



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

Distr.  
GENERAL

CEDAW/C/SR.120  
2 March 1988

ORIGINAL: ENGLISH

---

COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Seventh session

SUMMARY RECORD OF THE 120th MEETING

Held at Headquarters, New York,  
on Friday, 26 February 1988, at 10 a.m.

Chairperson: Ms. BERNARD

CONTENTS

Consideration of reports submitted by States parties under article 18 of the  
Convention (continued)

---

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Chief, Official Records Editing Section, Department of Conference Services, room DC2-750, 2 United Nations Plaza.

Any corrections to the records of the meetings of this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

The meeting was called to order at 10.35 a.m.

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

Initial report of Jamaica (continued) (CEDAW/C/5/Add.38)

1. At the invitation of the Chairperson, Miss Sinclair (Jamaica) took a place at the Committee table.
2. Miss SINCLAIR (Jamaica) thanked the members of the Committee for their encouraging remarks, and provided some background information on the geography and history of her country, commenting that the struggle of Jamaican women was to be seen at least partly in the context of the national struggle against slavery and colonialism. She acknowledged that the initial report had been over modest in describing Jamaica's part in the international evolution of the women's cause: Jamaican women were as occupied now with that cause as at any point in their history.
3. A growing number of women held top positions in the Jamaican civil service, on statutory boards and in the Government. The civil service and three of the most important government agencies were headed by women; 2 of the country's 12 ambassadors were women, as were six Consuls-General, 18 resident magistrates and two High Court judges; and women dominated the middle management and policy-making levels of the civil service and banking. Of the seven women in Parliament, one was a Minister and two were Ministers of State. The member of Parliament with the longest unbroken record was also a woman. Female political organizers at the village level did much of the organizational work and had risen to prominent positions in the party structure. Although often perceived as a matriarchal society, Jamaica could more properly be considered a matrifocal society, where women often held responsibility but no authority.
4. The Bureau of Women's Affairs, established in 1975, came under the portfolio of the Ministry of Social Security and Consumer Affairs. Discussions were in progress on whether to include women's affairs in the name of the Ministry. The Bureau's role was a co-ordinating and catalytic one and it provided Ministries with technical assistance in policy implementation. Its general objectives were to enable women to realize their full potential as individuals and to facilitate their complete integration into the process of national development through a National Plan of Action for Women. It also sought to improve the economic status of women; to promote attitudinal changes in both women and men through public education programmes; to maximize support for policy and programme formulation from national, regional and international agencies; and to pursue the integration of rural women into the rural economy. It evaluated policies and programmes in terms of their impact on women; facilitated and encouraged research on the status of women; maintained links with Ministries and agencies responsible for information and education programmes; offered counselling and legal advice to women who had suffered physical abuse; and operated a number of women's centres providing

/...

(Miss Sinclair, Jamaica)

continuing education for adolescent mothers. Its budget currently stood at 1 million Jamaican dollars per year.

5. Nationally, the Bureau worked with Church and non-denominational organizations, political groups, institutes of learning, the twelve Rural Parish Advisory Committees on Women, and the National Advisory Council on Women. Regionally, it worked closely with the Caribbean Community secretariat, the University of the West Indies and the Organization of American States. Internationally, it maintained links with all the United Nations agencies concerned with women and women's issues.

6. The Bureau operated a dynamic public education programme which included regular seminars, round-table discussions and quarterly luncheons with keynote speakers; representatives of the Bureau and specialists from other organizations and Ministries visited youth groups and educational institutions to acquaint students and teachers with issues relating to the fields of health, education, legal reform and unemployment. The Bureau was widely acknowledged as performing an important and functional role in the co-ordination of policy on women. It was, however, severely short of funds and staff.

7. It was national policy in Jamaica that each Ministry should take responsibility for the advancement of women in its own area: thus, for instance, the Ministry of Agriculture maintained a budget to ensure that women received proportionate attention and funding for agricultural development. Attempts were also made to ensure that women's needs were taken into account in Ministries' policies and programmes.

8. The persistence of sexual stereotypes could be blamed on the mass media, which continued to depict women as sex symbols despite strong protests from women's organizations and the Bureau of Women's Affairs. Pressure on advertising agencies had, however, resulted in the withdrawal of such advertisements and greater sensitivity to the dignity of women. The concept of "women's work" was being eroded as more and more women worked outside the home to meet their families' financial needs. A dramatic change was taking place in men's attitudes towards women in the home and at work, and the fact that women occupied more managerial and technical positions than previously had also altered men's view of women. Some men felt threatened by that development, and their reaction was reflected in the increasing number of women suffering abuse.

9. Among the strategies used to overcome stereotyping was the eradication of sexist language and symbols from school curricula. All subjects were now made available to all students, and girls were beginning to make inroads into formerly male-dominated areas and vice versa. The use of drama to heighten gender awareness had also gained considerable acceptance. Jamaican women were becoming more assertive about their rights, and sought to inculcate in the young respect for the dignity of women. The task was tedious but necessary.

/...

(Miss Sinclair, Jamaica)

10. Sexual harassment was still an understated element in Jamaican society. Few complaints were brought to the courts, and women were often reluctant to speak out for fear of dismissal. In 1987, one case had been brought to the Bureau of Women's Affairs, but the complainant had not been prepared to fight the issue in court.

11. Research was under way to ascertain whether there had been a notable increase in rape and sexual and domestic violence or whether people in Jamaica were simply becoming more ready to acknowledge that women were being abused. It was known that only a small percentage of rapes and assaults was reported: in the case of rape, an estimated 10 per cent, because victims feared ridicule and shame before the matter got to court. Court proceedings proper took place in camera, affording a degree of privacy. The number of cases reported to the Bureau of Women's Affairs in 1984 and 1985 suggested an upward trend, but the figures for 1987 were not yet available to confirm that trend.

12. A Crisis Centre for Women, sponsored by a non-governmental women's organization and supported by the Bureau of Women's Affairs and the Ministry of Social Security, had been in operation for the past three years. Its counsellors participated in the training of new recruits to the Jamaican Constabulary, in an attempt to sensitize law enforcement officers to the plight of victims of sexual and domestic violence. The Crisis Centre helped victims of rape, incest, domestic violence and domestic crisis by offering counselling, both directly and by telephone, and through public education on the radio, in the press and on television. A crisis shelter was being built in Kingston to provide temporary shelter for abused women.

13. The Women's Centre programme for adolescent mothers had been established in 1977 to continue the education of pregnant teenagers with a view to their return to the school system, and the majority of participants did indeed return to school after their children were born. Pregnant fourth- and fifth-form students could sit for the crucial secondary school examinations at the Kingston Centre, which had been designated an examination centre by the Ministry of Education. Since the programme's inception, 1,924 teenagers had taken part and a further 1,238 young women had been given counselling or referred to other agencies. The number of centres under the programme had grown steadily, with new centres opening in Mandeville, Brown's Town, Montego Bay and Port Antonio; three new centres in rural parishes had been established in 1986. A sub-centre in Portland would be upgraded to a fully-fledged centre in 1988, and there were plans to open a further centre in Westmoreland, in the far west of the island. Nurseries attached to the centres looked after the babies while their mothers remained at the centres awaiting re-entry to their schools. The average birth-weight of babies born to participants in 1986-1987 had been 6 1/2 pounds, far higher than the world average of 4 1/2 pounds for children of teenage mothers. The ages of the babies' fathers averaged between 18 and 23 years.

14. An integral part of the Women's Centre programme was the counselling of all those involved, including the fathers. During pregnancy and after the birth of the child, participants received counselling on family life, proper diet, child care and family planning.

/...

(Miss Sinclair, Jamaica)

15. The Women's Centre programme received funding from local and international organizations. It was regarded by many as a prototype which could profitably be copied in other countries. Three African countries had already adopted it as a model and representatives of other countries had made or scheduled inspection visits.

16. Child abuse was receiving increased attention, with more cases being brought to court. Children aged 0 to 18 years made up 47 per cent of Jamaica's population. Of those, nearly 4,700 had been under the Government's care or protection in 1986.

17. Child abuse encompassed sexual, physical and emotional trauma and was defined as "acts of commission or omission on the part of parents or custodians of a child which result in injury to that child". A recent study had found that 36 per cent of abused children were under 14 - the legal age of consent.

18. The Child Care and Protection Section of the Children Services Division offered services island-wide to children aged 17 years and under. Of the 2,892 cases handled by the agency in 1986, 1,452 had needed further investigation with a view to court action, 452 had been referred to other social service agencies and the remaining 988 had been given counselling.

19. Domestic violence was covered by the Offences against the Person Act.

20. Most couples in Jamaica lived in common-law unions, although marriage was still a sacred institution in Jamaica. No legal provision was made for the women partners in common-law unions at the death of the de facto spouse, unless a will had been made, or on the breakdown of the relationship. Children born out of wedlock, however, were covered by the Status of Children Act. Such children could now inherit in the same way as children born in wedlock when a father died intestate. The rights of children born out of wedlock were also provided for under the National Insurance Act. There was a special child's benefit linked to the mother's contribution, as she was the person who could be more readily identified.

21. Divorce was possible on several grounds, including that of cruelty. While the divorce was in process, a non-molestation order for judicial separation could also be granted. The total number of divorces had risen from 652 in 1976 to 894 in 1986, of which those brought on grounds of cruelty had decreased from 114 to 100. The current law regarding matrimonial property stated that the property rights of husband and wife were governed by the separate property system, under which a spouse owned what he or she had paid for. The law also provided for distribution based on the concept of trust, which allowed for flexibility in the sharing of property.

22. Although women traditionally assumed the husband's surname at marriage, more women were now opting to retain their own name, something which was perfectly legal. Children customarily took their father's name and, with the enactment of the Status of Children Act, children born out of wedlock could also now be

/...

(Miss Sinclair, Jamaica)

registered under the father's name. However, mothers also had the right to give their children their own name.

23. The issue of teenage pregnancy was being addressed nationally, to some extent through the establishment of women's centres island-wide. However, the majority of young women who had gone ahead with unwanted pregnancies found themselves in a vicious circle of repeated pregnancies, lack of education and job skills resulting in unemployment and therefore dependence on men which, in turn, made them more vulnerable to abuse by men.

24. Fertility rates had declined sharply over the past 25 years, particularly in the 20-34 age group; the decline had been less significant among adolescents. The decline had been most marked in the 1973-1983 period, a situation which could be ascribed to the impact of the Family Life and Family Planning Education Programme. The crude birth rate was estimated at 27 per 1,000, as compared with 25.1 per 1,000 in 1985. Although women's fertility behaviour did seem to be changing, the number of births remained high, the reason being a greater number of women in the high fertility groups than in 1970.

25. Abortion remained illegal in Jamaica, except in cases of rape or when the pregnancy threatened the life of the mother. The Government did not, therefore, encourage abortion as a means of family planning. Abortion was, however, socially accepted.

26. Family-life and family-planning education was geared towards both men and women and started at the primary-school level. Wider use of contraceptives was evident and, although most men preferred to place the onus of contraception on women, men were showing an increasing willingness to seek contraception, including vasectomy.

27. A massive public education programme on AIDS had been launched, with prostitutes one of the target groups encouraged to change their lifestyle. While prostitution remained illegal, with participants liable to conviction, it was widespread in Jamaican society and measures had been taken to encourage proper health care for those involved.

28. The National Council on Drug Abuse had been established in 1983 to co-ordinate anti-drug education programmes and increase public awareness of the dangers of drug abuse. Its programmes included seminars and competitions aimed at the student population and involving male and female students alike. Some 14 women sat on the Council at policy-making level.

29. Educational policy continued to focus on improving the quality and efficiency of education at all levels, with special emphasis on primary education which gave boys and girls an equal opportunity to enter the school system. Education was free up to secondary level, but in 1987 an access or user charge had been introduced at the College of Arts, Science and Technology and at the University of the West Indies. Figures from the 1982 census showed that girls outnumbered boys at the



(Miss Sinclair, Jamaica)

primary and secondary levels. Although figures were not available for the tertiary level, women had been pursuing university education at the same rate as men. In fact, in 1986 the top five graduates from the University of the West Indies had all been women.

30. The JAMAL programme had been set up to teach basic reading and writing skills to adult illiterates. Enrolment in JAMAL courses had stood at 12,002 in March 1986, 22 per cent lower than in March 1985. A skills training programme had been introduced in 1982 and in 1986 had had 300 students participating in 14 courses. JAMAL graduates had been admitted to skills training programmes at community colleges and non-formal training institutions with satisfactory results. Two hundred and fifty-four radio and 12 television JAMAL programmes had been broadcast in 1987.

31. Regarding the National Minimum Wages mentioned in her country's report, she read out the figures for the various groups of workers. Categories whose wages had been reviewed further in 1985 included garment industry workers, who were predominantly women. A Labour Advisory Committee had been formed in 1986 comprising representatives of the major trade unions, the Jamaica Employers' Federation and the Government, reflecting the Government's commitment to a tripartite approach to industrial relations issues. Wage levels in the private sector as of 31 December 1986 had been governed by the principles of free bargaining, national interest, ability to pay and the wage rate for the job. In the public sector, wage levels were influenced by the Government's determination to reduce its own operating expenses as a proportion of total spending and to reduce inflation.

32. Recognition of training as a key factor in improving human and industrial relations in the workplace had been a driving force behind the efforts of the various organizations involved in industrial relations to provide continuing training in related fields.

33. The National Insurance Scheme was mandatory for employers and employees alike. Another mechanism in place was the provision for widows' and orphans' benefit: men had previously contributed in respect of women and children up to the age of 18 but a 1978 Statute now enabled women to contribute to the scheme.

34. The free zone provided many job opportunities for women. The Ministry of Labour and the respective trade unions were working to improve working conditions, particularly overcrowding, sanitation and the length of the working day. Because of high unemployment, the Government's economic focus had been on labour-intensive industries. Free zone operations fell into that category and provided many opportunities for women to work for wages above the minimum and also to earn overtime pay.

35. Various mechanisms facilitated women's access to credit. Such mechanisms had been necessary because many women did not have the collateral to obtain loans. Various banking systems provided access to loans for women in agriculture and women

/...

(Miss Sinclair, Jamaica)

with small businesses. The Government's solidarity programme helped women up to age 30 to obtain loans on the basis of the recommendation of sponsors. Other private, non-governmental organizations also facilitated loans for women. In addition, groups such as the Women's Working Group, on which both the Government and non-governmental organizations were represented, and the University Women's Studies Group sought funding from both local and overseas donor agencies to facilitate training and income-generating projects for women.

36. The ingenuity and dynamism of Jamaican women was demonstrated by the informal commercial importers, women who travelled overseas to countries such as Panama, the United States, the Cayman Islands and Haiti to exchange Jamaican products for consumer goods which they then sold in Jamaica. Their efforts now contributed to 60 per cent of the island's domestic economy and were a force to be reckoned with.

37. Regarding Jamaica's reservation under article 9, she referred to pages 14-15 of the initial report and said that although amending the Constitution was a complicated task, Jamaican women and their Government were deeply committed to making the necessary changes and were monitoring developments closely.

38. The CHAIRPERSON congratulated Miss Sinclair on her detailed and illuminating answers to the questions put by members of the Committee. She hoped that the Jamaican Government's future reports would benefit from Miss Sinclair's experience.

39. Ms. EVATT, congratulating Miss Sinclair on the detailed and comprehensive additional information provided, particularly commended Jamaica's programmes to help the victims of violence and sexual offences.

40. Ms. FORDE also praised the quality of the supplementary information given by Miss Sinclair.

41. Ms. CORTI said that, as in 1987, the additional information had been more detailed and informative than the report itself.

42. Ms. LAIOU-ANTONIOU remarked on the enthusiasm which had infused Miss Sinclair's statement. The Jamaican representative had obviously gone to great pains to provide answers to the Committee's questions at very short notice. Enthusiasm was also evident in the work of the Bureau of Women's Affairs and the efforts of Jamaican women themselves.

43. Ms. MONTENEGRO DE FLETCHER joined with previous speakers in congratulating Miss Sinclair on her statement and asked whether socio-cultural elements were hampering the progress of women in Jamaica.



44. Miss SINCLAIR replied that it was attitudes and prejudice that were the obstacles in Jamaica. Women had made it clear that they could excel in business and were currently performing as "supermothers", fulfilling the roles of worker, wife and mother simultaneously. What was needed was a reversal of men's attitudes to women and also of women's attitudes to each other and themselves.

45. Miss Sinclair withdrew.

Initial report of Mali (continued) (CEDAW/C/5/Add.43)

46. At the invitation of the Chairperson, Mr. Diakite (Mali) took a place at the Committee table.

47. Mr. DIAKITE (Mali) said he regretted that most of the experts had encountered difficulties in considering one of Mali's reports which had been circulated unofficially, because it had been drafted in French only. Discussions were being held within the United Nations to ensure that all the working languages could be used without discrimination.

48. In reply to the questions asked about his country's report, he said that Mali was governed by a single party, in which women were represented at all levels. Women held seats in the National Assembly, were Ministers and occupied several senior posts within Ministries. Women also held positions of responsibility in such fields as law, higher education, scientific research and international co-operation.

49. Concerning inequalities in trade, the Code of Marriage and Guardianship required married women wishing to engage in trade to obtain their husband's prior authorization. While such provisions restricted women's legal capacity, it should be noted that they were purely theoretical and were not generally applied in practice. The Code of Trade required wives to obtain their husband's authorization only in cases involving non-exclusive joint estates, but since the system of separation of property prevailed in Mali, in most cases, married women could thus engage freely in trade. Moreover, the husband's authorization was not required for small-scale trade in rural areas.

50. As to inequalities in taxation, married female and single male civil servants had previously been grouped in the same category for income tax purposes. However, the status of women had been adjusted slightly. In cases where the husband of a female civil servant was employed in the private sector, their children were deemed to be dependants of the wife, who would thus be entitled to tax relief. In cases where the husband of a female civil servant was a teacher and where the children were registered as the wife's dependants, the husband was taxed as if he was single. For tax purposes, it was usually in the couple's interest to register their children as dependants of the higher wage earner, i.e., in most cases, the husband. The Government was endeavouring to provide additional tax relief to women.

(Mr. Diakite, Mali)

51. As women were consulted on all major decisions, the National Union of Malian Women (NUMW) participated in all governmental discussions and decision-making processes. The Union had political, cultural, social and economic objectives. It comprised women from various social and cultural backgrounds possessing considerable potential for mobilizing human resources.

52. The Code of Marriage and Guardianship was an outstanding example of his Government's efforts to promote the advancement of women. Laws on conjugal property systems, succession and trade had been also formulated, and were pending approval by the National Assembly.

53. As to customs which interfered with the implementation of the Convention, in the past it had been women's social role that had been emphasized in Africa. Women had been treated as the guardians of traditional values and as such had been banned from certain activities. However, recent laws were helping to change such attitudes.

54. International Women's Day was celebrated each year in Mali. It was given extensive news coverage and numerous events were organized to increase awareness about women's issues. Some daily radio and television programmes also focused solely on women and their emancipation.

55. Women were not legally obliged to take their husband's surname, although it was customary for them to do so. They often included their maiden name with their married name. Custom decreed that children should take their father's name.

56. Three days' paternity leave was provided for in the Labour Code. At the time of childbirth, husbands could request leave to accompany their wives to hospital and to remain at home with their other children, although traditionally women cared for the other children in such cases.

57. Abortion was authorized only when the mother's life was at risk. However, the abortion laws might be amended. Similarly, although polygamy was authorized in the Code of Marriage and Guardianship, current trends pointed to its abolition in future. Women could decide whether their conjugal relationship would be monogamous or polygamous. If they chose monogamy, their husband was prohibited from taking other wives. The acceptance of polygamy by rural women was often linked to economic and social factors.

58. Although women had equal access to jobs, it was difficult for them to fill diplomatic posts if their husbands were diplomats.

59. Mali's low level of development made it impossible to envisage a pension plan in rural areas. Medical care was provided free of charge, however.

60. The grounds for divorce were contained in the Code of Marriage and Guardianship. Either party could request a divorce. Once it was approved, the court ruled on the allocation of common property.

/...

(Mr. Diakite, Mali)

61. He provided statistics on the number of Malian women, birth, death, fertility, infant and perinatal mortality rates, life expectancy, school enrolment, and the number of Malians employed in cottage industries, manufacturing, trade and administration.
62. The National Commission for the Advancement of Women, established by decree of 30 March 1976 to meet the aspirations of Malian women, comprised Ministers or their representatives, and representatives of NUMW, religious organizations and the National Union of Malian Tourism. Its chairperson was the Minister of Public Health and Social Affairs, who was responsible for managing women's affairs at the governmental level. The Commission was being restructured to make it more dynamic.
63. The party did not interfere with the work or autonomy of such democratic organizations affiliated with it as the National Union of Malian Youth and the NUMW.
64. In the area of international co-operation, numerous countries, organizations and specialized agencies provided assistance to Mali. Statistics on international co-operation would be provided in his country's second report.
65. The Division for the Advancement of Women formed part of the National Directorate of Functional Literacy, which came under the Ministry of National Education. The Division emphasized the training of women who had not previously benefited from literacy activities. It was carrying out research to define a national education and training policy for women, with a view to increasing and improving women's participation in the development process.
66. The Constitution stipulated that Mali was a secular country. Religion did not interfere in law-making.
67. The Code of Marriage and Guardianship contained provisions which were in conformity with those of the Convention. However, efforts remained to be made concerning succession and the Trade Code.
68. The fact that Mali had ratified the Convention was a token of its interest in the Committee's work. His country was increasingly emphasizing the need to ensure economic and social development at all levels.
69. Ms. CARON observed that progress towards equality for women in Mali must be judged in the African context which she, for one, now understood more clearly thanks to the explanations given by the representative of Mali, who had made it very clear that his Government was determined to deal with the obstacles that held women back. It had been particularly gratifying to learn how well the Government had grasped the problems it faced, particularly in the area of traditional attitudes. She hoped that Mali's next report would indeed show increasing progress.

70. Ms. CORTI noted the Government's frank recognition of the obstacles faced by women in Mali, as a result of the vestiges of colonialism and also indigenous cultural traditions, and its efforts to overcome them. In the case of customs that were at variance with the Convention, what the Committee must judge was the degree of compliance with the Convention. The representative himself had said that, since ratifying the Convention, the Government had gained a new awareness. It was to be congratulated on its political will.

71. The additional information had been helpful, but was still not enough. Regarding the answer just given to a question that she herself had raised, she had been interested in hearing details not about the sources of the co-operation assistance received by Mali but rather about the uses to which such funds had been put in improving the status of women. She looked forward to receiving a second, fuller report from Mali.

72. Ms. PILATAXI DE ARENAS said that the firm assurances of the value that Mali attached to the Convention and to the Committee's work testified to the Government's seriousness of purpose. The explanations just given by the representative had been full, frank and clear-sighted, and augured well for Mali's achievement of true equality of rights for women.

73. Ms. LAIOU-ANTONIOU asked for clarification regarding divorce in Mali: had the representative meant to imply that there must always be specific grounds in order for a divorce to be granted and that consequently there was no such thing as divorce by mutual consent?

74. Mr. DIAKITE (Mali) said that just as brutality in a marriage could be grounds for divorce, so could mutual consent. Divorce was never granted automatically or immediately, but only after a court proceeding that took into account all relevant elements that made a couple's life together no longer possible.

75. Ms. AKAMATSU said that she had been surprised to learn that many women agreed formally to polygamy when they got married. She would like to know what factors prompted such acceptance and whether they included reasons of custom and culture. Since the answer was no doubt complex, Mali might wish to deal with it in its second report.

76. Ms. NOVIKOVA said that after hearing the additional information provided by the representative of Mali, she felt that a fruitful dialogue had been launched between his Government and the Committee, something which the report itself had not achieved. It was now clear that the Government was trying resolutely to act in the spirit of the Convention and to take practical steps to advance the status of women, a commendable and difficult task. She hoped that Mali's second report would show that real progress had been made.

77. The CHAIRPERSON said that the Committee had concluded its consideration of the initial report of Mali.

78. Mr. Diakite withdrew.

The meeting rose at 12.40 p.m.