

41. Ms. AKAMATSU asked what plans there were to ensure that the nationality laws were amended as the report acknowledged they must be.

Article 10

42. Ms. VILLALVILLA observed that the report gave no information on the illiteracy rate for women in rural areas or on plans to overcome such illiteracy. She asked whether the country offered sex education programmes, and what programmes were offered by the Department for the Advancement of Women and the Ministry of Education to steer girls into appropriate employment.

43. Ms. PILATAXI DE ARENAS pointed out that the report gave no indication of the overall literacy rate in the country. If, as stated, the literacy rate for women had overtaken that for men, the men were at a disadvantage. She asked for more detailed figures and for information on any plans to reduce the illiteracy rate.

44. Ms. EVATT, referring to table 9 in annex 3 to the report, asked why the number of women receiving technical training had declined in 1985 by comparison with 1984. Table 10 appeared to indicate a complete segregation of vocational areas between men and women: she wondered whether anything was being done to encourage either sex to take jobs in areas currently dominated by the other.

45. Ms. FORDE asked for more detailed information on drop-out rates at the lower levels of education, especially among girls. The report suggested that girls left school because they entered the labour market early. She wondered whether the government agencies concerned provided schoolgirls with information about continuing education, whether adult education courses were available and, if so, whether early school-leavers were encouraged to take advantage of them.

Article 11

46. Ms. LAIOU-ANTONIOU asked whether, since domestic service was such a major source of employment for Dominican women, women in domestic service benefited from medical insurance, pension plans, paid maternity leave or holidays, or legal protection.

47. The report emphasized that the Community Development Office operated a family education unit to encourage the development of Mothers' Centres offering family counselling services and courses in home economics, sewing and manual skills in general. If the unit was not equally concerned to promote fathers' centres for the same purposes, it risked perpetuating the inferior status of women in Dominican society.

48. The report quoted article 211 of the Labour Code, chapter I, which indicated that a woman might not be dismissed from her job because she was pregnant. She wondered whether there was any law safeguarding women against discrimination if they applied for jobs or training while pregnant, and what sanctions could be applied against any employer who did dismiss a pregnant woman.

49. Ms. WADSTEIN asked what jobs were still not open to women and how the Ministry of Labour decided that a job might be dangerous to a woman but not to a man. As such distinctions and cultural patterns seemed to be the reason for the continuing

(Ms. Wadstein)

job segregation in the Dominican Republic, she wondered whether there were any plans to speed up the integration of the sexes. The report also acknowledged the existence of wage discrimination: she would like to know how often women's wages averaged 14.6 per cent of men's, the lower limit admitted in the report, and how often they attained the upper limit of 95 per cent. She was puzzled by the assertion in the report that wage discrimination was "the result of labour supply patterns". Did that in fact mean that many more women than men were applying for each job? She wondered how the objective of equal pay for work of equal value would be attained in the Dominican Republic - was there any system of objective job appraisal?

50. She also requested information on instances of sexual harassment, the relative unemployment rates and retirement ages of men and women, and average life expectancy rates. She would also like to know whether there were any plans to introduce paternity leave, and what influence was wielded by the country's trade unions.

51. Ms. OESER, referring to the Dominican representative's statement that her Government was working with INSTRAW to incorporate the informal sector into the national system of accounts, asked what criteria would be applied in doing so and whether the economic product of that sector would be included in national income statistics.

52. Ms. AKAMATSU asked what specific plans there were to repeal the principle that women might not engage in work inappropriate to their sex, and what kinds of work were currently considered "inappropriate".

53. Ms. PILATAXI DE ARENAS asked whether the Dominican Republic had any plans to encourage women currently employed in domestic service to embark upon programmes of self-improvement.

54. Ms. CORTI asked whether Dominican women knew that they were entitled to free contraceptives from the National Council on Population and the Family (CONAPOFA), how the service was publicized and how extensively it was used.

55. Ms. FORDE asked what action Dominican women could take to ensure that the bill promising sweeping reforms in their status would be enacted speedily. She also asked what opportunities existed for young women employed in domestic service to improve their status by learning a craft or other skill, and whether the supporting social services were in place to enable women to combine family obligations with participation in the work force. Finally, she inquired about protective practices in the work place designed to benefit pregnant women and, as necessary, other women as well.

56. Ms. EVATT asked for comparative figures on levels of male and female unemployment. She would like to know whether there were equal job creation schemes for women and for men, what the average earnings were for the two sexes, and whether both men and women were entitled to unemployment benefits.

57. The CHAIRPERSON asked what proportion of the country's lawyers and judges were women.

Articles 12 and 13

58. Ms. EVATT, while noting that the fertility rate had been considerably reduced, asked whether the Dominican Republic intended to bring it down even further. She also asked whether specific efforts were being made to extend existing family planning and contraceptive advice services to young women who had not enjoyed the benefits of secondary education, whether abortion services were available, and whether access to family welfare benefits was provided on an equal basis to single heads of families.

59. Ms. SOUMARE requested information on the manner in which the Women's Bank had been established, its objectives, structure and means of operation, whether it was managed by women and what results it had achieved with respect to women's access to credit.

Article 14

60. Ms. EVATT requested more detailed information on the difficulties faced by rural women in obtaining access to such services as medical care and education, as well as on the literacy rate, fertility rate and income of rural, as opposed to urban, women. She also asked whether there were any plans to extend land ownership to rural women.

61. Ms. LAIOU-ANTONIOU, referring to the 15 associations mentioned in subparagraph (a) on page 21 of the report, requested further information on their legal status, their most successful programmes, the number of years they had been operating and the level of their income. She expressed surprise at the fact that some eight women's co-operatives comprised approximately 2,000 members and asked how many belonged to each co-operative, who was responsible for their administration, what activities they engaged in and to what extent they were successful.

62. Ms. SOUMARE inquired about the role of INSTRAW and the Department for the Advancement of Women in the promotion of programmes for rural women.

Article 15

63. Ms. EVATT asked what legal services, in the way of advice and information, were available to women and whether there were any programmes to inform women of their legal rights.

64. Ms. GUAN Mingian, referring to the first paragraph under the heading "Article 15", asked in what way a married woman's capacity was restricted under the system of marriage. Article 374 of the Civil Code also appeared to provide evidence of discrimination. While she was pleased to note the completion of the "Draft Reform of the Decree on the Family and Women", she wondered how to interpret the intention to keep the document free of overstated feminist standpoints.

65. Ms. FORDE asked whether the first sentence of article 215 of the Civil Code was not incompatible with the statement that both men and women should enjoy full civil rights.

Article 16

66. Ms. FORDE asked whether the term "community" in article 215 of the Civil Code referred to communal ownership of property and, if so, who legally managed property during a marriage, how a woman's interest in that property was determined, and how the property was distributed on the death of a partner. Noting that women were entitled to renounce the community arrangement, she asked whether they were aware of that right and whether the right was often exercised. With regard to the high incidence of cohabitation, she asked what legal responsibilities and duties partners bore towards each other and towards their children in such relationships. She wished to know the nature of the "obligations" referred to in article 224 of the Civil Code and, if they constituted the responsibilities of maintenance between partners and towards their children, how such obligations were maintained after the dissolution of a marriage.

67. Ms. CORTI requested information on acceptable grounds for divorce, the time required for a divorce to be granted, whether fault was attributed to one of the partners and, if so, the nature of the responsibilities of that partner.

68. Ms. AKAMATSU, noting from the section headed "paragraph (g)" that a woman had the right to choose a family name, asked whether the Government had any intention of revising the Civil Code to reflect that right. She also expressed some reservations over the fact that adultery had been eliminated as grounds for divorce.

69. Ms. LAIOU-ANTONIOU said that, in cases of cohabitation, women usually suffered because they were not entitled to retain property acquired by their partners when such relationships came to an end. She wondered whether the new bill would grant legal recognition to such relationships and protect women's rights with respect to property acquired during cohabitation. It would also be interesting to know at which social level the majority of cases of cohabitation occurred. She questioned why a disparity between the legal ages at which men and women might be married was to be retained in the new bill.

70. Ms. CARON asked whether, in normal everyday life, married women used their own or their husbands' surnames and what measures the Government intended to take to encourage women to retain their own names. The Government might consider promoting such behaviour through the Civil Code. She also wished to know whether children tended to assume their mother's or their father's name, what grounds were accepted for divorce and whether it was possible for a single woman to adopt a child.

71. The CHAIRPERSON, referring to the section of the Constitution quoted under the heading "Political framework" on page 6 of the report, asked whether citizenship was not the right of all individuals born in the Dominican Republic.

OTHER MATTERS

72. Ms. CARON asked why 20 per cent of the subsistence allowance due to members of the Committee would not be paid until after the end of the session.

73. The CHAIRPERSON agreed that the arrangement would cause considerable inconvenience to all members of the Committee.

74. Ms. CREYDT (Secretary of the Committee) said that the arrangement followed the standard practice applicable to all bodies meeting away from their established headquarters, as well as to all Secretariat staff.

75. Ms. CARON, supported by Ms. CORTI, questioned whether such a discriminatory arrangement had been standard practice in New York in the past and insisted that the remaining portion of the subsistence allowance be transferred from Vienna by 4 March.

76. Ms. SELLAMI-MESLEM (Director, Branch for the Advancement of Women) said that the Secretariat was following established administrative and financial procedures. However, she would communicate the concerns of members of the Committee to the United Nations Office at Vienna, in the hope of finding a solution.

77. Ms. CORTI, supported by Ms. FORDE, Ms. LAIOU-ANTONIOU and Ms. PILATAXI DE ARENAS, said that the measure met with the disapproval of all members of the Committee.

78. Ms. UKEJE said that certain members would face additional problems in receiving their subsistence allowance at a later date because of their countries' foreign exchange regulations.

79. Ms. GUAN Mingqian asked why travel to attend the session involving a flight in excess of nine hours, which had previously given rise to an entitlement to first-class accommodation, was now paid at only the economy rate.

80. Ms. CREYDT (Secretary of the Committee) said that all members of the Committee had been informed in writing of the provisions of General Assembly resolution 42/214 relating to standards of accommodation for air travel.

81. The CHAIRPERSON said that the Secretariat had taken note of the concerns expressed by members of the Committee and would inform the United Nations Office at Vienna accordingly.

The meeting rose at 1.10 p.m.