



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

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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Fourth session

SUMMARY RECORD OF THE 61st MEETING

Held at the Vienna International Centre, Vienna,
on Thursday, 31 January 1985, at 2.30 p.m.

Chairperson: Ms. BERNARD

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The meeting was called to order at 2.50 p.m.

ADOPTION OF THE REPORT OF THE COMMITTEE ON ITS FOURTH SESSION (CEDAW/C/1985/L.1 and Add.1-8)

1. The CHAIRPERSON invited members to consider the draft report of the Committee on its fourth session (CEDAW/C/1985/L.1 and Add.1-8), confining their comments and suggestions to matters of substance only. Technical and editorial corrections would be attended to by the Secretariat.

2. Ms. CREYDT (Secretary of the Committee) read out a number of corrections to document CEDAW/C/1985/L.1.

3. Ms. SINEGIORGIS said that, in her opinion, the draft report was still full of repetitions and errors and should be re-drafted.

Document CEDAW/C/1985/L.1

Paragraphs 1-3

4. Paragraphs 1-3 were adopted without change.

Paragraph 4

5. Ms. SINEGIORGIS said that she did not understand the precise meaning of the paragraph.

6. Mrs. SHAHANI (Assistant Secretary-General for Social Development and Humanitarian Affairs) said that she had deliberately used rather vague language in the part of her opening statement to which the paragraph referred because she had felt that it would be out of place to appear to be telling the Committee where it should hold its meetings. At the same time, she had wanted to convey the point that Secretariat services would be more readily available in Vienna. She suggested that paragraph 4 should be re-drafted to read as follows:

"The Assistant Secretary-General reassured the Committee of the continuing support of the Secretariat but made the observation that availability of Secretariat services should be taken into account in deciding the venue of future meetings."

7. It was so decided.

8. Paragraph 4, as amended, was adopted.

Paragraph 5

9. Paragraph 5 was adopted.

Paragraph 6

10. Ms. OESER (Rapporteur) read out the following amendment submitted by Ms. Biryukova for addition at the end of paragraph 6:

"As to the substance to which suggestions and recommendations could be addressed, she recalled the conclusion of the Legal Office presented to the

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Committee that both could be made to the form, contents and dates of the periodic reports as provided for in rule 46 of the Committee's rules of procedure."

11. Ms. GONZALEZ, supported by Ms. EVATT, said she thought that it would be more logical to add the sentence to paragraph 31.

12. Ms. BIRYUKOVA said that the sentence in question had formed part of the Assistant Secretary-General's opening statement and was reflected in paragraph 8 of document CEDAW/C/SR.45. It would therefore be logical to add it to paragraph 6.

13. It was so agreed.

14. Paragraph 6, as amended, was adopted.

Paragraphs 7 and 8

15. Paragraphs 7 and 8 were adopted.

Paragraph 9

16. Ms. SINEGIORGIS suggested that the paragraph should be transferred to a place nearer the beginning of the report.

17. It was so agreed.

18. Paragraph 9 was adopted on that understanding.

Paragraph 10

19. Paragraph 10 was adopted with minor drafting changes.

Paragraph 11

20. Paragraph 11 was adopted.

Paragraph 12

21. Ms. SINEGIORGIS, supported by Ms. SMITH, suggested that the second part of the second sentence, beginning with the words "after serious consideration", should be deleted.

22. It was so agreed.

23. Paragraph 12, as amended, was adopted.

Paragraph 13

24. Ms. CARON suggested that paragraph 13 should be deleted.

25. It was so agreed.

Paragraph 14

26. Ms. OESER (Rapporteur) said that Ms. Biryukova had submitted two amendments to the paragraph. In the second sentence, the words "by some experts" should be added after the word "suggested". Secondly, the words "and proposed to entrust the preparation of a draft to the Rapporteur of the Committee" should be added at the end of the last sentence.

27. Those amendments were adopted.

28. Ms. REGENT-LECHOWICZ suggested that the first sentence of paragraph 14 should be deleted and the words "the final document" in the present second sentence should be replaced by the words "the final draft of the Committee's report to the World Conference".

29. It was so agreed.

30. Paragraph 14, as amended, was adopted.

Paragraph 15

31. Paragraph 15 was adopted.

Paragraph 16

32. Ms. ILIĆ suggested that the word "general" at the beginning of the paragraph should be deleted.

33. It was so decided.

34. Paragraph 16, as amended, was adopted.

Paragraphs 17-21

35. Paragraphs 17-21 were adopted.

Paragraphs 22-24 and 26

36. Ms. OESER (Rapporteur) said that Ms. Evatt had proposed that paragraphs 22, 23, 24 and 26 should be deleted.

37. It was so decided.

Paragraph 25

38. The CHAIRPERSON proposed adding the word "March" before "1986".

39. Ms. GONZALEZ proposed replacing the first part of the sentence by "The Committee confirmed its decision, as approved by the Economic and Social Council and the United Nations General Assembly, that the fifth session of the Committee ...".

40. The CHAIRPERSON suggested that the word "reaffirmed" should be used instead of "confirmed".

41. The amendment proposed by Ms. González was adopted with that change.

42. Paragraph 25, as amended, was adopted.

Paragraphs 27 and 28

43. Paragraphs 27 and 28 were adopted.

Paragraph 29

44. Ms. OESER (Rapporteur) said it seemed that paragraph 29 was duplicated in a later section of the report. However, that point could be left open and the Committee could discuss any amendments at the present stage.

45. Ms. ILIĆ proposed that at the end of the paragraph the words "but suggested that the Committee should find ways to improve its work" should be added.

46. It was so agreed.

47. Ms. OESER (Rapporteur) said that Ms. Evatt had proposed that the words "be completed by the year 2000" in the third sentence should be replaced by "take many years".

48. It was so agreed.

49. Ms. OESER (Rapporteur) said that Ms. Biryukova and Ms. Ilić had proposed that an additional sentence be added after the word "2000", reading: "Some experts were of the opinion that the Committee should consider as a matter of priority the initial national reports", and that the next sentence should begin with the word "Some" instead of "Other".

50. It was so agreed.

51. Paragraph 29, as amended, was adopted.

Paragraph 30

52. Ms. OESER (Rapporteur) said that Ms. Biryukova had proposed that a sentence should be added at the end of the paragraph to read: "Another expert stressed that the Committee did not take a decision to ask the Secretariat to provide such information, and in accordance with paragraph 348 of the same report that request was expressed only by some experts."

53. It was so agreed.

54. Paragraph 30, as amended, was adopted.

Paragraph 31

55. The CHAIRPERSON suggested that the words following the word "Committee" in the second sentence should be deleted.

56. It was so agreed.

57. Paragraph 31, as amended, was adopted.

Paragraph 32

58. Ms. OESER (Rapporteur) said that Ms. Evatt had proposed that the first sentence be deleted.

59. It was so decided.

60. Ms. GONZALEZ said that she had been under the impression that the Chairperson had suggested that the question of suggestions and general recommendations should be placed on the agenda of the next session. She proposed that the words "a future", in the last line, should be replaced by "the next".

61. It was so decided.

62. Ms. SINEGIORGIS asked whether the Committee had taken a decision to place the issue in question on its agenda for the next session.

63. The CHAIRPERSON said that she had made a suggestion to that effect. A decision on the point should be taken before the end of the present session.

64. Ms. CARON wondered whether the second sentence of paragraph 32 should be added to paragraph 30.

65. The CHAIRPERSON proposed that paragraphs 30 and 31 and the second sentence of paragraph 32 be combined into one paragraph 30.

66. That proposal was adopted.

Paragraphs 33-41

67. The CHAIRPERSON said it had been suggested that the Committee might defer consideration of those paragraphs.

68. It was so decided.

Document CEDAW/C/1985/L.1/Add.1

Paragraphs 1-4

69. Paragraphs 1-4 were adopted.

Paragraph 5

70. Ms. CARON said that the date in the fourth line should be 1981. She also proposed adding, at the end of the paragraph, a sentence to read: "He pointed out, inter alia, that there had been a change of attitudes."

71. Those amendments were adopted.

72. Paragraph 5, as amended, was adopted.

Paragraph 6

73. The CHAIRPERSON said that the drafting of the first sentence was faulty and suggested that the Secretariat should correct it.

74. With that understanding, paragraph 6 was adopted.

Paragraph 7

75. Ms. OESER (Rapporteur) said that Ms. Evatt had asked for the third sentence to be deleted and replaced by: "The provisions of section 15(1), which would come into force on 17 April 1985, were significant since they provided for equality of rights and applied to federal and provincial laws, regulations, policies and government agencies."

76. Ms. BIRYUKOVA said that she did not think it was appropriate to correct the summary of the statement made by a representative of a Government.

77. Ms. EVATT thought that the statement of the Canadian Government's representative was better reflected in paragraphs 10 and 11 of document CEDAW/C/SR.48.

78. Ms. Evatt's amendment was adopted.

79. Ms. CARON thought that the word "emphasized" in the first sentence was too strong, and suggested that it should be replaced by the word "stressed".

80. It was so decided.

81. Paragraph 7, as amended, was adopted.

Paragraph 8

82. Ms. OESER (Rapporteur) said that Ms. Evatt had proposed adding at the end of the sixth line, after the word "and", the words "the provision of goods and services. Federal laws proscribed discrimination". The text would then continue as at present: "based on pregnancy ...".

83. It was so agreed.

84. Ms. CARON proposed that the first sentence should be amended to read: "The representative noted that the Government was aware that a problem remained, namely the Indian Act". She also proposed adding, in the seventh line, after the words "as well as", the words "amendments to".

85. Those amendments were adopted.

86. After some discussion, the CHAIRPERSON suggested that the last part of the paragraph, beginning with the words "The Federal and provincial governments", should become a new paragraph, introduced by the words "The representative stated that".

87. It was so agreed.

88. Ms. EVATT proposed that at the end of the new paragraph (8 bis), a sentence should be added to read: "Affirmative action programmes applied to federal and provincial departments and could be applied to private employees."

89. It was so decided.

90. Paragraph 8, as amended, was adopted together with the new paragraph (8 bis).

Paragraph 9

91. Ms. CARON proposed that the last sentence should end at the word "candidates" and that an additional sentence should be added to read: "An increasing number of women are occupying highly visible positions, including the office of Governor-General, and six women were appointed to the Cabinet, including some with key economic portfolios."

92. Ms. BIRYUKOVA protested at the number of changes being proposed by Ms. Evatt and Ms. Caron. The last sentence of paragraph 9 of the report provided sufficient information and it was not necessary to indicate the numbers of women in high positions. In any case, figures were not significant unless one knew what proportion they represented.

93. Moreover, although the Assistant Secretary-General had asked the Committee to make its report as brief as possible, the present report was already much longer than those of the Committee's second and third sessions. The Committee must maintain a balance or it would be in danger of introducing discrimination against some countries. In her view, more attention should be paid to the discussion of the questions asked than to summarizing the information provided by the government representatives.

94. Ms. EVATT said that she took the point made by Ms. Biryukova. She did not wish to add to the length of the report and would try to reduce the number of her amendments. She did, however, consider the section dealing with the report of Canada rather short. Furthermore, very little place had been given to answers to the questions the representative had been asked.

95. The CHAIRPERSON asked Ms. Evatt to try to reduce the length of her amendments and to consider withdrawing some of them. She assumed that paragraph 9 would end with the text proposed by Ms. Caron.

96. It was so agreed.

97. Paragraph 9, as amended, was adopted.

Paragraph 10

98. Paragraph 10 was adopted.

Paragraph 11

99. Ms. WADSTEIN said she thought that the report should cover the main issues. She proposed the addition of two new sentences at the end of paragraph 11, reading as follows: "Canada's experience could serve as a source of inspiration to other countries. There also seemed to be an awareness of the fact that identical treatment of women and men could have discriminatory effects."

100. Ms. BIRYUKOVA said that Canada's report could hardly serve as an inspiration to other countries because several experts had pointed out the persistence of discrimination in that country, particularly against Indian women and immigrants, and many had considered the report too detailed. If Ms. Wadstein's amendment was adopted, the views should be attributed to "one expert". She wished to propose the addition of another sentence based on paragraphs 73, 75 and 77 of the relevant summary record (CEDAW/C/SR.48) to the effect that other experts had stressed that in Canada there were multiple violations of the provisions of the Convention and

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consequently it could not be set up as an example. She agreed that members of the Committee had thanked the representative of Canada but not all had praised the report. Perhaps the word "many" could be inserted between "and" and "praised" in the second line.

101. Ms. WADSTEIN thought that all experts had praised the report for at least one of the reasons given, namely its frankness, clarity or commitment. She felt that Ms. Biryukova's amendment should be in a separate paragraph, since its tone did not fit in with the positive tone of paragraph 11.

102. Ms. OESER (Rapporteur) said it was now proposed that paragraph 11 should read: "Members of the Committee thanked the representative of the Government of Canada for his presentation and many praised the report for its frankness, clarity and commitment, which reflected the political will of Canada to implement the articles of the Convention improving the status of women. One expert considered that Canada's experience could serve as a source of inspiration to other countries. There also seemed to be an awareness that identical treatment of women and men could have discriminatory effects. It was observed to be a major task for such a vast country but remarkable efforts had been made and results could be seen." Then would come Ms. Biryukova's amendment.

103. The CHAIRPERSON requested Ms. Biryukova to submit her amendment in writing to the Secretariat. The Committee would now proceed to the next paragraph.

Paragraph 12

104. Paragraph 12 was adopted.

Paragraph 13

105. Ms. OESER (Rapporteur) said that Ms. Biryukova had proposed the following amendment, to be inserted in the fourth line after "Indian women": "Some experts said that Indian women, one of the most disenfranchised groups of Canada's population, were still suffering from official discrimination under a law enacted more than a century previously. Those experts specifically asked what measures were being taken to eliminate the de facto discrimination against Indian women and whether there were ...".

106. The CHAIRPERSON thought that the text should perhaps refer to "one expert".

107. Ms. BIRYUKOVA noted that the beginning of the paragraph referred to the concern of "most" members of the Committee; several had, in fact, asked about special social programmes.

108. The CHAIRPERSON suggested "a few experts".

109. It was so agreed.

110. The amendment was adopted.

111. Paragraph 13, as amended, was adopted.

Paragraph 14

112. Ms. CARON proposed that the words "migrants" and "migrant" in the second and third lines respectively should be replaced by "immigrants" and "immigrant".

113. It was so agreed.

114. Paragraph 14, as amended, was adopted.

Paragraph 15

115. Ms. OESER (Rapporteur) said that Ms. Biryukova had proposed the following amendment: "Some experts stressed that the report confirmed the existence of serious problems in Canada in the field of the enjoyment by women of the most important right of all, the right to work."

116. Ms. WADSTEIN said that that amendment should begin: "One expert".

117. Ms. BIRYUKOVA said that, according to paragraph 81 of the relevant summary record (CEDAW/C/SR.48), Ms. Oeser had referred to women's lower salaries.

118. Ms. CARON said that differences in salaries bore no relation to the right to work. The amendment, if adopted, should start with the words "one expert". It was impossible to reflect the full statements of all experts in the report.

119. She did not quite understand to what the paragraph was referring. Paragraph 70 of the summary record (CEDAW/C/SR.48) mentioned the human rights of domestic workers, but the text of paragraph 13 of the report appeared to refer to the human rights of women in general.

120. Ms. WADSTEIN said that both the right to work and salary levels were related to questions of employment and might be more appropriately dealt with elsewhere.

121. Ms. BIRYUKOVA said that she would like her amendment to remain in paragraph 15, but could agree to the reference to "one expert".

122. On that understanding, the amendment was adopted.

123. Paragraph 15, as amended, was adopted.

Paragraph 16

124. Ms. OESER (Rapporteur) drew attention to an amendment proposed by Ms. Wadstein reading: "It was thought to be encouraging that the issue of sexual harassment was taken very seriously and that legislative measures had been taken to combat it."

125. Paragraph 16, as amended, was adopted.

Paragraph 17

126. Ms. OESER (Rapporteur) informed the Committee that Ms. Evatt had proposed the substitution of the words "exclusion of judges" for "persons excluded" at the end of the fifth line.

127. Paragraph 17, as amended, was adopted.

Paragraph 18

128. After some discussion, in which Ms. EVATT, Ms. REGENT-LECHOWICZ, Ms. BIRYUKOVA and Ms. CARON took part, the CHAIRPERSON appealed to all experts to refrain from proposing amendments reflecting their statements exactly as they appeared in the summary record, unless the paragraphs in the report really did not do justice to what had been said.

129. Ms. PEYTCHEVA said that the paragraph referred to a question she herself had raised and suggested the addition at the end of the following sentence: "More detailed information was requested by one expert concerning the activities of women in trade unions, with respect to the rights of working women and their participation in professional organizations." That statement had been made after very careful consideration of Canada's report.

130. That amendment was adopted.

131. Paragraph 18, as amended, was adopted.

Paragraph 19

132. Paragraph 19 was adopted.

Paragraph 20

133. Ms. EVATT proposed that the paragraph should be deleted and replaced by: "It was observed by some members of the Committee that the proportion of young women enrolled at colleges and universities had been raised to approximately 50 per cent."

134. It was so decided.

135. Paragraph 20, as amended, was adopted.

Paragraph 21

136. Ms. OESER (Rapporteur) said that Ms. Wadstein had proposed some amendments. In the fourth line, after the words "opportunities for women", a new sentence was proposed reading: "It would also be interesting to have more details about the experience of temporary special measures that had been taken, such as affirmative action in the field of employment." The text would then continue: "What incentives were ...". Another new sentence was proposed after the word "men" in the first line of page 5, reading: "Were there any plans to introduce paternity leave?"

137. Ms. Biryukova had also proposed an amendment to that paragraph.

138. Ms. WADSTEIN said that she had a further amendment to paragraph 21, but was prepared to withdraw it if Ms. Biryukova withdrew hers.

139. Ms. BIRYUKOVA said that she wished to maintain her amendment, to which there could not be any reasonable objection since it was drawn textually from paragraph 75 of document CEDAW/C/SR.48. Paragraph 67 of the same document showed that another member of the Committee had noted the continuing existence of discrimination against women in Canada. The text she was proposing should not, however, be inserted in paragraph 21 but should be added at the beginning of paragraph 22, the rest of that paragraph remaining unchanged. The proposed addition read as follows:

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"Some experts said that the principle of equal pay for equal work was not respected in Canada either in the sphere of material production or in the legal, medical or teaching professions. She asked for specific examples of legal measures taken to prevent discrimination against women and whether any sanctions were applied to employers failing to give equal remuneration to men and women."

140. Ms. WADSTEIN said that her remaining amendment to paragraph 21 was contingent on Ms. Biryukova's amendment. It read as follows:

"Canada seemed to be aware of the problems connected with the existing job segregation. This gave less worth in practice to the principle of 'equal pay for equal work'. It was therefore asked if 'equal pay for work of comparable worth' was an issue in Canada."

141. Ms. BIRYUKOVA remarked that, as far as she could see, no such words appeared in the summary records.

142. Ms. CARON appealed to members to practise a measure of self-restraint. It was obviously quite impossible to have everything everyone had said reflected in the report.

143. Ms. GONZALEZ associated herself with the appeal just made and said that, in a spirit of compromise, she was prepared to withdraw the amendment she had proposed.

The meeting rose at 6.10 p.m.