



Convention on the Elimination
of All Forms of Discrimination
against Women

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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Tenth session

SUMMARY RECORD OF THE 186th MEETING

Held at the Vienna International Centre, Vienna,
on Wednesday, 30 January 1991, at 2.30 p.m.

Chairperson: Ms. TALLAWY

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The meeting was called to order at 2.45 p.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE
CONVENTION (continued) (CEDAW/C/CRP.17)

Second periodic report of Yugoslavia (CEDAW/C/13/Add.23)

1. At the invitation of the Chairperson, Ms. Arsenic and Ms. Nikolic (Yugoslavia) took places at the Committee table.

2. Ms. ARSENIĆ (Yugoslavia) said that the promotion and protection of human rights and freedoms at the international level constituted an important element of Yugoslavia's foreign policy. Her country participated in related efforts made by the United Nations, the non-aligned countries and the Group of 77 to strengthen the United Nations role in solving crucial international problems, including the advancement of women as a precondition for development and peace. It had stressed the need to include questions concerning women in the Fourth Development Decade, in activities to improve co-operation between the North and the South and in UNESCO's World Decade for Cultural Development.

3. Yugoslavia also actively promoted women's rights at the national level, and great changes had taken place in the country since it had submitted its initial report to the Committee. A democratic society was being built up, great emphasis was being laid on human rights and freedoms and a market economy was being introduced. The changes already made had enabled some problems carried over from the past as well as some new problems to be highlighted.

4. The deteriorating living standards of part of the population and surplus labour in the technological and economic spheres were causing social tensions, and efforts were being made to enable workers who had been laid off to return to work. The country's constitutional crisis centred on the question whether Yugoslavia should be a federation or a confederation; the issue had been the subject of negotiations at the highest Federal and republican levels.

5. A dramatic decrease in the number of women in the newly formed representative bodies had been noted during the past year, quite out of proportion with the number of women in the spheres of production, science, culture, the arts, etc. and women feared that bodies thus constituted might not even consider, let alone solve, problems of significance for women. Some of the positions that women had already acquired in society were being challenged and, in present difficult economic conditions, women might well be compelled to return to household duties. They were, however, setting up women's parties and liberation groups to counter the pressures of nationalism, clericalism and other forms of conservatism. They had called for a ministry for women in Serbia and sought to establish a women's parliament there. Before it had been abolished, the Conference for the Social Status of Women of Yugoslavia had requested the Government of Yugoslavia to form a special standing governmental body in charge of issues connected with the status of women. The existing Commission for co-ordinating activities for the implementation of United Nations objectives concerning the promotion of the status of women had virtually suspended its activities owing to the restructuring of the Federal administration.

6. Positive changes included the adoption of the Law on Basic Labour Rights in October 1989 which ensured the right to a minimum of 270 days' maternity leave for all women workers, irrespective of type of work and profession. The Law provided that the father might in certain conditions be granted leave, and that the right to

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shorter working hours or leave of absence to care for a child might be exercised by either parent, thus reaffirming both parents' equal rights and responsibilities in bringing up their children and reflecting the ILO Conventions on equal opportunities for men and women and those concerning the prohibition of discrimination based on sex in respect of employment, work and pay and others protecting the working mother.

7. Women enjoyed the same protection that was guaranteed by the law to workers affected by technological and economic restructuring, with the exception of pregnant women workers and those with children of up to two years of age, self-supporting or adoptive parents with children of up to seven years of age and parents with severely handicapped children who, according to Macedonian and Croatian laws, must be granted priority in keeping their jobs. In Slovenia, maternity leave or leave to care for children could not be used as an argument for making workers redundant.

8. Another topical issue in Yugoslavia was the uneven development of the population, a factor which threatened economic development. A resolution on the principles of population development policy had been adopted by the Yugoslav Federal Assembly in 1989. Family planning was seen as the right of all individuals, but their responsibilities in that respect were stressed as well as those of the community in creating appropriate economic, social, cultural and educational conditions. Nationalistic and traditionalist groups were offering resistance to specific programmes and measures, especially in areas carrying the highest demographic and economic risks.

9. Research into various factors such as violence in the family, prostitution, etc., was still inadequate, as were the activities undertaken by social services to combat them and to assist the victims. Women's organizations and associations had assumed responsibility for bringing those problems into the limelight and emergency services to assist women and children concerned by them had been set up on a voluntary basis and were already to be found in many Yugoslav cities.

10. Activities to give full effect to the Convention, to promote its spirit and attain its objectives, would continue to be undertaken both by informing the Yugoslav Federal Assembly on the implementation of the resolution on the basic directions of social action to promote the socio-economic status and role of women in Yugoslav society and by co-operating with the Committee.

11. Referring to Supplement II on page 50 of the second periodic report, she said that the statistical indicators did not include all relevant data illustrating the status of women in Yugoslavia today but might serve to reveal some aspects of their place in society. The data provided in tables 1 and 2 dated back to 1986 and data concerning the most recent elections held in 1990 were included in her response to the questions raised by the pre-session working group. The second periodic report had been prepared in co-operation with the Conference for the Social Status of Women in Yugoslavia, which had been the only women's socio-political organization in the country at the time, and which was no longer in existence. She and her colleagues had recently consulted newly-established women's organizations so as to be in a position to express their opinions to the Committee.

12. She then turned to the questions listed in annex VIII to document CEDAW/C/CRP.17.

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General questions

13. In response to question 1, she explained that the restructuring of the public sector, a process that had intensified in 1990, had set a brake on overall employment but, in view of the gradual decrease in women's unemployment in that year and a rise in their share of overall employment, it had not so far adversely affected women's employment as compared with men's. In addition, existing legislation provided special protection for women workers during pregnancy, those with children under the age of two, single and adoptive parents with children up to seven years old and parents with seriously handicapped children, requiring employers to give them privileged treatment when obliged to make staff cuts.

14. Turning to question 2, she said that her Government intended to use the 1991 National Survey to prepare separate statistics for men and women to assist in measuring progress and highlighting areas of difficulty (recommendation No. 5), as requested at a Conference held in Yugoslavia on statistical indicators of the socio-economic position of women. Following that Conference, statistical offices had begun to make better use of the statistical data compiled on the basis of regular statistical research and to introduce new social indicators on the basis of the statistical data available. Efforts had also been made to integrate basic statistics. The statistical offices expected the system of indicators for women to be improved, especially through specialized surveys made by scientific and research institutes, including indicators not available from regular statistical research.

Article 3

15. Ms. NIKOLIC (Yugoslavia) reported that Yugoslavia had no statistics on the number of women who were victims of violence, but that it was making great efforts to collect them. Research on convictions indicated that in most cases Yugoslav women were the victims of sex-related violence (usually rape) and various other forms of domestic violence.

16. Very few cases of domestic violence were reported because of a desire to protect the family reputation and the children, and because of the fear of vengeance combined with economic dependence on the husband. Certain women's magazines had conducted surveys on the problem which had been very well received by the public and had helped to assess the scale of the problem. Emergency telephone services had been installed in many Yugoslav cities and a large number of newly-established women's associations and organizations of a social and political nature had exerted pressure on the public to prevent and combat domestic violence, particularly by extending the current activities of welfare centres, establishing institutions to take in women victims of violence and undertaking educational and cultural activities.

17. Existing legislation in the republics and provinces of Yugoslavia guaranteed the protection of life and limb, and the Yugoslav Constitution confirmed that principle.

18. Protection against various sex crimes, the most frequent being rape, was also provided by legislation. Victims of rape were usually considered to be girls or women not married to the offender. Legislation in the Republic of Slovenia, however, covered rape both in and outside marriage, thus extending recognition of women's rights.

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19. In the Autonomous Province of Kosovo, rape had assumed political connotations and was being used as a means of showing animosity to the Serbs and Montenegrins and making them flee the territory. Rape on nationalist grounds had become a crime endangering the security of other peoples, national minorities or ethnic groups, and severe punishment, ranging from three- to 10-year prison sentences, had been prescribed for crimes against the dignity of the human person and against morality committed in a manner and under circumstances causing anxiety or a sense of insecurity among other peoples, national minorities or ethnic groups. The purpose of such punishment was mainly to ensure the protection of women and to prevent nationalistically-motivated rape.

Article 4

20. Ms. ARSENIC (Yugoslavia), replying to questions 1 and 2, said that, since the Nairobi Conference, the criteria for bringing about the increased participation of women in decision-making bodies had been extended to elections to and appointments in republic and Federal organs. Up to 1989, women had regularly been elected to the higher offices of republican assemblies, Federal Assembly chambers, to membership of the Government, to the Trade Union Federation Council of Yugoslavia, the youth organization of Yugoslavia and the Socialist Alliance of the Working People of Yugoslavia. Although the recommendations of the Federal Assembly had pointed out the need for a greater number of women to be appointed to top positions in the diplomatic and consular services of Yugoslavia, their number was almost negligible as a result of a bureaucratic approach to personnel policy at the republic level.

21. Negative trends had been noted in the past two years and no additional measures to reverse the situation had been taken. The most recent elections to Federal units and subsequent appointments indicated that the practice of appointing women to certain high-level posts had been abandoned.

22. Women's associations and parties had recently reacted against the poor election results and the low participation of women in high office, demanding the introduction of separate lists of women candidates and 50 per cent quotas for women representatives in the assemblies. It had also been suggested that a parallel women's parliament should be established in Serbia, and the Serbian Government had been requested to set up a ministry for women.

23. The official response to the election results usually consisted of no more than declarations of intent.

Article 5

24. In response to question 1, she said that appropriate measures had been taken in the spheres of education, health, family planning and culture with a view to overcoming traditional ideas and prejudices about the role of women in the family and in society. The results of those measures would vary, depending on the different economic and social conditions of the various regions, and it would take time for ongoing activities to yield results.

25. Turning to question 2, she said that the mass media, television in particular, still portrayed women in a somewhat inaccurate way. Newspapers reporting on current events were more likely to be objective than specifically women's magazines, which tended to adopt a traditional attitude towards women and their

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role in society. The media covering current affairs and politics tended to report on public statements made by women politicians and to give less emphasis to the role of women in the economy, education, politics, health, etc.

26. Specifically women's magazines did attempt to assist women as individuals by providing them with practical advice on everyday matters and some of them, apart from domestic and personal topics, had recently carried out surveys which had been of great help in gaining an impression of the current picture of domestic violence and had also publicized emergency services offering help to women in need.

27. The media, and especially television, had given wide coverage to the participation of a number of women's organizations in the pre-election campaigns at the Federal level the previous year, thus drawing the attention of the general public to the main problems concerning the social status of women. Many press reports and television programmes discussed certain subjects very well, showing commitment to and support for the interests of women in society, by identifying and analysing specific problems facing them and by placing those problems in the context of overall social relations and of the problems facing Yugoslavia today.

Article 6

28. Ms. NIKOLIC (Yugoslavia) said that no reliable statistics on prostitution in Yugoslavia were available. The new forms it assumed escaped social control and the only data available were on street prostitution; the latter were incomplete, gathered on the basis of information provided by the Internal Affairs secretariats about the number of offences dealt with - prostitution being considered as an offence.

29. The drop in the number of offences from 1970 to 1985 indicated a higher level of tolerance of street prostitution on the part of the authorities, but a demand to abolish the punishment of prostitution as an offence in 1987 had been rejected.

30. Some sociological research had indicated that society held a negative attitude towards prostitution and to the emergence of new forms of prostitution. The problem of AIDS in Yugoslavia was not connected with it, since prostitutes in Yugoslavia were usually not drug addicts but alcoholics.

Article 7

31. Yugoslavia had a feminist movement and many women's organizations and political parties. It should be recalled, however, that the Conference for the Social Status of Women in Yugoslavia had been abolished at the beginning of the current year. The Federal Government had been requested to set up a commission for women as a government agency through national legislation, outside the multi-party system.

32. Feminist groups were active in particular in Belgrade, Zagreb and Slovenia. The most important parties included the Alliance of Women of Croatia (the successor of the Conference for the Social Status of Women), the Independent Alliance of Yugoslav Women, Women for Politics, and the Liberal Alliance of Slovenia. Emergency services had been organized in a number of cities. A large number of nationalist and Catholic pro-life organizations had also been established. In Bosnia and Herzegovina, Montenegro and Macedonia, a number of people were acting on an individual basis. A women's group was to be found in Kosovo within the

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Democratic Alternative, an extremist nationalist and separatist organization of the Albanian national minority whose goal was to bring about the secession of Kosovo from Yugoslavia.

33. Those groups and organizations had been very active during the election campaign and after the elections. At a joint meeting of all those organizations in mid-December 1990, current issues concerning the status of women had been considered in the context of the latest more pronounced conservative trends as a form of nationalism in Yugoslavia that particularly affected women. The groups had also taken part in a number of international meetings.

34. Although it was difficult to obtain accurate information about the number of women members of the new Yugoslav political parties, the number of women on the political scene before the elections, as well as the number of young, university-educated women joining the newly-established parties, had definitely increased.

35. Some analyses indicated that the presence of a considerable number of women in party leaderships had had no effect on their inclusion among those parties' candidates or on the final results which had been disastrous as far as women were concerned. In Slovenia, only 13 per cent of representatives were women, in Croatia, 4.56 per cent, in Bosnia-Herzegovina, 2.9 per cent, in Macedonia, 3.3 per cent, in Montenegro, 4 per cent, and in Serbia only 1.6 per cent.

36. Before the elections, most party platforms had contained no specific programmes related to the status of women. So-called women's questions were included in such programmes only after strong reaction from feminist organizations. Those organizations had continued to exert non-parliamentary pressure after the elections, in the form of demonstrations against the abolition of the right to abortion, the law on population policies, and the war in the Gulf. Various round-tables had also been organized.

37. The abruptly reduced participation of women in political decision-making could be partly explained by the move to democratization. The purpose of free democratic elections was to broaden the possibilities of choice, in contrast to the previous system where there had been an established ratio for participation by the two sexes. The new republican governments had, however, turned to women when the time came to examine population policies, employment problems or the return to traditional family values. In that context, the newly-established women's organizations and feminist groups should be regarded as active pressure groups working to defend the rights already granted to women in Yugoslav society.

Article 8

38. Replying to question 1, she said that Yugoslavia had been one of the initiators of a wider approach to women's issues both at the national level and in the United Nations, in the non-aligned movement, and in particular during the elaboration of the Strategy for the United Nations Third and Fourth Development Decades. Putting the concept into effect at the national level, however, faced difficulties inseparable from global problems connected with the restructuring of the economy and the process of technological change, in which adequate participation by women in the labour force would play an important part. Unfortunately, results in that respect were still modest.

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39. In reply to question 2, she said that there were 116 women diplomats in the Federal Secretariat for Foreign Affairs, as compared with 880 men, and that three of them held high-ranking posts, one as Ambassador. There were also two directors of Cultural and Information Centres, in New York and Paris. There were women diplomats in the Yugoslav mission to the United Nations and women members of delegations to various conferences. Their work was not confined to socio-humanitarian issues, some being concerned with disarmament and others with economic affairs. With regard to employment in the United Nations system, although Yugoslavia was in general under-represented there were two women Directors, one in the Department of Technical Co-operation for Development and another in UNICEF.

Article 10

40. Ms. ARSENIC (Yugoslavia), replying to questions 1 and 2, said that 95 per cent of girls in Yugoslavia as a whole attended elementary school. There were, however, differences from region to region. In Macedonia, for example, the figure was 91 per cent, in the Autonomous Province of Kosovo, 92 per cent, and in Croatia and Slovenia, 97 per cent. The number of girls attending secondary schools had remained stationary for the past few years and accounted for less than 50 per cent of the whole. The main reasons why parents did not send girls to secondary school or why they dropped out were backward traditional beliefs and the resurgence of traditionalism in some regions under the influence of religion. The dropping-out of girls in rural and mountainous areas was also due to economic problems and poor employment prospects. Schools, social workers, vocational guidance services and various socio-political organizations were making continuing efforts to counteract such beliefs.

41. Referring to question 3, she explained that the drop-out rate in rural and mountainous regions had been reduced through the adoption of comprehensive regional development programmes, the development of communications, the building of schools and the provision of transport for schoolchildren, as well as the greater availability of student loans.

42. Replying to question 4, she said that girls were still oriented towards jobs in education (86 per cent), health (83 per cent), and commerce (81 per cent), as compared to only 10.4 per cent of students in schools of mechanical engineering and metallurgy. It was still the case, therefore, that fewer girls were trained to enter technical and industrial occupations. The reform of secondary education had not yielded the expected results because of inadequate linkage with the needs of the economy. The educational authorities, vocational guidance institutions and employment agencies were working constantly to guide girls into training for the jobs required by modern technological developments and to overcome traditionalism. The aim was so to develop the overall educational system as to remove the division between male and female jobs.

43. Ms. NIKOLIC (Yugoslavia), replying to question 5, said that the educational system consisted of elementary and secondary schools, teacher training schools and schools of higher education. It also included adult education through evening classes at workers' universities and other institutions, and professional training at work, organized by enterprises and by specialized educational institutions. Education was compulsory up to the age of 17.

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44. As for question 6, she said that the enrolment of women in shorter forms of social and general education was generally related to their return to work at jobs that required lower skills. Greater enrolment in vocational and advanced training was connected with problems of family standards and the level of social care for children. In conditions of economic crisis, women were more bound than ever by family obligations. The measures being taken to improve the qualifications of workers as part of the process of economic restructuring affected men and women equally, and there were no separate programmes or measures to promote the education of women. However, any discrimination against women in that respect was ruled out.

45. Replying to question 7, she said that sex education was a particularly important aspect of education and was included in basic elementary and secondary school curricula. Programmes varied from one Federal unit to another - Slovenia being the most advanced - and from one city to another. They were more elaborate in large towns than in the less developed regions. Family planning and contraception were dealt with through pre-marital and marriage counselling and youth consultants working within health and social welfare institutions. The resolution setting forth the basic guidelines for policies in the field of population and family planning had been adopted in 1989.

Article 11

46. Ms. ARSENIC (Yugoslavia), replying to question 1, said that the criteria used for according priority in employment applied by the Employment Office did not discriminate among the unemployed on grounds of sex. The labour market, however, kept a record of both employed and unemployed workers according to sex, in addition to other factors such as age and work experience. The purpose of the statistical analysis of employed and unemployed persons on that basis was to establish how many women were employed in various occupations, rather than to give priority in employment on the basis of sex or to offer jobs depending on the sex of the worker.

47. On question 2, she noted that there were no projects of the kind referred to. However, economic restructuring projects were in fact helping to change the qualifications of employed women. The fact that there were fewer opportunities in the fields that had traditionally been female-oriented had altered the preferences of young girls and their parents in favour of previously male-oriented jobs. The most recent education programmes also provided vocational guidance to young girls to that end.

48. Ms. NIKOLIC (Yugoslavia), replying to question 3, said that, according to statistics for March 1990, 40 per cent of workers employed in the public sector were women. Of the unemployed, 53.8 per cent were women. Longer-term trends indicated that the share of women in overall employment in the public sector had increased, while their share of unemployment had declined. Of the 1,950,000 workers engaged in private farming, 1 million were women. For the time being, no accurate information was available on the total number of women employed in the private non-agricultural sector, in which there were 800,000 workers.

49. Replying to question 4, she said that, according to article 39 of the Federal Law on Basic Labour Rights, the term "easier work" meant jobs unlikely to be detrimental to a woman's health and life, taking into account the need to protect her biological reproductive function. Such jobs, therefore, were not as well paid as hard, underground or underwater, or any other job that implied a higher risk to health or life.

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50. Replying to question 5, she said that the term "reproduction costs of households" meant the basic minimum needed by a four-member Yugoslav household to satisfy its food, clothing, footwear, housing, culture, education, transport, toiletries and health-care needs. That minimum was calculated by using unit prices, product amounts and minimum services. A sharp rise in prices and inflationary trends over the past two years had raised household reproduction costs. Consequently, the material and moral burdens on wives had grown because of the economic crisis, and women's greater family responsibilities had been emphasized.

51. Ms. ARSENIC (Yugoslavia), replying to questions 6 and 13, said that the duration of leave of absence and paid personal income to care for sick members of the immediate family was decided at the level of the republics. For example, in Serbia the right depended on the age of the family member. In the case of a sick child aged three or less, a parent could, on a doctor's advice, be absent from work, with pay, for up to 15 days and for up to four months on a recommendation from a medical commission. In the case of a child between three and 15, absence could be not more than 15 days in the first case and up to 60 in the second. In the case of leave required to care for children aged 15 or more, or for adult persons, a doctor could grant an absence of up to seven days, while a medical commission could grant up to 30 days. The right could be exercised by either of the employed parents, provided the other was prevented for some reason from caring for the sick family member.

52. Female workers, regardless of their field of activity or type of job, were entitled to at least 270 days of uninterrupted maternity leave, as stipulated in the 1989 Law on Basic Labour Rights. Such leave was treated as a basic right and regulated by Federal legislation in the same way for all Federal units. Under the law, either parent had the right to work part time during the first year of a child's life. If a child needed care because of health problems, the mother was entitled to work part time until the child was three years old. The republics and provinces could enact legislation and specify other situations and conditions in which the parent of a seriously handicapped child could enjoy the same right. In all those instances, part-time work was treated as full-time work. Adoptive parents had the same rights as natural parents. Republican and provincial laws on health care had also introduced the important right of female workers to a full monthly personal income during maternity leave. The Law on Basic Labour Rights also provided other protection for workers with family responsibilities. For example, a female worker with a child of up to two years of age could not be ordered to work extra hours or at night. On written request, however, and provided her child was more than a year old she could be granted permission to work at night.

53. Replying to question 7, she explained that there were no statistics on the percentage of income which women spent on facilities to care for their children. Such expenses were borne by parents according to a scale established by the Child Care Fund, taking into account the level of parental income.

54. With regard to question 8, she said that all applicants for jobs were required to submit a medical certificate stating that they were fit for employment. The certificate contained no information about pregnancy and such information was by law regarded as irrelevant in seeking employment. Pregnant women were protected against refusals to employ them - which did sometimes occur - through the labour courts, which made it a practice in such cases to rule in favour of the female applicant.

55. Ms. NIKOLIC (Yugoslavia), replying to question 9, said that some Federal units had attempted to introduce part-time and job-sharing schemes but their initiatives had not been successful. There were no reliable statistical data on the number of women working part time, but the figures that were available revealed that part-time work schemes had not so far been used to any substantial extent.

56. Turning to question 10, she said that "non-economic activities" meant all activities outside the economy, namely, social services, public administration and other activities not included in the notion of the economy. The term "social sector" covered the entire sector in which the means of production were socially owned. Thus, the "social sector" included both the economy and so-called "non-economic activities". There was also the private sector, consisting chiefly of farming, tourism and small business.

57. Replying to question 11, she said there was no information on the number of complaints lodged or the prosecutions resulting from them. The Associated Labour Act referred to had been replaced by the 1989 Law on Basic Labour Rights.

58. With reference to question 12, she noted that since men and women were equal under the Constitution and the law, no disaggregated statistical information was available on their incomes. Pay was equal as far as equal work was concerned. More women worked in labour-intensive sectors where the income level was low, but on the other hand, a small number of women worked in capital-intensive sectors where personal incomes were very high. In 1989, the total number of working women had increased by about 56,000 over 1987, primarily in the social services, commerce and the textile industry, in which jobs were traditionally poorly paid. By contrast, the number of newly-employed women in financial and other services, where income levels were above the average and where more than 50 per cent of the workers were women, had risen by approximately 5,000.

59. Replying to question 14, she said that the term "psycho-physical characteristics" meant the specific characteristics relating to women's reproductive function.

Article 12

60. Ms. ARSENIC (Yugoslavia), referring to question 1, said that the resolution on population and family planning policies had been adopted in 1989, and took as its point of departure the principle that family planning was a fundamental human right. In that context, family planning was not simply the prevention of unwanted pregnancies but was based on awareness of the need for freely-chosen, socially conscious and responsible parenthood. The resolution itself was not legally binding, but the document containing guidelines for the adoption of operational programmes was. In that connection, it should be noted that the 1989 family planning programme in the Autonomous Province of Kosovo had been strongly opposed by Albanian separatists, who were using the Albanian population explosion in that underdeveloped region as an instrument to achieve the aim of an ethnically pure Kosovo. Religion, too, played an important role in that respect. As a result, the training programmes of health and educational institutions had met with organized opposition, as had the relevant UNFPA programmes.

61. Replying to question 2, she said that measures were being taken to develop field and advisory services for health education and to inform the population about modern methods of family planning in some less-developed, particularly rural, areas where high birth rates and population growth were out of step with present and

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future economic and social development needs. Educational, health and social services were also engaged in eliminating the religious and other causes that contributed to backward family relations and ideas about births, as well as slowing the emancipation of women and their integration into all fields of life.

62. Ms. NIKOLIC (Yugoslavia), replying to question 3, said that campaigns to promote family planning in the media and through the educational and health care systems had not produced the desired results. Not enough use was made of modern contraceptive methods and devices. Although visits to family planning counselling centres had increased slightly it was not possible to obtain a clear picture of the coverage for the entire country because of the differing methods used to present the data available. The indications were, however, that the least favourable means of family planning was used - namely, induced abortion - and that a much larger number of babies was born to some families in certain parts of the country, primarily as a result of the lack of adequate information or the non-availability of contraceptives. In 1988, for instance, there had been 367,814 induced abortions in the country at large, as against 358,342 births. The disproportion between births and abortions had been more marked in Serbia, and the Autonomous Province of Vojvodina. In the other Federal units there had been more births than abortions, the ratio being highest in the Autonomous Province of Kosovo where there were 56,544 births and 10,600 abortions.

63. Of the total number of induced abortions, 94.2 per cent had been of pregnancies of 10 weeks or less. For the majority of women (113,187) it was their first abortion, but there was also a large number (97,028) who had had three, four or more. Most women (189,238) had decided to have an abortion because they already had two children, but there were many (84,230) with only one child and others (50,673) who had had no children.

64. The liberal policy in respect of abortion had been threatened by a resurgence of traditionalism in some areas, inspired in particular by the Church. Pro-life organizations were becoming more powerful, and in Croatia the pressure they were exerting was being increased with a view to passing a law banning abortion. In other republics, it had been recommended that special commissions should be set up charged with granting approval for abortions, and in that respect women's organizations had been active in defending the right of women to choose whether, when and how many children they would bear.

Article 14

65. Ms. ARSENIC (Yugoslavia) said, in reply to question 1, that the last study carried out in Yugoslavia had shown that participation by women in agriculture was about 64 per cent, and that the division of labour, with women doing manual work and men using mechanical equipment, had been changing because a growing number of young women from rural areas had been acquiring high-level educational qualifications in agronomy, veterinary science, forestry, economics, etc. In secondary agricultural schools the percentage of girls was over 41. There were also other forms of adult education and technical training programmes organized by the technical agricultural services, workers' universities and education centres. Positive changes were more evident in developed agricultural areas than in the remote mountainous regions of the country.

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66. In reply to question 2, she explained that under the social security system, associated farmers - both women and men - were entitled to social assistance for children, a one-time lump sum in aid, temporary financial assistance and a grant from pooled resources.

67. As for question 3, she said that rural women were making their presence felt in political parties that had been formed recently to give expression to the interests of the rural population, although recent election results showed that they were not yet making their presence felt in representative bodies. There was reason to suppose that there would be an increase in the participation of rural women in the decision-making bodies of co-operatives and other self-managing organs.

68. In reply to question 4, she said that no statistical data were available concerning the number of associated farmers' co-operatives that were run by women or the number of female members of families of associated farmers; a methodology had, however, been devised for eliciting such information in the future. Changes implemented towards the end of 1989 to reform the economic system also applied to the agricultural sector with a view to improving the overall position of farming, including the situation of private farmers. The measures in question were aimed primarily at providing finance through subsidies, offering better conditions for loans, abolishing maximum limits on land holdings, etc. In 1989 there had been 885 farmers' co-operatives - 5 per cent more than in the previous year - employing 24,185 workers of whom 14,807 were employed on a permanent basis. Since 1985 there had been a substantial increase in the number of those permanently employed, while there had been a corresponding decline in the number of seasonal workers. Government measures were expected to result in private farms becoming larger and, consequently, a growing interest in association.

69. Referring to questions 5 and 6, she said that there was no legislation that permitted discrimination against women in obtaining loans or owning land in order to establish an enterprise. Current agricultural policy and measures taken with regard to land and agricultural loans would permit an extension of mechanization and increasing use of new technologies, thereby having a positive impact on the situation of rural women.

70. The same applied to inheritance and separation or divorce. The law did not permit any discrimination on grounds of sex, and women were the victims of injustice only where decisions were made on the basis of tradition and where women did not request protection of their rights before a tribunal.

Article 15

71. Ms. NIKOLIC (Yugoslavia) said that the ethnological analysis of traditions in certain regions indicated that the practice of arranged marriages still existed, particularly where the influences of tradition and religion were strong, such as in Kosovo and some other regions with a predominantly Muslim population, such as Bosnia-Herzegovina and parts of Serbia. The practice was also to be found, although rarely, in other areas, and particularly in the remote, mountainous regions of the country.

Article 16

72. Ms. ARSENIC (Yugoslavia) explained, in reply to question 1, that the custody of young children was granted on the basis of opinions provided by social welfare centres concerning social background and, above all, the interests of the child. There were no figures on custody granted in the event of divorce. The criteria used in deciding on custody were the age of the child, whose own preferences were also taken into account once she or he had reached the age of 10, the concern that children of the same sex should not be separated, the financial and other standing of the parents, etc. In most cases the mother was given custody of small children, although there had been an increasing number of requests by fathers for that practice to be changed.

73. In reply to question 2, she said that the present population policy of the Government of Yugoslavia was the result of an effort to alter the negative trends of spontaneous and uneven population growth which was having serious consequences for economic development and producing political repercussions that hampered relations between the nationalities. In the bulk of the country - Croatia, Serbia, Slovenia and the Autonomous Province of Vojvodina - the birth rate was considerably below the level at which the population replaced itself, while in the Autonomous Province of Kosovo and in some parts of Serbia, Macedonia and Montenegro that were inhabited predominantly by Albanians there was a population explosion which resulted in the doubling of the population from one generation to the next. In Vojvodina, the birth rate was 0.2 per 1,000 inhabitants, while in Kosovo it was 24. The differences in birth rates between the various regions of Yugoslavia were, once again, explained by the influence of tradition, and primarily religion. Population policy was based not only on the right of the individual freely to decide on the size of his or her family, but as bearing the responsibility, together with the rest of the community, for population reproduction and for the creation of the economic, social, cultural and educational conditions necessary for higher living standards and dignified and developed relations between the sexes.

74. Ms. NIKOLIC (Yugoslavia), replying to question 3, said that 159,126 marriages had been contracted in Yugoslavia in 1989, while in the same year, 22,761, or 14.3 per cent, had been dissolved. There had been 143.6 divorces per 1,000 marriages in the country as a whole, while the figures were 60.7 for Bosnia-Herzegovina, 102.7 for Montenegro, 185.5 for Croatia, 60 for Macedonia, 221.1 for Slovenia, 179.9 for Serbia, 22.3 for Kosovo and 259.2 for Vojvodina. Clearly, the percentage of divorces was higher in the more developed communities, with the traditional upbringing of women and their economic dependence upon men being largely responsible for the lower rates in the underdeveloped republics of Bosnia-Herzegovina and Macedonia and the Autonomous Province of Kosovo.

75. The CHAIRPERSON thanked the representatives of the Government of Yugoslavia for a comprehensive introduction to their report and for their replies to the questions submitted by the pre-session working group. She congratulated them on the achievements of their Government in advancing the status of women at a time when their country was passing through a critical and difficult phase in its history.

76. Ms. LAIOU-ANTONIOU said that while democracy was the framework within which women could express their personalities and realize their full potential, it had been observed from the experience of other countries that, with increasing democracy, women often found themselves confronting more problems. It was important to ensure that democracy was always to the advantage of all, including women. Governments frequently used the excuse of economic constraints for a

(Ms. Laiou-Antoniou)

deterioration in their countries' social infrastructure, from which women were usually the first to suffer, and that excuse should not always be accepted at face value. It was essential to challenge the political will of Governments, and to monitor the priority they gave to women's problems in their national budgets. She noted that women's organizations in Yugoslavia were developing, and that there was a need for strong governmental machinery to give the needs of women high priority in the Yugoslav national budget.

77. She asked whether the Government of Yugoslavia had any new policies for the advancement of women, noting that its previous report had been very family-oriented and, with the excuse of economic constraints, there was now a big temptation for the authorities to regard the woman's place as being in the home. She also wondered whether the Government of Yugoslavia felt any anxiety about women emigrants from that country.

78. Ms. CORTI said that the Government of Yugoslavia had achieved a great deal during what had been a very difficult period, and had managed to provide statistics that must have been hard to collect at a time of such far-reaching restructuring. However, she wondered why the election results had been so bad as far as women were concerned, and why there were such large differences between individual republics; she asked whether women were hesitant in launching themselves into the political fray. It was an encouraging sign that women and women's movements were becoming increasingly active in Yugoslav public service, and the demand for a ministry for women's affairs was certainly a step in the right direction. Yugoslavia, with its many nationalities and many religions, was bound to be subject to a variety of different influences, and the enormous variation in the birth rate was not merely a demographic question but also a political and economic one. It was a matter for regret that there were no programmes specifically for women, and it was therefore important for women in Yugoslavia to work through existing institutions and emergent organizations in order to monitor their situation and to take whatever steps were required as speedily as possible. Yugoslavia was experiencing an increase in prostitution as well as an increase in violence both within and outside the family, with refuges being established for battered wives; the divorce rate was also very high compared with the rest of Europe. There were many problems to be addressed as a matter of urgency, and women in Yugoslavia, especially in the present period of transition, should commit themselves politically.

79. Ms. NIKOLAEVA congratulated the representatives of the Government of Yugoslavia on a report that contained much objective and sincere information and had demonstrated an encouragingly self-critical approach to the problems faced by the country. Despite those very complex difficulties, economic and social reform had been undertaken, but there seemed to be a very large number of women who were unemployed, and she wondered what measures were being taken to help them to maintain their standard of living. She had been surprised to learn that 10 per cent of the Yugoslav population was illiterate, and asked what measures were being taken to rectify that situation both at the adult stage and earlier. She joined other speakers in recommending that the women of Yugoslavia should adopt a more active political attitude.

80. Ms. EVATT praised what she described as a very frank presentation by a country that was clearly undergoing many difficulties and passing through a period of great uncertainty and transition. She expressed regret, however, that the question of fertility control seemed overlaid with political overtones. In many countries

(Ms. Evatt)

population stability was achieved with greater economic development, and she underlined the importance of providing sex education to all and guaranteeing much greater access to health and family planning services.

81. Ms. AQUIJ said it was understandable that when a country underwent major changes, political concerns would outweigh social ones and many problems would remain unresolved. In her opinion, the greatest problem facing Yugoslavia was the total absence of women's organizations. Women worked through the Socialist Alliance of the Working People, a political entity that comprised men, too, and ultimately served men's interests. Hence the extremely poor results in the most recent elections.

82. The failure of family planning methods to take hold was also dangerous, for it meant that women relied heavily on abortion as the only way of controlling the size of their families. That provoked outrage among fundamentalist religious groups which then demanded the abolition of abortion legislation. Every effort should be made to promote alternatives to abortion and thereby to prevent the repeal of pro-abortion legislation.

83. Ms. BUSTELO GARCIA DEL REAL noted that, in 1990, the Committee had approved a recommendation on AIDS and women. She would urge that its contents be taken into account, particularly in connection with prostitution. The Yugoslav delegation had stated that because prostitutes were not usually drug addicts, they were not particularly vulnerable to AIDS; but that was not so, for they were still a risk group.

84. Ms. BRAVO NUÑEZ DE RAMSEY said her main impression from the report and its presentation was that Yugoslavia was a country of radical contrasts. Important progress had been made in working conditions and legislation, but in many respects the situation of women showed no signs of advancement at all, as demonstrated by the continued practice of arranged marriages, the very low birth rate and the extremely high illiteracy rate. What, in the opinion of the Yugoslav delegation, accounted for those contrasts?

85. Ms. ARSENIC (Yugoslavia) said she was deeply moved by and grateful for the Committee's spirit of solidarity with the women of Yugoslavia, who would be encouraged thereby in their future efforts to achieve equality. All the observations and recommendations made would be taken into account in future, particularly in the preparation of the next periodic report.

86. Replying first to the question about the sharp contrasts in Yugoslav society, she said they were not always a liability. The fact that conditions varied widely from region to region assured a certain richness and variety in society - as long as the differences did not spark conflicts.

87. Concerning the comments on democracy and election results, she said that women in Yugoslavia had had high expectations which had not been realized in the elections. They would attempt to learn from their experience and use the new multi-party system to make their views heard. Another important challenge for the future was to preserve women's legal status: a great deal had already been achieved through legislation, and that offered a good starting point for further action.

(Ms. Arsenic)

88. Answering the question about the new policies for female workers who had been dismissed from their jobs, she said a large sum of money had been earmarked from the federal budget for social measures to help them re-enter the workforce. The money would also be used to assist women in launching economic activities in the private sector or in taking early retirement, options that appeared to be increasingly attractive to them. Protection was already provided for pregnant women, women with small children and women who were the sole breadwinners. It would be useful if the trade unions were more active in promoting additional protective measures in future.

89. Ms. NIKOLIC (Yugoslavia) said she agreed with the comments about the population explosion in Kosovo. Unfortunately, the rejection of family planning techniques was not a recent development and was not attributable only to separatists. When Kosovo had been given full powers and placed on an equal footing with the Republics, the local authorities had rejected a family planning project proposed by the United Nations Fund for Population Activities. The population explosion created heavy burdens, especially in the current economic situation. The number of Albanians had doubled since 1946 and was likely to triple in the next 15 years, and that created special tensions, especially since other ethnic groups had a zero population growth rate.

90. Turning to the question on illiteracy, she noted that it occurred mainly in rural areas and among the older members of the population. Adult education facilities were available, but the problem was getting elderly women to take advantage of them.

91. Concerning the question on Yugoslav emigrants, who numbered 1 million in Europe, she said they were mainly gypsies and Albanian asylum-seekers. The problems connected with emigrants were being handled in a satisfactory manner on the basis of excellent bilateral agreements. In many European countries, special schools were available for adult emigrants, including women, and in some countries trade unions offered facilities for education and recreation. Bilateral agreements on reintegration funds ensured that individuals were given money so that they could return to Yugoslavia and open private businesses, if they so desired.

92. On the connection between prostitution and AIDS, she said that statistical analysis indicated that most prostitutes were educated well enough to know how to combat the spread of AIDS. They were under strict police control and received regular check-ups by medical services. Yugoslavia was one of the countries with the lowest incidence of AIDS: 144 cases had been recorded to date, 31 of them women. There had been only two cases of infection spreading from mother to child. In 1989 a sound decision - to the effect that there should be no discrimination in education, employment or health care against AIDS patients - had been adopted and had attracted the attention of the World Health Organization, which was considering recommending it to other countries.

93. Regarding the question on abortion, she said Yugoslav policies provided for generous and abundant family planning facilities, but the problem was how to educate women and young people, especially in villages, to use them. In a study published two months previously by the Institute for Social Research in Belgrade, women in two of the republics where the birth rate was extremely low, Croatia and Serbia, had been asked why they had resorted to abortion. Instead of citing economic reasons, fully 85 per cent had said it was because they simply had not wanted to give birth.

94. The CHAIRPERSON thanked the Yugoslav delegation for the tremendous efforts that had been made in preparing the report and in answering the Committee's questions. Although much had been done to improve the position of women and many rights had been enshrined in law, women must continue to defend those rights and try to prevent political and economic changes from rolling back the tide of progress. One way such results could be achieved was through solidarity among women through their organizations, and another was for individual women to stand firm in defence of women's rights. Yugoslavia was well known for its research centres and institutes and had long had active and open contacts with many other countries. That historical background should be of use to women in tackling the problems they were now facing.

95. She wished to mention the substantial contribution made to the work of the Committee by Ms. Ilic, whose fortitude was indicative of the strength Yugoslav women could deploy to enable them to weather the current storms and emerge triumphant.

96. Ms. Arsenic and Ms. Nikolic (Yugoslavia) withdrew.

97. The meeting was suspended at 5.10 p.m. and resumed at 5.25 p.m.

WAYS AND MEANS OF EXPEDITING THE WORK OF THE COMMITTEE (continued)

Adoption of the report of Working Group I (WGI/RPT and Adds. 1-5)

Paragraph 10 (WGI/RPT/Add.5)

98. Ms. GONZALEZ MARTINEZ said she endorsed the first part of paragraph 10 but did not think it advisable to include the second part, which emphasized the independence of the Committee but suggested that, whenever appropriate, the analysis it requested should take into account the Secretariat's ongoing programme of work. The effect of that provision would be to subordinate the Committee's work to the consideration of various topics by other committees.

99. Ms. SINEGIORGIS suggested the deletion of the second part of the paragraph if there was a danger of it being misconstrued.

100. It was so agreed.

101. Paragraph 10, as amended, was adopted.

102. The report of Working Group I as a whole, as amended, was adopted.

The meeting rose at 5.30 p.m.