



**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 127th MEETING

Held at Headquarters, New York,
on Wednesday, 2 March 1988, 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)

Second periodic report of Hungary (continued) (CEDAW/C/13/Add.1)

1. At the invitation of the Chairperson, Mr. Endreffy (Hungary) took a place at the Committee table.

2. Mr. ENDREFFY (Hungary), responding to questions asked at a previous meeting, said that the similarity between Hungary's second and initial reports was due to the fact that the second report did not simply elaborate on new measures but discussed the status of women in some detail so as to provide a fuller picture. Apparent variations in attendance at various types of school were due to the omission from some of the statistics of the graduating class, which would account for 20 per cent or 25 per cent of the total enrolment. Approximately 18 per cent of engineering students were women. As for representation in Government, as Members of Parliament, there were no specific guidelines, but Hungarian women were free to vote for female candidates if they chose. In fact, in recent years the calibre of successful female candidates had probably been higher, even though the percentage had dropped slightly. Two government ministers were women.

3. On the subject of parental leave, women were entitled to 24 weeks' maternity leave, following which either parent could stay at home for the purposes of child care. That provision was relatively new, and no figures were available in respect of the numbers of men who assumed child-care responsibilities. Although women could retire at 55 years of age, compared with 60 years of age for men, it was viewed as affirmative discrimination and there were no plans to change the system. Wage differentials could be explained by the failure of women to seek employment in highly-paid fields such as mining. Traditional patterns of male- and female-dominated areas of employment had, however, begun to break down, so that there was a more even distribution among younger workers. With regard to roles within the family, the degree of equality between men and women was essentially related to their level of education. Further progress largely depended on improving the general level of education.

4. His Government had noted the Committee's comment that it should provide more details in its reports of steps taken to implement the Convention. Fuller answers would be given in future. The National Council of Hungarian Women was consulted on all legislation. It was still too early to comment on the effect on the status of women of recent economic reforms in the country.

5. The right to adoption did not depend on marital status, but prospective parents must be at least 18 years of age. With regard to family allowances and related incentives, the Government did not view the provision of financial relief for parents as condemning women to a life of childbearing. Clearly many other factors entered into consideration. Women who were absent from work on maternity leave did not lose their seniority. Lastly, it was difficult to explain the

(Mr. Endreffy, Hungary)

increased divorce rates, but recent legislation had increased the minimum age of marriage to 18 years of age in an endeavour to halt the trend. There were also mandatory conciliation sessions before divorce proceedings could be concluded.

6. Mr. Endreffy (Hungary) withdrew.

Second periodic report of Sweden (continued) (CEDAW/C/13/Add.6)

7. At the invitation of the Chairperson, Ms. Danielsson (Sweden) took a place at the Committee table.

8. Ms. DANIELSSON (Sweden), responding to questions asked previously, said that although part-time work had provided many women with a way of combining employment with child care, part-time workers tended to suffer in areas such as in-house training. Nevertheless for many women such work was only temporary. Efforts were being made to reduce the percentage of part-time workers in the health sector, which had a large proportion of such workers.

9. The question of sexual harassment was important and difficult. It was viewed as a problem of the work environment which, under Swedish legislation, must provide appropriate physical and psychological safeguards. The question of protection against sexist advertising while safeguarding the freedom of the press was currently under study by the National Board for Consumer Policies.

10. Unemployment was slightly higher among young women than men, but was low by international standards. Nevertheless efforts were being made to reduce unemployment further. Reform of widows' pensions was currently being debated. With regard to the Equal Opportunities Ombudsman, in cases of sexist discrimination trade-union members first had to approach their trade union, but could subsequently submit their case to the Ombudsman for consideration. She noted that long-term measures would be required to effect change in respect of job segregation. On the environment, she said that many women were active in the environmental movement.

11. The question of quotas in political life had been much discussed, but in general had little support. Various measures, such as consciousness-raising and courses on public speaking, were being adopted to promote participation by women in politics. The Government was committed to representation by women on all governmental boards by 1991. With respect to parental leave, more up-to-date figures would be available later in 1988. Efforts were being made to increase the numbers of male pre-school teachers.

12. With regard to the question of whether women took paid jobs out of economic necessity or free choice, the view of the Government was that all adults should share responsibility in society at work and at home. Extensive welfare programmes made it possible for either partner to stay at home for child care. Lastly, although there was equal pay for equal work in Sweden, equal pay for work of equal value remained an unresolved issue.

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13. Ms. SAYOGYO raised the question of women's unpaid work in the home.
14. Ms. LAIOU-ANTONIOU said that the progress made by Sweden was of great benefit to other societies as a role model. She asked how the question of defining the limits between pornography and art had been tackled in Sweden.
15. Ms. DANIELSSON (Sweden) said that the question could not easily be resolved. Her Government would provide its views at a later stage.
16. Ms. Danielsson (Sweden) withdrew.

ORGANIZATIONAL MATTERS

17. Ms. EVATT said that she wished it to be noted that the Committee had dealt with the second reports of Sweden and Hungary in a total of less than three hours.
18. The CHAIRPERSON said that that fact bore out the validity of the format the Committee had adopted in dealing with second reports and also demonstrated that the Committee could deal with more second reports.

Report of Working Group I

19. Ms. TALLAWY said that Working Group I had met several times and prepared a second interim report for the Committee's consideration. On the question of the meeting of the persons chairing the treaty bodies to be held at Geneva in October 1988, the Working Group recommended that the Committee should welcome the relevant General Assembly resolution 42/105; it then proposed a number of points that the Chairperson, or whoever represented the Committee, should raise at that meeting. The first point related to the need to strengthen the secretariat of CEDAW, since there was not enough technical and legal support for the servicing of meetings; it would be interesting to know what level of servicing was provided to other treaty bodies. It would also be interesting to see, in the light of the experience of other bodies, how the work of the Committee and the reporting system could be expedited. Another important matter was the difficulties which some States appeared to experience in fulfilling their reporting obligations. The benefits of improving the Committee's relationship with specialized agencies and with other human rights treaty bodies should also be considered.
20. On the question of the reporting system, the Working Group had taken into account General Assembly resolution 42/60 and all previous resolutions on the subject and was recommending to the Committee that priority should be given to the consideration of initial reports and that the current guidelines should be observed; that second periodic reports should be considered in accordance with the guidelines and methods approved by the Committee for use at its current session; that in the event that a second periodic report was received prior to the consideration of an initial report, both reports should be considered together; and that the Committee should support the work of the meeting of the persons chairing the treaty bodies.

(Ms. Tallawy)

21. On the subject of preparations for the eighth session, to be held in 1989, the Working Group believed that the Committee should consider 11 initial reports and 3 second reports (of a total of 11 initial reports and 10 second reports received); it felt that that number would be sufficient, particularly if the session lasted only two weeks. Some of the reports might require supplementary material before they could be considered by the Committee; the Working Group proposed that the Committee should follow the procedure adopted at the sixth session.

22. On the work plan for the eighth session, the Working Group proposed that the two Working Groups should be allotted three hours a week, totalling six hours in the session, in the light of experience at the current session. Because of the backlog of work, experts were invited to co-ordinate questions to be considered at the next session so as to avoid repetition. The Working Group also proposed methods of improving the co-ordination of the questions posed to States parties; those proposals were intended to save time, while safeguarding the right of each expert to pose any questions she wished.

23. Ms. CORTI said that she fully supported the proposals for the rationalization of work and recommendations for strengthening the secretariat of the Committee. She felt that it would be unwise, however, to allocate only three hours to the consideration of each report; although in the past there had occasionally been repetition, in general the Committee's work had been serious and thorough and there had been no loss of time. Reports varied in length, but ample time was needed for their consideration. It would be too much to consider 11 reports at the next session, since the Committee would also have other matters to consider. There would be particular problems if the session lasted only two weeks; at the current session the Committee had had three weeks to consider a similar number of reports. The Committee might have to request a three-week session so as to be able to cope with the workload and backlog, and to justify the three weeks allotted for the current session.

24. Ms. EVATT said that there was a precedent for allotting three hours to the consideration of each report; the Committee on Economic, Social and Cultural Rights, at its latest session, had agreed to allot three hours to each report: 15 minutes for the introduction and for concluding remarks, 90 minutes for questions and 60 minutes for replies.

25. The Committee could not be criticized if it tried to do almost as much work at a two-week session as it had at the current session; at the current session it had spent time discussing procedures that would enable it to do more work in less time at subsequent sessions.

26. Ms. OESER said that the report of Working Group I covered many related topics which would have to be considered together. In connection with Ms. Evatt's comments, she noted that most of the work on working procedures had been carried out in the working groups outside the Committee's normal working hours.

27. The CHAIRPERSON asked whether the Committee accepted Working Group I's recommendations regarding the meeting of the persons chairing the treaty bodies.

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28. Ms. OESER said that she could accept the recommendations, although she would like paragraph 4 (a) to read "The need to strengthen the secretariat of CEDAW particularly with regard to legal advice" to make it clear that the secretariat needed to be strengthened in various ways. She wondered whether the Geneva meeting might consider the possibility of bringing together the United Nations offices dealing with human rights, namely the Centre for Human Rights at Geneva and the Branch for the Advancement of Women at Vienna; the geographical separation of the two units created great difficulties for them and for members of the Committee. Women's rights were an integral part of human rights; structural changes should be made so that they could be considered together within the United Nations system.

29. Ms. GONZALES-MARTINEZ said that the Committee should consider who would represent it at the Geneva meeting in the event that the Chairperson was not re-elected. The Chairperson was the only member with the experience and knowledge to represent the Committee. The Committee should perhaps seek the advice of the Legal Counsel.

30. The CHAIRPERSON said that if she was not re-elected, an expert whose term of office ended in 1992 should be elected, or should be nominated by her. It was not clear whether only the persons chairing the treaty bodies could attend the meeting.

31. Ms. SINEGIORGIS said that she could support the recommendations regarding the Geneva meeting; she would like paragraph 4 (a) to read: "The need to strengthen the secretariat of CEDAW, particularly with regard to legal advice and technical staff". In the event that the Chairperson was not re-elected, perhaps one of the Vice-Chairpersons could attend the meeting.

32. Ms. OESER agreed that if the Chairperson was not re-elected, the Committee would have to be represented by a Vice-Chairperson whose mandate had not expired.

33. The CHAIRPERSON asked whether the Committee accepted the recommendations regarding the Geneva meeting, with minor amendments in paragraph 4 (a), and agreed that in the event that she was unable to attend the meeting, a Vice-Chairperson would attend.

34. Ms. EVATT said that she could agree that the Chairperson should nominate someone to take her place if she was unable to attend the meeting. It would be desirable for the Committee to be represented by someone who had served on the Committee for some time.

35. Ms. GONZALEZ-MARTINEZ said that in accordance with its rules of procedure, the Committee elected a Bureau consisting of a Chairperson, Vice-Chairpersons and a Rapporteur; that order should be followed in determining the representation of the Committee and no one else could represent the Committee.

36. Ms. LAIOU-ANTONIOU agreed that the Committee should follow its rules of procedure; both the Vice-Chairpersons had the right to represent the Committee.

37. Ms. GUAN Mingqian said that the meeting was very important to the Committee; she hoped that the Chairperson would be re-elected since she was very experienced

(Ms. Guan)

in the Committee's work. The Vice-Chairpersons had served the Committee for a relatively short time; if the Chairperson was not re-elected, she could still be asked to attend the meeting and convey the Committee's views.

38. Ms. CARON said that the Chairperson, if not re-elected, should designate someone to represent CEDAW at the Geneva meeting.

39. Ms. PILATAXI de ARENAS stressed the need to take a decision at the current session on who would represent the Committee at the Geneva meeting.

40. Ms. LAIOU-ANTONIOU suggested that the Chairperson should seek advice from the Legal Counsel on who should represent the Committee if she was not re-elected.

41. Ms. SINEGIORGIS said that the question was not so complicated that the Committee required legal advice. Either the Committee should decide or the Chairperson should appoint someone to represent CEDAW at the Geneva meeting.

42. Ms. CORTI said that it was for the Chairperson to decide what should be done.

43. Ms. SOUMARE said that the problem could be solved by following the rules of procedure. There was no need to seek legal advice.

44. Ms. NOVIKOVA said she had the impression that English had become the sole working language in the Committee. In that regard, she fully supported the views expressed by the Spanish-speaking experts, who felt at a disadvantage in the deliberations of the Committee. The members of the Working Group, too, should be able to express their views freely on the questions under consideration within the Group.

45. If the Chairperson attended the Geneva meeting but was not re-elected, she would be unable to inform the Committee about the meeting. The Committee itself should decide who would represent it at that meeting.

46. Ms. TALLAWY felt that the Chairperson should decide, since General Assembly resolution 42/105 referred to "the meeting of the persons chairing the treaty bodies".

47. The CHAIRPERSON said that she would like a clear indication from the Committee of the procedure to be followed in selecting someone to represent it.

48. Ms. EVATT said that the Chairperson should select someone and the Committee could take the final decision.

49. Ms. MONTENEGRO de FLETCHER said that, if the Chairperson was not re-elected, she should select a Vice-Chairperson whose term of office did not expire that year and who could therefore inform the Committee about the Geneva meeting.

50. The CHAIRPERSON said that she would take a decision on the matter within 24 hours.

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51. Ms. NOVIKOVA said that the procedure of using lists of questions in the consideration of second periodic reports resembled court proceedings. There had not been much communication or dialogue between the Committee and the reporting States. She did not feel that it was necessary for the Chairperson to read out the questions on the list. That put the representatives of the States parties in the position of persons under interrogation. They should be given the opportunity to indicate to the Committee the general principles followed by the Governments concerned in implementing the Convention. The Committee's task was not to criticize States parties but rather to help them understand how they could better implement the Convention. The procedure based on lists of questions was not well-suited to that approach.

52. Ms. PILATAXI de ARENAS stressed the need to analyse the results of the procedure used in considering the reports of Hungary and Sweden. The Committee should be able to express its general views and indicate what it expected from States parties in the implementation of the Convention. The fact that the two second periodic reports had been dealt with speedily was not necessarily a sign of success.

53. The CHAIRPERSON said that the Committee would consider the results of the procedure used in dealing with the second periodic reports at a later stage. She asked whether the experts could accept the recommendations in paragraph 6 of the draft second interim report of Working Group I.

54. Ms. SINEGIORGIS said that she could support the recommendations in paragraph 6 (a), (b) and (c), but felt that paragraph 6 (d) should be deleted because that question was dealt with in paragraph 2 of the draft report.

55. Ms. LAIOU-ANTONIOU, referring to paragraph 6 (c), said that there was a danger that States parties might feel that they could submit their initial and second periodic reports together.

56. Ms. OESER stressed the need to accord priority to the consideration of initial reports, which gave the Committee and the States parties an opportunity to get acquainted with each other. Paragraph 6 (c) should be worded in such a way as to indicate clearly that the Committee expected to receive the initial report first. If the Committee had both the initial and second periodic reports of a State party, then they could be considered at the same time.

57. Ms. NOVIKOVA stressed that States parties were obliged to submit initial reports within a certain period of time. The periodicity for the submission of reports should be adhered to.

58. Ms. EVATT said that, although the initial report of Honduras had been submitted first, it had not been considered by the Committee. Subsequently, Honduras had submitted its second periodic report. She did not feel that the Committee could fail to take account of the second periodic report, which provided more up-to-date information on the implementation of the Convention in that country. The two reports should therefore be considered together.

59. Ms. CORTI proposed that paragraph 6 (c) should be deleted. Since many States parties would be late in submitting their initial reports, the position set forth in that subparagraph might give rise to misunderstandings and could prove counterproductive.

60. Ms. LAIOU-ANTONIOU agreed with Ms. Corti that paragraph 6 (c) should be deleted because it could cause problems in the future.

61. The CHAIRPERSON said that, if she heard no objection, she would take it that the Committee wished to delete paragraph 6 (c).

62. It was so decided.

63. The CHAIRPERSON said that the Committee would defer consideration of paragraph 6 (b) until the experts had had the chance to study the guidelines and methods for considering second periodic reports.

64. Ms. OESER objected that a two-week session could not possibly do justice to the work in hand. Government representatives would thus travel from the far side of the globe to spend an hour presenting their reports. Hasty examinations of the reports was not within the spirit of the Convention. While she was not against rationalization per se, it could be taken too far. A realistic workload should be agreed upon.

65. The CHAIRPERSON agreed that the schedule was very tight. The most that a two-week session could examine was 10 reports. There would also be recommendations to consider. She therefore recommended asking for a one-week extension. By next year there would be 22 reports for consideration and there would always be a backlog as new reports arrived.

66. Ms. LAIOU-ANTONIOU said that the practice recommended in paragraph 13, of Working Group I's draft report namely, allotting three hours to each report, was too rigid. Quality was as important as quantity. If a report and questions were rushed through, the submitting country might conclude that the Committee was not serious and it would certainly not be made more sensitive on the subject of its discrimination record. It was better to deal with 5 reports thoroughly and have an effect on five countries than examine 15 reports in a cursory manner.

67. Ms. SINEGIORGIS agreed that while admirable, the proposal was hard for the Committee to adopt. A soul-searching dialogue with the submitting countries was needed. The Committee served to keep countries on their toes. Yet it was still only two years old and could not yet process 15 or 16 reports a year. She therefore proposed that the General Assembly be requested to grant the Committee three weeks just like other treaty bodies. She also proposed an oral amendment to paragraph 12, which should read:

"States parties should also be informed that if the material does not arrive in time for translation and distribution, the Committee may decide not to consider the report of that State party until a later session."

68. Ms. NOVIKOVA agreed that the Committee's work needed to be streamlined but said that the quality and level of dialogue with Governments was equally important. On the question of whether to have two- or three-week sessions, the Committee should be able to determine how much time it needed to consider the reports. She proposed the alternative of considering more reports by extending the length of meetings. She felt, however, that the Committee should not make its life more difficult by trying to deal with an excessive number of reports. Reports also differed in the complexity of the situations which they recorded. Although at the previous session she had expressed reservations on the cost of holding a three-week session, she did not rule it out completely.

69. Ms. EVATT noted that the current session had been a three-week session and 13 reports had been examined, two of which had been second reports. She suggested that if the Committee wished to request a three-week session it should set itself a target of 15 reports. On the other hand, if the Committee accepted a two-week session, it should confine itself to examining the initial reports already before it.

70. Ms. GONZALEZ-MARTINEZ noted from General Assembly resolution 42/60 that the Committee could use no more than eight additional meetings. If they were requested, the 11 additional reports previously mentioned could be dealt with. However, in case the General Assembly did not authorize that extension, the Committee should decide now which reports it could consider in a two-week session. She suggested that the date of submission of reports, which were often late, should also be taken into account. Thus the reports that were received first would be dealt with first; those received later might have to be deferred until the following year.

71. The CHAIRPERSON said that at the previous two-week session, eight initial reports had been dealt with. Ten would be an absolute maximum, but the Committee should keep up its momentum. However, if the Committee examined 10 initial reports, there might not be time to consider second reports. She recommended asking for a three-week session, at which 15 reports would be considered, of which 12 would be initial reports and 3 second reports. That would eliminate the current backlog. Regarding paragraph 14, she suggested that meetings of the Working Groups should be scheduled either before or after Committee meetings, so as to avoid fragmentation and dissipation of energies.

72. Ms. OESER said that her experience had shown that Working Group II did not usually start its work until the last week as it did not yet have any recommendations to work on. She agreed with Ms. Laiou-Antoniou that the Committee should be flexible.

73. The CHAIRPERSON noted that paragraph 11 and paragraph 12, as orally amended, were acceptable to the Committee.

74. Ms. CORTI, referring to paragraph 13, suggested that the Committee should request a three-week session and that efforts should be made to examine 12 initial reports.

75. The CHAIRPERSON agreed that the Committee could afford to be flexible with Working Group II.
76. Ms. SINEGIORGIS proposed that consideration of paragraph 16 should be deferred, as it was a very complex issue.
77. It was so decided.
78. Ms. GONZALEZ-MARTINEZ said that it was important to settle organizational matters for new members of the Committee, since half the members would be new at the next session. It would be a pity to waste the first three days of a three-week session on organizational matters.
79. Ms. SINEGIORGIS said that she was all in favour of organization, but sometimes felt uncomfortably distanced when a report was dealt with hurriedly and there was no real feeling of a personal dialogue.
80. The CHAIRPERSON asked the Committee if it approved the recommendation in paragraph 20 of the draft report concerning reports from the specialized agencies.
81. Ms. LAIOU-ANTONIOU said that other organizations, such as trade unions, could be invited to send observers.
82. The CHAIRPERSON said that the absence of observers was indeed a bad sign and that observers should be invited.
83. Ms. NOVIKOVA said that paragraph 20 should be read in conjunction with article 22 of the Convention.
84. Unfortunately, the documents received from such bodies as ILO so far had been mere random compilations of lists and tables containing little that the experts did not already know. It would indeed be interesting to have an analysis of the activities of, for example, UNESCO and ILO in such areas as equal pay for equal work and training.
85. Ms. LAIOU-ANTONIOU endorsed the comments of the previous speaker.
86. The CHAIRPERSON said that she would therefore ask for more detailed reports.
87. Ms. SOUMARE said that she agreed that the specialized agencies should report, in particular, on progress in their member States. However, that might well be perceived as interference in the internal affairs of States.
88. Ms. EVATT pointed out that paragraph 20 had been drafted the previous year and was not, therefore, up to date.
89. It had been her impression that ILO wanted to submit better reports, but had not done so owing to a seeming lack of interest on the part of the Committee. However, she hoped that the increased interest of the Committee would change that situation.

90. Ms. OESER reminded the Committee that the specialized agencies provided reports simply as background for the experts to use in evaluating reports from States parties. It was not worth spending a lot of time examining the former, which were not intended to be considered at length by the Committee. Article 22 of the Convention was clear on that point. There was no reason to feel disappointed with those reports, or to wish them otherwise.

91. Ms. GONZALEZ-MARTINEZ said that the drafting of paragraph 20 was not clear.

92. The CHAIRPERSON said that the Working Group would be invited to redraft paragraph 20 in accordance with the previous year's decision.

The meeting rose at 6.15 p.m.