



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

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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Eighth session

SUMMARY RECORD OF THE 135th MEETING

Held at the Vienna International Centre, Vienna,
on Wednesday, 22 February 1989, at 9 30 a m

Chairperson Ms EVATT

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Convention (continued)

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The meeting was called to order at 9 45 a m

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

Initial report of Ireland (CEDAW/C/5/Add 47)

1 At the invitation of the Chairperson, Mr O'Grady (Ireland) took a place at the Committee table

2 Mr O'GRADY (Ireland), introducing the initial report in document CEDAW/C/5/Add 47, said that Ireland had lodged its instrument of accession to the Convention with the United Nations Secretariat on 22 December 1985. The report described both the legal status and the position of women in Ireland. It was a comprehensive and self-contained survey, reflecting Ireland's belief that the Convention was a highly important international instrument designed to protect the dignity and human rights of women, a goal to which his country fully subscribed. His statement would underline Ireland's continuing commitment to securing equal opportunities for all its citizens, the majority of whom were women, and outline the most recent concrete developments towards that goal.

3 Although the Constitution of Ireland provided for the equality in law of all citizens, men and women (article 40 1), for many years after Ireland's independence custom, practice and the law had continued to restrict women's opportunities in many ways. Until the end of the 1950s, Irish society had remained highly traditional, marriage rates had been lower, age at marriage higher and fertility in marriage higher than in the rest of Europe. Since Ireland had been largely bypassed by the industrial revolution and its attendant urbanization and had not been a Second World War combatant, it had been affected only indirectly by the significant changes in the role and functions of women brought about by those events. From the time the Irish economy had begun to develop significantly in the early 1960s, however, a stream of reforms had begun to be enacted, providing for the equality, autonomy and security of women whether in a career as full-time homemaker or remaining part of the formal labour force. Those reforms had continued to the present day, stimulated by such factors as improved education, a more activist interpretation of constitutional law, the impact of the women's movement, urbanization, increased prosperity and fertility control.

4 It was important to note that progress in the two years since submission of the report had taken place at a time of great economic and fiscal stringency, when measures had been taken to curtail government borrowing and debt as a precondition for rebuilding the economy. Virtually all the economic indicators showed that the strategy was working, but Ireland still had the pressing social problems of high unemployment and very high levels of emigration. While those factors seriously restricted policy options in important areas of government, Ireland's move towards realizing full equality of opportunity had sustained its momentum.

5 High unemployment was a major cause of poverty and the stress caused by poverty usually had the severest impact on women, who generally managed the household budget and had primary care of children. Accordingly, the Irish Government had in recent years given priority to the preservation of the real value of social welfare (income support) entitlements. The 1989 budget, introduced in January, established a specific support mechanism for the poorest people, covering social welfare and taxation systems and designed to aid people on low incomes, whether unemployed or caught in the poverty trap caused by low pay.

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6 As clearly indicated in the report, the position of women in Ireland was already broadly in accordance with the norms of the Convention. He now proposed to give details of the more significant development that had affected women's lives since the submission of the report.

7 In the first place, following a change of Government, a new national mechanism for supporting and developing equal opportunities for women had been set up in April 1987 to replace the Office of the Minister of State for Women's Affairs which had been in existence since the end of 1982. The incoming Prime Minister had instructed each member of the Government to advance the position and status of women in all aspects of their responsibilities, ministers had been assigned responsibility for a number of specific activities as well as for the implementation of a general policy of equal opportunity, and the Prime Minister had given Ms Maire Geoghegan-Quinn, Minister of State at his Department and co-ordinator of government policy, responsibility for monitoring developments in that area. The Minister of State had completed a co-ordinated report on equal opportunity at the end of 1988, showing sound and steady progress over the preceding two years. The report provided a basis for informed debate on topics of particular importance to women and was intended as the first of a regular series.

8 The work of the Joint Parliamentary Committee on Women's Rights, set up in 1983 and reconstituted following the February 1987 general election, complemented the Government's work in monitoring developments affecting women. The Prime Minister regarded the Joint Committee's proposals as of particular value because they were submitted on a non-party basis. Its most recent series of reports concerned attitudes towards the role and status of women 1975-1986, issues related to equal employment opportunity, and attitudes towards moral issues in relation to voting behaviour in recent referenda.

9 The Employment Equality Agency continued its statutory function as watchdog and promoter of equal opportunity in employment and training, and in the past two years had concentrated on case work under the employment equality legislation and on public awareness and information campaigns.

10 The Council for the Status of Women - the umbrella body for virtually all women's groups, local and national, and the principal women's non-governmental organization in the State - acted as an information resource centre for its constituent member organizations, and had been giving priority to issues relating to young women, rural women and poverty.

11 With regard to education, the emphasis on the promotion of equal opportunities across the whole educational system, as outlined in the report, had been sustained and developed by the Minister for Education, Ms Mary O'Rourke. That commitment took shape, for example, in the Department of Education's ongoing policy of eliminating sexism and sex stereotyping in the education sector, the inclusion of the question of sexism and sex stereotyping in primary education in in-service courses for primary teachers and in discussions with principals and staff at schools prior to submission by the inspector of school reports, and the inclusion of issues relating to gender equity in in-service courses for post-primary teachers, as well as in seminars and courses, the establishment by the Minister for Education in 1987 of the Primary Review Body, chaired by an eminent woman lawyer, and of the National Council for Curriculum and Assessment, both bodies being required to ensure that sexism and stereotyping were eliminated from

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curricula and to work for gender equality in schools, Ireland's participation in two action research projects sponsored by the European Community, on access by girls to new technology subjects in schools on the same terms as boys and on the incorporation of an equal opportunities dimension in the initial and in-service training of teachers, and Ireland's participation in 1987 in a poster competition at secondary school level, sponsored by the European Community, on the theme of equal opportunities for girls and boys in education

12. In the field of sports - the responsibility of the Minister for Education - the National Sports Council promoted the Government's "Sport for all" policy, promotional material was published giving equal prominence to sportsmen and sportswomen and an annual sports award for women had been established to increase their participation in sports. As a further policy measure to that end, the Department of Education had given above average increases in annual grants to women's organizations

13. Regarding employment, the current high level of unemployment was likely to mean that women working full time in the home who might be interested in paid employment would see no point in looking for it when it was in such short supply. Since the enactment of equality legislation in the 1970s, the participation of married women in the labour force had increased from 7.5 per cent in 1971 to 21.3 per cent in 1986, the overall participation rate for women being 30.9 per cent

14. Ireland's initial report (CEDAW/C/5/Add 47, p. 16 f.) outlined the role and responsibilities of the Employment Equality Agency as the regulating authority for protecting the right of women to work on equal terms with men. In the past two years the Agency had assisted complainants with problems concerning access to employment, sexual harassment, promotion, dismissals, conditions of employment, basic pay and pensions, had published studies on women in the Irish electronics industry, on equal opportunities and the recruitment of industrial trainees and on women entering engineering, and had participated in seminars and other activities to promote public awareness of equal treatment in employment. Complainants assisted by the Agency had secured landmark decisions in the Labour Court on sexual harassment, namely that the test of what constituted sexual harassment should be a subjective one, based on the point of view of the complainant, and that sexual harassment could take place outside the workplace proper.

15. The Minister for Labour had recently submitted proposals to the Government for reforming existing equality legislation with a view to tackling problems of interpretation and dealing with limitations in the scope of the legislation and anomalies in the working of the relevant acts. It was likely that legislation would be consolidated in a Single Act, thus facilitating interpretation and general understanding.

16. The 1977 legislation contained specific provision for positive action in the crucially important area of training. The National Training and Employment Authority established in 1988 and consolidating the Industrial Training Authority, the National Placement Service and the Youth Employment Agency had continued and developed training opportunities for women in areas of non-traditional employment. New initiatives for 1988 included a pilot programme for training women in new technology. The National Training and Employment Authority had continued to provide programmes for women wishing to return to work after years of absence from the labour force. Efforts to encourage the recruitment of women in the

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apprenticeship area during the past two years had resulted in an increase of 12 per cent in women's participation. Women's representation in vocational training had increased steadily from 34 per cent in 1986 to 36 per cent in 1988, compared with an overall labour force participation by women of 30.9 per cent.

17 Another initiative had been the Women in Business Enterprise Campaign, designed to encourage women entrepreneurs and to make the State development agencies target their activities at women as well as men. The Campaign had produced a significant increase in the number of women entrepreneurs applying to and qualifying for assistance from those agencies. The momentum generated by the Campaign - which had ended in 1987 - was being sustained through such means as the designation of a project executive in the Small Business Division of the Industrial Development Authority with specific responsibility for women entrepreneurs, and the annual Women in Industry Enterprise Scholarship Award, sponsored by the business community.

18 Recognizing the importance of setting an example as a good employer, the Government had established an employment equality code for local authorities and health boards, and equal opportunity guidelines for the civil service, with the involvement of the civil service trade unions, and introduced job-sharing, career breaks and flexible working hours in the civil service.

19 In connection with health, there had been a number of important developments, notably regarding legal protection of children. The Status of Children Act 1987, which had come into effect in 1988, removed legal discrimination against people born outside marriage and covered guardianship, maintenance of children and succession rights. It also provided a court procedure for declaration of parentage and the use of blood tests in civil proceedings involving parentage. The 1988 Adoption (No. 2) Act, extended the categories of children eligible for adoption to include certain children whose parents had failed in their duty towards them. The Child Care Bill, introduced in Parliament in June 1988 and currently at the committee stage, was concerned mainly with strengthening the powers of health boards to provide child care and family support, updating the grounds on which children who had been neglected, physically or sexually abused or were otherwise at risk could be placed in care, new arrangements for supervision of nurseries, crèches, play groups and children's residential homes.

20 The Minister for Health had ordered the widespread dissemination of child abuse guidelines and a child abuse checklist to help the identification and investigation of child abuse, physical and sexual. Health boards had been given additional funds to improve their services for alleged cases of child sexual abuse, the reported incidence of which had increased significantly in recent years.

21. Another recent initiative was a national study of Irish alcoholic women in treatment, aimed at collecting data on the development of alcoholism, the use by women alcoholics of other drugs, the effects of such use on their health and life and the course of their treatment. The study would help to identify characteristics of women at highest risk from alcohol and drug use and would be important in planning appropriate services.

22 A Bill to amend the existing law on rape was at the committee stage in the Senate. The Bill incorporated many features sought by those engaged in front-line counselling and support for rape victims and had been welcomed by the Rape Crisis

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Centre Its most important provisions were the abolition of the rule that a husband could not generally be found guilty of raping his wife, the creation of a new offence of aggravated sexual assault (on a woman or man) with a maximum penalty of life imprisonment, and the extension of the special evidential and anonymity provisions, which at present applied to rape victims, to all sexual assault victims

23 There had also been significant developments in social welfare In addition to the Government's special poverty provisions referred to earlier, the insurance-based treatment scheme for dental, optical and aural care had been extended to the dependent spouses of insured workers, conferring eligibility on some 330,000 dependent spouses That represented a significant advance, in particular for women in the home, as it included the spouses of directly-taxed employees, of the unemployed who had an insurance record, of disability benefit recipients and of invalidity, retirement and old age contributory pensioners.

24 Since April 1988, social insurance cover had been extended to between 230,000 and 250,000 self-employed persons, thus qualifying the spouse of a self-employed person for a widow's contributory pension after payment of three years' contributions Formerly, many widows had had to rely on means-tested pensions because many couples had failed to make private arrangements Another measure in the 1989 budget that would be of interest to the Committee, because it raised the social welfare entitlements of men closer to those of women, was the forthcoming social assistance allowance scheme for widowers and deserted husbands with dependent children, on the lines of the current non-contributory schemes for widows and deserted wives

25 Policies for the promotion of women in development being actively pursued under Ireland's development co-operation programme were the inclusion of a Women in Development (WID) dimension in all project design, appraisal and evaluation undertaken in the context of Ireland's bilateral aid programme, special attention under the non-governmental organization co-financing scheme to projects which helped to integrate women in the development process, active promotion of WID issues in multilateral forums, and support for the United Nations Development Fund for Women

26 Ireland had made substantive progress concerning the reservations lodged on its accession to the Convention Speedy legislation had been enacted to permit the withdrawal of reservations on nationality and citizenship, domicile and equal treatment in matters of social security Its prompt response in those areas, within a year of accession to the Convention, reflected its commitment to the principles of the Convention

27 Ireland continued, however, to maintain the reservations set forth in appendix 1 to its initial report on certain articles of the Convention

28 In conclusion, Ireland believed that the developments he had outlined represented a continuing commitment by its Government to the realization of the objectives of the Convention Ireland was not complacent regarding what remained to be done to ensure de facto as well as de jure equality of opportunity in its society The structures established by the newly-elected Government in April 1987 were designed to ensure a continuing momentum in that area, but Ireland would, of course, welcome and value whatever views the members of the Committee might offer on the subject

29 Ms BUSTELO DEL REAL commended Ireland's comprehensive report, and the useful statistical information given. While the Government of Ireland was to be congratulated on the measures recently introduced to improve the status of women, notably those relating to vocational training, women in other countries of the European Community still found unacceptable certain provisions in Irish legislation that related to marriage and abortion.

30 Ms PILATAXI DE ARENAS congratulated the Government of Ireland on having lived up to the promises it had made at the time of its accession to the Convention. She hoped that it would soon withdraw its four remaining reservations. Although withdrawal of Ireland's reservation in regard to article 13 (a) resulted in a situation which was, in fact, less favourable to women, it could be seen as a step in the direction of greater equality of rights between men and women. She welcomed the appointment of a Minister of State for Women's Affairs.

31 From the technical point of view the report was one of the best that had ever been submitted to the Committee. It was clearly set out and easy to read, and gave a comprehensive picture of the situation of women in Ireland.

32 Ms CORTI said Ireland was to be congratulated on having set up mechanisms to promote equality of opportunity between men and women that were perhaps the most sophisticated to be found among member countries of the European Community.

33 The representative of Ireland had referred to obstacles which still stood in the way of the achievement of equality in wages and salaries, and had also mentioned the high unemployment rate. Had any policy been adopted for finding solutions to those problems? In addition, did the Government have any policy - for example, the launching of publicity campaigns - to counter the spread of AIDS? She would appreciate more information on the way in which the many women's groups listed in appendix 6 to the report were "affiliated" to the Council for the Status of Women. Did affiliation imply merely co-operation, or something further?

34 She shared the view expressed by the previous speaker in regard to the Irish Government's remaining reservations on the Convention.

35 Ms ILIC said that Ireland's report (CEDAW/C/5/Add 47) was an excellent one, demonstrating the commitment of the Irish Government to working seriously in the cause of the improvement of women's status. The series of measures taken in implementation of the Convention was impressive, and encouraged the hope that such measures would soon become redundant as a result of the complete integration of women into Irish society. The fact that Ireland had introduced free secondary education was particularly noteworthy.

36 She too welcomed the Irish Government's withdrawal of its earlier reservations to the Convention.

37 Ms AKAMATSU joined in congratulating the representative of Ireland on one of the best reports ever put before the Committee. She had been interested to learn that a woman Minister had been appointed as early as 1919, indicating that women had achieved participation in government at a very early stage. As she understood it, the Office of the Minister of State for Women's Affairs had been replaced in 1987 by a new office. She would like to know what was the budget of that office, the number of its staff, and how it was organized. She would also appreciate more information on the Council for the Status of Women. In regard to article 1 of the Convention, she noted that according to the report (page 20) the concept of discrimination was under continuing examination to identify areas where it still existed. Had that examination yet produced any results?

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38 Ms FORDE welcomed the candour and enthusiasm with which the representative of Ireland had introduced his country's report, and congratulated the Irish Government on having presented a report so soon after accession to the Convention. Although the legislation enacted had done much to advance women's status, Ireland should not rest on its laurels, but should continue to strive to ensure that practice kept pace with theory.

39 She was aware that the results of referenda held in Ireland had been unfavourable to the dissolution of marriage, but would suggest that consideration be given to introducing formal regulations aimed at ensuring equitable ownership of property between spouses. De facto relationships could also be considered for inclusion in such regulations.

40 She too commended Ireland's withdrawal of the reservations it had made to the Convention in 1986, and hoped that the remaining reservations would soon be withdrawn.

41 Ms SINEGIORGIS said she was pleased to note that the report had been prepared in full accordance with the Committee's guidelines, and also that it had been made public, since wide publicity was crucial to the Committee's work. She particularly appreciated the fact that the report did not limit itself to listing legislation enacted, but also gave an account of women's actual position. The activities in support of equal opportunities for women and the setting up of such bodies as the Office of the Minister of State for Women's Affairs, the Joint Parliamentary Committee on Women's Rights and the Employment Equality Agency were admirable initiatives. She was glad to learn that Ireland was determined to secure both de jure and de facto equality for women.

42 She too appealed to the Government of Ireland to consider withdrawing its remaining reservations to the Convention.

43. Ms GUAN Mingqian welcomed the fact that in a relatively short period since accession to the Convention the Irish Government had introduced comprehensive legislation designed to improve the status of women. She commended the report's candour in admitting that despite those measures there were many areas in social, political and economic life in which women were under-represented and there was room for improvement.

44. She would like to know whether the former Minister of State for Women's Affairs was still in office, and if not whether her duties had been taken over by another body.

45 Ms UKEJE said it was refreshing to have the report of a State party introduced by a man. She hoped that the representative of Ireland would be able to gain from his interaction with Committee members a better insight into the lives and activities of women throughout the world.

46. She urged that the momentum given to the cause of the advancement of women in Ireland should not be allowed to lapse.

47 Ms LAIOU-ANTONIOU said that the report showed that Ireland was now in the front line of the battle to achieve improvements in women's status. The position of women in a country was an accurate indicator of the level of civilization that country had achieved.

(Mrs Laiou-Antoniou)

48 Among the excellent mechanisms that had been established to safeguard the rights of women, she had been particularly impressed by the Employment Equality Agency, which was empowered to seek a High Court injunction in cases of persistent discrimination. It was not common in other countries for such an agency to have such wide powers. The number and range of women's movements in Ireland was another encouraging sign.

49. On the other hand, despite all the efforts made to eliminate discrimination, the level of women's participation in public life in Ireland still seemed to be low. That was perhaps due to the fact that until as recently as 1973 women had not been allowed to remain in the civil service, or in certain other occupations, after marriage. There seemed to be a certain imbalance in the policies applied to eliminate discrimination, although equal opportunities on the labour market were encouraged, the policy concerning women's personal and family rights - notably regarding abortion and divorce - seemed to be more conservative. In addition, women did not seem to be fully integrated into political decision-making.

50 She would appreciate further clarification on Ireland's reservation on article 13 (c) with regard to women's membership of clubs selling alcoholic drinks, and the reasons underlying it. Did the organizations which comprised the Council for the Status of Women cover the full political spectrum? Were there any sectors of the labour market in which marriage or family status still remained an obstacle to employment? What steps had been taken to encourage women to participate in political decision-making?

51 She commended Ireland's programmes to provide professional and technical training for girls, as well as its measures to encourage self-help groups and co-operatives, particularly in the rural areas. She congratulated in particular the Irish Congress of Trade Unions for its impressive work on behalf of its women members.

52 Ms. OESER expressed her gratitude to the Government of Ireland for withdrawing certain earlier reservations to the Convention pertaining to citizenship, domicile and social welfare. Ireland's achievements in the field of education had been particularly impressive, as had been the mechanisms set up to improve the status of women during the period 1983-1985 after ratification of the Convention.

53 Page 13 of the report referred to "external forces" which had affected advances in women's status in the 1960s. Had there been developments in the situation since that time?

54 Ms. NOVIKOVA welcomed the fact that the report gave information not only on the legal status, but also on the actual status, of women. She had been impressed by the flexibility of the education system, which made no distinction on the grounds of sex, and also by the use made of publicity in helping to promote women's status.

55 What were the factors that had contributed to the current high rate of unemployment in Ireland, and what proportion of the unemployed were women?

56 Ms. LAIOU-ANTONIOU, referring to article 1 of the Convention, noted that according to article 40 1 of the Irish constitution the State was entitled to have regard to "differences of capacity, physical and moral, and of social function".

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(Mrs Laiou-Antoniou)

(see document CEDAW/C/5/Add 47, p 19) The words "social function" could, she felt, open the door to discrimination on the basis of gender roles In the context of article 2 (f), there was a mention in the report (page 31) of the introduction of flexible working hours, job-sharing and career breaks in the public sector Those measures were presented as positive, but she thought they were usually traps where the advancement of women was concerned With regard to "statutory rape" (see page 33), she asked which categories of persons could initiate a prosecution for the offence

57 Ms GUAN Minqian, referring to article 2 (c) of the Convention, asked how complaints to the Labour Court were followed up in practice She wondered, for example, whether the employer of a woman dismissed on grounds of pregnancy, or not paid fairly, could be punished, and in what way

58 The CHAIRPERSON inquired, in connection with articles 3 and 4 of the Convention, whether the Irish Government had set specific goals for the advancement of women in employment, political life, management and other fields

59 Ms ALFONSIN said that she found the report very encouraging in its description of measures to eliminate sex stereotyping in the context of article 5 Referring to the requirement, in the Code of Advertising Standards, that all advertisements should be "legal, decent, honest and truthful" (CEDAW/C/5/Add 47, p 43), she asked whether advertisements actually complied with that standard

60 Ms CORTI, referring to article 5 (a), asked what monitoring there was of sexism in advertising She was not persuaded that a self-regulating approach was best where the media were concerned She wondered whether any legislation was in prospect to regulate private television companies There appeared to be no publicity campaign to enhance women's role in public affairs, which appeared to be somewhat limited

61 Ms LAIOU-ANTONIOU, referring to article 5 (b), asked whether there was any provision for moderating the possible impact of the statement, in article 41 2 1 of the Irish Constitution, that "by her life within the home, woman gives to the State a support without which the common good cannot be achieved" (CEDAW/C/5/Add 47, p 46)

62 Ms BUSTELO DEL REAL, referring to article 6, asked which categories of persons were open to prosecution under Irish legislation relating to prostitution She wondered what the actual pattern of prostitution was, and whether any study had been made of the subject

63 Ms AKAMATSU noted the statement on page 49 that the question of the implementation of the recommendations of the Law Reform Commission in relation to prostitution was under consideration She asked what the results had been

64 The CHAIRPERSON asked whether the recommendations of the Law Reform Commission on soliciting had been implemented, and what support programmes existed for victims of rape

65 Ms GUAN Minqian, referring to article 7, said that she was interested to learn that a National Women's Talent Bank had been set up (see page 61) She wondered what role it had played in improving employment prospects for women

66. Ms GONZALEZ MARTINEZ congratulated the representative of Ireland on a very informative and frank report. She noted there were still certain areas where action was required to bring the position of women into conformity with the Convention. Referring to article 7, she noted from the statistical table concerning women elected and nominated to the Senate between 1951 and 1982 that the representation of women was still very unsatisfactory, and asked the reason. On the other hand, the table on women candidates in elections to the Dáil and women elected showed a considerable increase between 1957 and 1982, and she wondered whether that reflected a greater involvement of women at that level rather than simply an increase in the population. As for the representation of women on the executives of the main political parties, she asked whether their role was confined to social and cultural affairs. Generally speaking, women appeared to play only a minor role in public life, especially in senior positions, and she wondered if the picture had begun to improve recently. It was only in recent years that married women had been able to take any part in public affairs. With regard to article 8 she noted that, according to the table showing the distribution by sex of diplomatic staff, there was a preponderance of women in the lower ranks. According to page 64 of the report, opportunities for women to represent their Government at the international level were not confined to working in the diplomatic service. She asked whether the figures given included the consular service, and in what other ways women could serve abroad. She wondered why so few women took part in international affairs.

67. Ms AKAMATSU, referring to article 10, asked whether co-education was widespread in Ireland, and what further information was available on scholarships and study grants.

68. Ms LAIOU-ANTONIOU asked how successful the Programme for Action in Education (see document CEDAW/C/5/Add 47, p. 74) had been, especially in relation to co-education, and whether there was a programme of sex education in schools.

69. Ms GUAN Mingqian referred to the efforts of the Irish Government to reduce the drop-out rates for female students, which was also a problem in China. She would be interested to know how prevalent the problem was in a developed country such as Ireland.

70. Ms. BUSTELO DEL REAL, referring to article 11, asked for more information about job-sharing in the public sector, where the 1986 figures for women applicants were very high. She would also like more information on part-time work by women.

71. Ms AKAMATSU noted that the number of cases referred to Equality Officers under the equal pay legislation had fallen since 1980 (see document CEDAW/C/5/Add 47, p. 92), and asked whether the decline represented a real improvement. She asked whether there were sufficient day-care centres for the children of working mothers, and whether government policy for child-care provision reflected the rising numbers of working mothers.

72. Ms LAIOU-ANTONIOU asked if there was any discrimination against female applicants for employment who were known to be pregnant. She would also like to know whether maternity leave was granted to full-time workers only, and whether pay during maternity leave was restricted to 70 per cent of earnings. There appeared to be a separate maternity benefit, and she asked for more information about it. As for facilities for children of working mothers, most of the initiative appeared to be left to voluntary services, which tended to perpetuate the role of women as helpers. On the question of equal pay legislation, she wondered how the law ensured that women were paid the same for work of equal value.

73 Ms OESER noted that, according to article 45 2 1 of the Irish Constitution, it was the duty of the State to ensure that citizens, through their occupations, could achieve economic security. She wondered how that provision could be reconciled with the existence of unemployment, and what weight it carried as a constitutional guarantee. It was interesting that the Employment Equality Act applied equally to the public and private sectors, particularly as many States parties reported that their government programmes could only be implemented in the public sector. The provision of the Anti-Discrimination (Pay) Act that equal remuneration was to be paid for "like work" appeared to reflect the principle of equal pay for work at equal value, and she would like some examples of how the legislation was implemented in practice. As for the de facto equality of women on the labour market, she asked whether all women wishing to work had access to child-care facilities, and what percentage of average family income had to be devoted to the cost of such facilities.

74 Ms BUSTELO DEL REAL, referring to article 12, asked for some additional information about the incidence of clandestine abortion.

75 Ms ALFONSIN DE FASAN sought more information on the treatment of women drug addicts and sufferers from AIDS, in view of the serious effects on their children. She also wanted to know whether non-working mothers could use child-care facilities at the father's place of work.

76 Ms PILATAXI DE ARENAS inquired whether health education programmes were integrated into general education, and whether there was any programme of sex education in schools. She also wished to know what preventive measures there were against AIDS.

77 Ms CORTI noted with interest the plans to extend the health service, and asked whether the expansion of hospital facilities would apply to the whole population, or only to the working population. She asked why a prescription was needed for medical contraceptives, and whether there were sufficient reception centres for victims of rape. She also wondered whether there was any legislation on the suppression of drug abuse. The fact that abortion was illegal appeared to conflict with the principle of self-determination for women.

78 Ms LAIOU-ANTONIOU asked what the women's movement was doing about the issue of abortion.

79 Ms OESER asked for additional information concerning how many women and girls were affected by drug addiction, and if there had been any positive results from the Special Governmental Task Force on Drug Abuse.

80 She asked for further details on the right to life of the unborn, which had been the subject of a constitutional referendum in 1983. In particular, was the life of the unborn protected when it had been engendered by rape?

81 Ms GONZALEZ MARTINEZ commended the section of the report concerning drug abuse, and asked if any statistics were kept on addiction amongst young people. She said that the problem of foetal addiction where the mother was an addict was a serious one, and that the adverse consequences for the foetus could be compounded if the father was also an addict and had high levels of drugs in his system at the moment of conception. Although heroin was perhaps the most damaging drug, drugs such as marijuana were also pernicious, and she requested clarification as to whether Irish law penalized drug traffickers alone or contained penalties against drug consumers also, it was her view that both the supply of drugs and the demand for them must be penalized if the flow was to be choked off.

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82 Ms UKEJE noted that as a consequence of the illegal status of abortion in Ireland, the death rate as a result of illegal abortions must be high, and she inquired whether anything was being done to reduce that death rate. She asked also whether the Irish Government was attempting to bring the suffering and death caused by illegal abortions and the sufferings of single mothers and unwanted children into the moral argument about abortion.

83 Ms AKAMATSU asked whether the Irish Government's reservations concerning subparagraphs (b) and (c) of article 13 had been lifted.

84 Ms ILIC, referring to the section of the report on article 14, asked whether poverty in Ireland was a mainly rural phenomenon or whether it was more widespread, and what measures were being taken to combat it.

85 Ms AKAMATSU welcomed the withdrawal of the Irish Government's reservations concerning article 15 4, but regretted that its reservations concerning article 15 3 had been maintained. She could not understand how such a fundamental right as that to fully equal legal capacity could be the subject of any reservation.

86 Ms BUSTELO DEL REAL, referring to article 16, said that if the situation in Ireland was analogous to the one which had until recently obtained in Spain, there would be, in the absence of divorce, many couples living together but unable to marry. She inquired whether the social position of the women in such relationships was equal to that of the men.

87 Ms ILIC inquired how far religion affected family life in Ireland, granted that the freedom of religion could not be interfered with.

88 Ms OESER noted that, whether or not divorce was possible, marriages did break down, and asked what percentage of Irish marriages did in fact fail. She asked further whether there had been any positive results from the family mediation service set up in 1985.

89 Ms BERNARD asked what the differences between the various adoption acts had been.

90 The CHAIRPERSON asked if there had been any studies on violence and rape within marriage, and to what extent such violence and rape were considered offences. Had any progress been made towards offering judicial separation and divorce for women who had suffered such violence or rape?

91. She commended the leaps forward made by Ireland in its transition from an agricultural to an industrial society, progress in education was particularly impressive. The use of the media in that respect was very commendable.

The meeting rose at 12 25 p m