



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

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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Third session

SUMMARY RECORD OF THE 30th MEETING

Held at Headquarters, New York,
on Wednesday, 28 March 1984, at 10 a.m.

Chairperson: Ms. IDER

CONTENTS

Consideration and adoption of the report of the second session of the Committee
(continued)

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The meeting was called to order at 10.20 a.m.

CONSIDERATION AND ADOPTION OF THE REPORT OF THE SECOND SESSION OF THE COMMITTEE
(continued) (CEDAW/C/CRP.1)

Paragraphs 120 to 148

1. Ms. BERNARD (Rapporteur) said that since the amendments submitted by the representative of the Byelorussian SSR to paragraphs 138, 139 and 140 altered the form, not the substance, they did not call for discussion. Moreover, those elements of the amendments to paragraphs 139 and 140 which contained material from the report of the State party that had not been reflected in the summary records could not now be inserted. On the other hand, the amendment dealing with maternity leaves, which was intended to replace paragraphs 141 and 145, and the amendment relating to paragraph 147, which expanded and clarified the existing text, should be adopted. Paragraphs 142 to 144 would remain unchanged.
2. She informed the Committee that the representative of the Byelorussian SSR had just submitted a redrafted text of all the paragraphs pertaining to his country's report designed to replace the existing text.
3. Ms. PATIÑO, speaking on a point of order, asked how the Committee planned to proceed in future in examining its report. Her question related to rules 17, 48 and 49 of the rules of procedure. Was she to understand that any State party could comment on the Committee's report, either through the Rapporteur or through a member of the Committee?
4. Ms. JAYASINGHE, supported by Ms. CORTES, pointed out that if the amendments were substantive, the Committee should discuss them. If not the text should remain unchanged.
5. Ms. BIRYUKOVA said that the amendments submitted by the representative of the Byelorussian SSR were designed to bring that part of the Committee's draft report which dealt with the replies he had given to questions put by the Committee concerning his country's report into line with the accounts in the summary records. It was the responsibility of the Committee to correct any distortions or inaccuracies in its report.
6. Ms. CARON said that there was a time-limit to be observed in submitting amendments. She supported the Rapporteur's recommendations and said that the Committee should take a decision on them.
7. Ms. EL-FETOUH said that the Committee had allowed the representative of the Byelorussian SSR to suggest amendments under rule 50 of the rules of procedure. However, the Committee was now discussing its own report to the Economic and Social Council; it should confine itself to acting on the Rapporteur's recommendations.

8. Ms. GONZALEZ said that the representative of the Byelorussian SSR had been given ample opportunity to express his views on how his Government's replies should be reflected in the Committee's report. The Committee should accept the Rapporteur's recommendations concerning the amendments requested by the Byelorussian SSR.
9. Ms. OESER, noting that the expert from the Soviet Union had stated that there were some errors in paragraphs 138, 139 and 140 and in paragraphs 143 and 144, suggested that the specific errors should be brought to the Committee's attention.
10. Ms. GUAN MINQIAN said that the report should not be redrafted at that late stage; the Committee would be setting a dangerous precedent. The Rapporteur had made every effort to ensure that the report reflected a compromise among varying views, and the Committee should be guided by what she had proposed. Only amendments submitted by representatives of States parties designed to rectify actual errors should be adopted.
11. Ms. BERNARD (Rapporteur) said that she had carefully reviewed the amendments and was convinced that they did not alter the substance contained in the draft report, but merely modified the wording. She therefore saw no need for any changes other than those she had suggested.
12. Ms. REGENT-LECHOWICZ said that the report had to be as accurate as possible. The Committee should adopt amendments to correct any serious omissions. There had been many errors in the part dealing with the Soviet Union, for example, and the Committee had been forced to amend it.
13. Ms. LAMM said that she agreed with the comments made by Ms. Regent-Lechowicz. One aspect of the Committee's work which had not been reflected in the report was its reaction to the replies given to its questions by the representative of the Byelorussian SSR. A paragraph should be added to reflect that reaction.
14. The CHAIRPERSON suggested that the Committee adopt paragraphs 120 to 148 on the understanding that the Rapporteur would make the necessary drafting changes in the light of the Committee's discussion.
15. It was so decided.

Paragraphs 240 to 278

16. Ms. VELIZ de VILLALVILLA said that the Spanish version of the report was poorly drafted and in some cases inaccurate. In paragraph 247, for example, the second sentence should end with "difficulties encountered in implementing the Convention due to the problems of underdevelopment". The Spanish version of paragraph 256 should be brought into line with the English. The phrase "orientation centres" in paragraphs 268 and 269 should be replaced by "interest clubs", and the final sentence of paragraph 269 should be brought into line with document CEDAW/C/SR.23, paragraph 5. The end of the first sentence of paragraph 273 should read "milk and meat at a very low price, although the goods were on the free market at higher prices".

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17. Ms. MACEDO de SHEPPARD suggested that in paragraph 247, "The Committee expressed appreciation" be replaced by "Some members expressed appreciation".
18. Ms. VELIZ de VILLALVILLA suggested that the impersonal phrase "Appreciation was expressed" be used there.
19. Ms. BERNARD (Rapporteur) said that she was prepared to accept all the amendments proposed by Ms. Veliz de Villalvilla.
20. Paragraphs 240 to 278, as amended, were adopted.

Part V

Paragraph 1

21. Ms. SMITH, supported by Ms. ILIC, Ms. CORTES, Ms. OESER and Ms. MUKAYIRANGA, proposed that paragraph 1 be deleted. All the proposals made by experts regarding the content, form and dates of reports were contained in the guidelines annexed to the draft report and paragraph 1 was entirely superfluous. It was necessary merely to refer to the guidelines contained in document CEDAW/C/7.
22. Ms. BERNARD, Rapporteur, supported by Ms. BIRYUKOVA, Ms. MACEDO de SHEPPARD, Ms. CARON and Ms. VELIZ de VILLALVILLA, agreed that the wording of paragraph 1 was unsatisfactory and that the paragraph could be deleted entirely, since the matter of the guidelines had been dealt with in section III of the draft report.
23. Paragraph 1 was deleted.

Paragraph 2

24. Ms. ILIC suggested deletion of the initial phrase "In organizing its work," from paragraph 2.
25. Ms. CORTES, supported by Ms. MACEDO de SHEPPARD, suggested that the first sentence of paragraph 2 should be amended to read: "The Committee recommended that representations be made to the effect that Governments which have not yet ratified or acceded to the Convention should be urged to do so as early as possible."
26. Ms. SMITH, supported by Ms. MUKAYIRANGA, suggested deletion of paragraph 2 because the recommendation it contained had no real substance. Indeed, in her view, part V should be eliminated altogether from the report on those grounds.
27. Ms. BIRYUKOVA said that part V had to be included in the report by virtue of article 21 of the Convention, which made provision for the Committee to make recommendations.
28. Ms. OESER agreed with Ms. Smith that part V of the report as it stood, did not reflect the kind of recommendations intended in article 21 of the Convention, and felt that paragraph 2 could just as appropriately have been included in part II,

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(Ms. Oeser)

section D, of the report, relating to the future work of the Committee. Indeed it would be useful to have a general discussion in the Committee, taking into account the practice of similar United Nations bodies, on the meaning of the term "general recommendations" in the sense of article 21 of the Convention.

29. Ms. SMITH said that she wholeheartedly endorsed that suggestion.

30. Ms. CORTES said that it would be best to hold such a discussion under the item "Other matters" before the Committee came to draft its next report.

31. Ms. BERNARD, Rapporteur, explained that paragraph 2 had been included in part V of the report on the basis of a decision taken by the Committee at its twenty-fifth meeting.

32. Paragraph 2, as amended, was adopted.

Paragraph 3

33. Ms. GONZALEZ MARTINEZ pointed out that paragraph 3 drew the attention of States parties to the desirability of applying the positive experiences referred to specifically in the reports of the German Democratic Republic, the Union of Soviet Socialist Republics and Cuba. She maintained that any such recommendation on the part of the Committee must refer to the positive experiences which had, in fact, been referred to in all the reports it had considered.

34. Ms. SMITH supported that argument.

35. Ms. LAMM suggested that the reference to specific country reports should be deleted and replaced by a general reference to the reports considered at the second session.

36. Ms. BIRYUKOVA, supported by Ms. PATIÑO, Ms. MACEDO de SHEPPARD, and Ms. VELIZ de VILLALVILLA, agreed with the suggestion of Ms. Lamm. She proposed formulating a more general recommendation in paragraph 3, in view of the interesting elements in a number of other country reports, that would draw attention to "the positive experiences referred to in the reports taken up at the second session."

37. Ms. CORTES, supported by Ms. GONZALEZ MARTINEZ, Ms. MUKAYIRANGA and Ms. CARON, said that, if paragraph 3 were retained at all, a vaguer reference to "the positive experiences that emerged from the reports" would be preferable.

38. Ms. ILIC, supported by Ms. CORTES, Ms. EL-FETOUH, Ms. MUKAYIRANGA, Ms. CARON and Ms. SMITH, proposed deleting paragraph 3. She observed that the text contained a value judgement that would be most unusual in the final report of a United Nations committee. Judgements of that sort could be reflected in summary records as individual opinions, but it would be a bad precedent to include such a statement in the Committee's report. It so happened that the country reports generally had described good experiences in eliminating discrimination against women, but no State party was obliged to use them as models.

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39. Ms. BERNARD, Rapporteur, supported by Ms. JERYASINGHE and Ms. OESER, observed that paragraph 3 had been drafted before the Committee's guidelines had been formulated. There was no need to include such a recommendation at all in part V, and she proposed deletion of paragraph 3.

40. Ms. VELIZ de VILLALVILLA insisted that the recommendation that States parties should learn from the positive experience of other countries such as the German Democratic Republic, Sweden, Cuba, the USSR and others, was a valid one. Cuba, in drafting its initial report, had indeed found it useful to study earlier country reports.

41. Ms. PEYTCHIEVA, supported by Ms. ILIC, said that if the paragraph was deleted, the recommendation it contained should at least be included where the reports of the German Democratic Republic, the USSR and Cuba were discussed.

42. Ms. CARON, supported by Ms. GONZALEZ MARTINEZ, said that if such comments were added to the report, they should be added to the sections dealing with every one of the country reports, for in every case there had been some experts who had praised what they considered positive measures.

43. Ms. SMITH said that she agreed with the Rapporteur that the recommendation in paragraph 3 was meaningless and should be deleted. Supported by Ms. BERNARD, Rapporteur, and Ms. GUAN Minguian, she proposed adding, at the end of the discussion of each country report in part IV of the Committee's report, a statement to the effect that some experts drew the attention of States parties to the desirability of applying the positive experiences referred to in that country report.

44. The CHAIRPERSON said that, if she heard no objection, she would take it that the Committee wished to delete paragraph 3 and adopt the proposal just made by Ms. Smith.

45. It was so decided.

Paragraph 91

46. Ms. BERNARD, Rapporteur, read out a two-page paragraph which Ms. Biryukova proposed to add to the Committee's report after paragraph 91.

47. Ms. CARON said that the paragraph was far too long to be included in a draft report, and asked whether it had been reflected in any of the Committee's earlier records.

48. Ms. BERNARD, Rapporteur, said that she would check the appropriate summary records.

The meeting rose at 1.05 p.m.