



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

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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Fourth session

SUMMARY RECORD OF THE 47th MEETING

Held at the Vienna International Centre, Vienna,
on Tuesday, 22 January 1985, at 10 a.m.

Chairperson: Ms. BERNARD

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consolidated in a single corrigendum, to be issued shortly after the end of the
session.

The meeting was called to order at 10.15 a.m.

EXPRESSION OF SYMPATHY

1. The CHAIRPERSON welcomed Ms. Peytcheva to the session and expressed the sympathy of the Committee on the death of her mother.

CONTRIBUTION OF THE COMMITTEE TO THE 1985 WORLD CONFERENCE TO REVIEW AND APPRAISE THE ACHIEVEMENTS OF THE UNITED NATIONS DECADE FOR WOMEN: EQUALITY, DEVELOPMENT AND PEACE (CEDAW/C/1985/CRP.1)

2. The CHAIRPERSON said that, pursuant to paragraph 5 of Economic and Social Council resolution 1984/8, the Secretariat had prepared a compendium of information (CEDAW/C/1985/CRP.1) to assist the Committee in the preparation of a report as a contribution to the 1985 World Conference. She suggested that the Committee should use the Compendium as a basic document for its discussion of the agenda item. She also reminded the Committee of the suggestion made at the 45th meeting by the Assistant Secretary-General for Social Development and Humanitarian Affairs that a working group should be established to prepare a draft introduction for the Committee's report to the Conference.

3. Ms. MACEDO DE SHEPPARD pointed out that the Compendium was based on 20 reports by States parties whereas by the end of the present session the Committee would have considered only 19 such reports. She therefore proposed that the report by Mongolia, which would not have been examined during the session, should be excluded from the Compendium. She felt that the detailed references in the Compendium's notes to documents of the Committee would be of little interest to the participants in the Conference, who would not have access to the documents concerned. It was not clear whether section I C of the Compendium referred to legislative and other measures taken by States parties before or after their ratification of the Convention. Information concerning pre-ratification measures should perhaps not be included in the Committee's contribution to the Conference, since it would almost certainly duplicate other Conference documents based on replies by States members of the United Nations to the questionnaire circulated in connection with the Conference and to earlier questionnaires.

4. Ms. BIRYUKOVA said that, on the whole, the Secretariat had reflected objectively in the Compendium the Committee's discussions at its second and third sessions on reports submitted by States parties. However, the Secretariat had not fully followed the general guidelines established by the Committee regarding the form and content of such reports (CEDAW/C/7) in that the Compendium did not pay due attention to the participation of women in development and in the struggle for peace and disarmament, which were mentioned in the preamble to the Convention but were not further referred to in the articles. Important contributions had been made by women in those fields and the 1985 Conference should take them into account in evaluating the United Nations Decade. Greater attention should also be paid to the issues of equitable international co-operation and the new international economic order based on equity and justice which would contribute towards equality between the sexes. She endorsed the previous speaker's remarks concerning the inclusion of information in the Compendium of information relating to reports which would not have been considered by the end of the present session. In her view there should be a consistent approach to the question of naming individual countries in the Compendium. In paragraph 6 certain developed countries with market economies were named, whereas in paragraph 7, countries with centrally planned economies were referred to as a group. She believed it would be preferable to name individual countries.

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5. With regard to the procedure for preparation of the Committee's contribution to the Conference, she proposed that each expert should submit her comments on the Compendium in writing before Monday, 28 January, for use in drafting the final contribution document. If the Rapporteur encountered difficulty in that respect, a working group could perhaps be set up, but it would be premature to take such a step before the Committee had held a substantive discussion on the Compendium.

6. Ms. SMITH said that the Compendium was not ideal, as it was long and repetitious and contained some inaccurate statements. There was insufficient time to make radical changes in it, however, and she therefore endorsed the suggestion that the experts should submit in writing their suggestions for essential alterations and that any redrafting should be confined to such alterations. The Compendium undoubtedly contained valuable information for the Conference. She agreed with Ms. Biryukova on the need for consistency with regard to the naming of individual countries. A final point to be considered was whether the report should have an introduction: if an introduction was to be provided, which would give the Committee's comments on the struggle for equality between the sexes, it would be necessary to set up a working group.

7. Ms. WADSTEIN endorsed the comments of the previous speakers. It was difficult in the Compendium to distinguish the views of the States parties from those of the Committee and that issue must be dealt with in an introduction or in some other way. There should be more emphasis on the work of the Committee itself: the Compendium consisted mainly of quotations from the reports of States parties.

8. Section IX of the Compendium "Assessing progress made in the implementation of the Convention" showed, in her view, a tendency to minimize obstacles and maximize achievements. The section should certainly be optimistic but it should also concede that States parties still had a long way to go after having ratified the Convention. The Compendium as a whole should include only information relating to reports already examined by the Committee. Reports submitted but not examined by the end of the present session should be merely mentioned. She noted that there were some errors in the Compendium's list of States which had ratified the Convention.

9. Ms. ILIĆ said that the Secretariat had necessarily had to adopt a cautious approach in drafting the Compendium. In the final text of its contribution, however, the Committee could go beyond the mere selection of sentences from reports by the States parties. She did not favour naming individual countries in the text. The document should describe trends noted on the basis of the reports received. She noted that the Compendium dealt with reports from 20 States parties representing almost one-third of the States which had ratified the Convention but only 12 per cent of the total membership of the United Nations. An introduction to the Committee's contribution should describe, on the basis of the reports, the world economic situation and the conditions under which women lived and worked. Some rearrangement of the Compendium was needed in order to make it shorter. In her view that task would best be performed by a balanced working group, whose work would be facilitated by the submission of written comments by the experts. She had a basic objection to the economic classification of countries set out in paragraph 4 of the introduction to the Compendium. She could not support the division of developing countries into two categories which did not exist in the Group of 77. The recognized categories should be maintained.

10. Ms. CORTES said that the final document constituting the Committee's contribution to the Conference should reflect what the Committee had done and what progress had been made by the States parties since their ratification of the Convention. Owing to the short time which had elapsed between ratification and the submission of their initial report, many States had provided information mainly concerned with steps taken to incorporate the Convention in national law. The Committee had the monitoring function of making enquiries about the position of women when the situation was not clear from the reports. She agreed that the Compendium should be based only on the reports which had been examined by the Committee and that the experts should submit in writing their comments on the document. She supported the proposal that a working group be set up.
11. Ms. MUKAYIRANGA said that she shared most of the views of the previous speakers. It was necessary to decide whether the Compendium should refer to countries by name or describe general trends and whether it should contain information from all the reports so far received or only from those examined by the Committee. It would also be useful to distinguish in the Committee's contribution to the Conference between positive and negative forms of discrimination against women.
12. Ms. IDER said that she would confine her comments to matters of form, since it was premature to discuss the contents of the Compendium. She believed the document should refer to individual countries by name, both because relatively few country reports would have been examined by the end of the present session and because she shared Ms. Ilic's objection to the classification of developing countries in paragraph 4 of the introduction. She would like to see added to the Compendium a section dealing with the close link between equality and international issues such as the new international economic order and peace and the contribution of women to those issues. She agreed that members of the Committee should submit their comments on the Compendium in writing. The comments submitted should be reviewed before the question of setting up a working group was considered. The Committee would be in a better position to decide that question when it had considered the country reports before it.
13. Ms. VELIZ DE VILLAVILLA noted that the Compendium contained a plethora of useful information. It had been difficult, however, for a Spanish speaker to consider it in detail on the basis of an English text received only shortly before the opening of the session.
14. She agreed that the Committee's contribution to the World Conference should be based only on those reports which the Committee had examined and she supported those speakers who had objected to the division of developing countries into two economic categories, which ran counter to United Nations practice. Comments on the Compendium should be submitted in writing. It would be useful to set up a drafting group, in which the Rapporteur might be involved, but it should have a representative membership, reflecting different levels of national development. The group should be established forthwith, so that it might complete its work rapidly. With regard to the approach to be adopted in the Committee's report for the Conference, she thought that both general trends and specific cases should be considered. The importance of the Committee's work lay in its analysis of situations in specific countries and differences in culture and economic levels made it impossible to analyse them all in the same way. Information should be given about the economic situation of women throughout the world. The document prepared for the Conference should reflect the work carried out by the Committee, which should be specifically reviewed in an introduction or general section.

15. Mrs. SHAHANI (Assistant Secretary-General for Social Development and Humanitarian Affairs) pointed out that the economic classification adopted in paragraph 4 of the introduction to the Compendium was the same as that used for the review and appraisal report that was to be submitted to the 1985 World Conference. It might have its limitations, but clearly some sort of classification was needed for the Compendium.
16. Ms. LAIOU-ANTONIOU agreed with other speakers that the developing countries should be classified in the Compendium according to the system used by the Group of 77. The Secretariat deserved praise for its attempt to provide a comparative presentation based on the 20 reports submitted by States parties to the Convention. In that task it had felt obliged to use certain criteria and principles concerning the meaning of progress. That approach was dangerous, however, in her view, since there was no agreement within the Committee itself as to what constituted legislative progress. In three specific areas, namely maternity leave, part-time work and leave of absence for parental reasons, she did not think that the legislation referred to in the Compendium advanced the cause of women.
17. Ms. GONZALEZ said that the Secretariat was to be congratulated for having produced the Compendium in so short a time. She proposed to draw attention, in writing, to a number of errors in the text, as well as to certain instances of duplication.
18. She agreed with those speakers who had objected to the system of economic classification used in the Compendium. In her view, the document should neither mention countries by name nor classify them. Instead, it should be stated in the introduction that the Compendium had been prepared on the basis of reports by a specified list of States parties. The list would include all those countries whose reports had been examined by the Committee by the end of its fourth session.
19. She also agreed that a small working group should be set up as soon as possible in order to draft an introduction. As the basis for its work, it should use the observations made in the Committee, the written comments submitted by members and the results of any informal discussions. The purpose of the introduction should be to reflect the real situation of women in the world, including such elements as the influence of the economic and political situation on women. Owing to the shortage of time, members should restrict themselves to general comments and not attempt to propose specific amendments to the text of the Compendium.
20. Ms. JAYASINGHE congratulated the Secretariat on its efforts, but nevertheless expressed concern at the repetitions and duplication in the Compendium, which made the document too long. She believed it could be shortened by grouping countries together under specific articles of the Convention.
21. The obstacles to implementation of the Convention were well presented in the Compendium. However, the Committee could play a useful role by suggesting areas of positive action, in the form of general recommendations and suggestions. The working group could be entrusted with the task of preparing a conclusion to the Compendium along those lines.
22. She agreed that States parties whose reports had not been examined by the Committee should not be referred to in the Compendium and she endorsed the proposal that members be allowed to submit written comments. She believed it would be useful to annex the text of the Convention to the report prepared by the Committee as its contribution to the World Conference.

23. Ms. GUAN MINQIAN thanked the Secretariat for having prepared the Compendium in such a short time. It was to be hoped that that document would encourage further States to ratify the Convention. In her view, the Compendium should include an introduction, dealing with overall progress and the work done by the Committee. That would be followed by the substantive sections. The document should not aim to give a picture of the situation in particular countries. The names of States should therefore not be mentioned and specific cases should not be described, although a few examples could be given. Greater detail would only make the report longer and more difficult to read. Since many background documents would be submitted to the 1985 World Conference, the Committee should aim at a concise report, avoiding repetition and dealing with the principal headings of the Convention, rather than with each clause separately.

24. She endorsed the proposal to set up a working group as soon as possible. Its composition should be such as to include representatives from all regions. For that purpose, the membership of the Bureau of the Committee would be suitable, together with any other members who wished to participate.

25. If the paragraphs relating specifically to China were retained in the Compendium, she would submit amendments, since they were not in all cases accurate.

26. Ms. de REGO da COSTA SALEMA said that the report submitted by Portugal had not been mentioned in the Compendium. She asked the Secretariat to add it to the list of reports, together with the date on which it had been received.

27. While the Secretariat was to be commended for its work, the Compendium, with its 621 footnotes, was too long. She nevertheless agreed that the present text should be used as a basis for the report to be submitted by the Committee to the 1985 World Conference. A working group should be set up to receive the comments of members, whether in written form or by any other means. A decision would have to be taken on which reports the Compendium should cover. In her view, it should cover only the 19 reports which would have been examined by the Committee by the end of its fourth session. The Compendium should also reflect the work of the Committee itself. The reports of States parties should not be referred to individually, nor should the countries concerned be classified in accordance with the criteria set forth in paragraph 4 of the introduction. Finally, she wished to point out that the order followed in the Compendium was not exactly that of the general guidelines approved by the Committee.

28. Ms. CREYDT (Secretary of the Committee) pointed out that the revised version of the list of reports due and received (CEDAW/C/1985/CRP.1, annex II) indicated that Portugal had submitted a report on 18 November 1983. The asterisk following that entry referred to a footnote, which stated that consideration of Portugal's report had been postponed "due to an indicated amendment". That amendment had not yet been received.

29. The information contained in the Compendium was based on 20 national reports, which varied in length from seven to 400 pages. Consequently, it had proved impossible to arrive at a balanced presentation, particularly since the additional information provided orally during Committee sessions did not cover all articles of the Convention.

30. The Secretariat was also well aware of the problem of duplication. For example, the subject of family planning was dealt with in three different sections of the Compendium and she would appreciate guidance on where it could best be placed.

31. Ms. PEYTCHEVA said that the preparation of the Compendium had been a complicated task calling for much effort and a high degree of objectivity. Since the report to be submitted by the Committee to the 1985 World Conference would be only one of many, it would be useful to keep its size down, taking care to achieve balance in the information provided on the different groups of countries and economic systems.

32. The Compendium provided an excellent basis for the preparation of the Committee's report. It could be abbreviated by amalgamating parts B and C of section I. Part C could be shortened, in particular by giving equal treatment to the different groups of countries. In that connection, she agreed with the remarks made by Ms. Biryukova. Section III of the Compendium dealt with equal rights in the fields of both education and employment. In her view, the right to work, as an inalienable right of all human beings, was of such importance that it should be dealt with in a separate section.

33. She noted that the term "obstacles" was sometimes used in the Compendium when discrimination was meant. In that connection, she considered it important to abide by the definition of discrimination contained in article 1 of the Convention. Furthermore, a reference was made in paragraph 74 of the Compendium to "positive discrimination", whereas article 4, paragraph 2, of the Convention stipulated that special measures aimed at protecting maternity should not be considered discriminatory.

34. The introduction to the Compendium stated that the information in that document was based on 20 national reports and the consideration of a number of them at sessions of the Committee. In her view, as recommended by the Commission on the Status of Women acting as the preparatory body for the 1985 World Conference, the report to be submitted by the Committee should also cover the participation of women and women's organizations in the struggle for peace and security, disarmament and in particular nuclear disarmament. Relevant information had been supplied by several States parties to the Convention.

35. She agreed that the national reports to be included in the Compendium should be those mentioned in paragraph 2 of the introduction. As far as Bulgaria's report was concerned, she recalled that her Government had wished it to be submitted to the Committee at its third session.

36. In paragraph 11 of the Compendium it was stated that eight States parties had reported on their accession to other international conventions aimed at eliminating discrimination against women. However, it would be seen from annex I that a large number of States had ratified such conventions, so paragraph 11 required amendment.

37. She would submit her detailed comments on the Compendium in writing before 28 January and thought it advisable to postpone the establishment of a working group until all such comments had been received.

38. Ms. EVATT said that the Compendium would be of value both for the World Conference and for the Committee itself, since it showed how much had been done by the Committee and what remained to be done in interpreting the Convention and ensuring its effective implementation. An introduction briefly summarizing, for the benefit of the Conference, how the Committee had been established and had worked in the past, would be a useful addition to the document. States which had ratified the Convention clearly intended to pursue by all possible means the elimination of discrimination, but the Compendium showed their need for guidance in carrying out that task. The preparation of the Compendium had been no easy task

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for the Secretariat, which had had no option but to reflect what each State had indicated in its report. The Compendium therefore contained a number of omissions, a certain imbalance, inconsistencies and possible unfairness, due principally to the different social and economic backgrounds of the countries concerned, and to the fact that the Committee had been unable to examine the articles of the Convention with a view to overcoming the consequent inequalities. The Committee should therefore carry out a systematic review of the articles of the Convention and agree on the principles and goals and the measures to be taken in respect of each one. It should also call for specific comments on each article from each State party.

39. An introduction by the Committee to the Compendium was certainly needed, and a less glowing conclusion on the progress of the Committee's work might be more appropriate. To mention individual countries by name would create a certain imbalance, largely because some countries had reported obstacles while others had not.

40. Ms. OESER (Rapporteur) said it appeared to be agreed that, while the Compendium should be used as a basis for the Committee's report to the World Conference, some changes in the document were needed. Some of the changes were editorial in nature and could be carried out by the Secretariat. An introduction containing the Committee's views also appeared to be necessary and the contents of that introduction would have to be agreed upon. It should perhaps contain a certain amount of background information on the Committee's work, refer to the adoption of the Convention as one of the main goals of the Plan of Action for the Decade for Women, and also indicate that, following the entry into force of the Convention, States parties had commenced submitting their reports. The Committee's wish to see more States ratify the Convention and fulfil their obligations might also be mentioned. There should also be a description of the special problems experienced by some countries and of the achievements of and obstacles encountered by women, particularly with regard to their role in political life, which had been rather neglected in the Compendium. The role of women's organizations might also be mentioned, and a reference might be made to the general increase in public awareness of the role of women in social and political life since the entry into force of the Convention. The introduction should not, in her view, exceed ten pages. She supported Ms. Biryukova's suggestion that proposed amendments should be submitted in writing to the Secretary. She did not agree, however, with Ms. Evatt's evaluation of the tasks and competence of the Committee. In her view, it was the responsibility of the States parties, and not of the Committee, to interpret the articles of the Convention.

41. Ms. EVATT agreed that the Committee could not be the final arbiter. What she had meant was that, with the establishment of the Committee, States parties could seek guidance from it on the interpretation of the Convention. There was no other body to give them such guidance.

42. Ms. SINEGIORGIS said that, since the Committee was working under time constraints, the introduction to be prepared should be as brief as possible, and the changes made in the Compendium itself should be minor. Some changes were needed, however, in matters of substance. Repetition should be avoided in the text and consistency ensured. The Committee would also have to decide whether to name countries, or to group them together. Adoption of the country classification employed by the Group of 77 would avoid problems. It might be appropriate to make some reference to the reports of States parties which had been received but had not

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yet been examined by the Committee. She fully agreed with the Rapporteur's remarks regarding the type of introduction that was required. However, a conclusion was also needed: it might refer to the achievements so far and to the obstacles which remained to be overcome, and contain suggestions for a more extensive implementation of the Convention.

43. She endorsed the suggestion that proposed amendments to the Compendium should be submitted in writing, and that a small representative working group should be set up to prepare, with the aid of the Rapporteur, a draft introduction and conclusions based on the views expressed by the experts. The working group should be set up without delay since its task was a formidable one. She supported the view of Ms. Jayasinghe that the Convention should be annexed to the Compendium; a list of ratifications should also be annexed.

44. Ms. REGENT-LECHOWICZ said that the Compendium should form the basis of the Committee's contribution to the World Conference. She fully supported the Rapporteur's proposals regarding the introduction. The Committee's report should also mention the importance of peace in women's activities and the struggle for peace and disarmament, to which a number of States parties had referred. The method of classification adopted on page 7 of the Compendium was in her view unacceptable; existing United Nations practice should be followed. It was more important, however, to mention individual countries by name, since the Committee was dealing with 19 reports from various regions comprising countries with different systems, which meant that general conclusions could not always be drawn. She supported Ms. Biryukova's proposal regarding the procedure to be followed by the Committee in revising the Compendium. The immediate establishment of a working group might be desirable in view of the size of the amount of work to be done.

45. Ms. MONTENEGRO DE FLETCHER asked whether the 1985 World Conference would be the first such gathering at which the Committee was represented. She also wished to know the reason for the classification of countries on page 7 of the Compendium.

46. The CHAIRPERSON replied that as the Committee had not been established at the time of the last world conference, the Conference to be held in Nairobi would be the first opportunity for it to be represented.

47. Mrs. SHAHANI (Assistant Secretary-General for Social Development and Humanitarian Affairs) said that the economic classification indicated on page 7 of the Compendium was the United Nations classification used for economic studies. In preparation of the documentation for the 1985 World Conference, a questionnaire had been sent out to members and 120 replies had been received. In studying those replies the Secretariat had wondered how best to classify them. As the preparatory body for the Conference had insisted that account be taken of the socio-economic system of Member States, it had been impossible to employ the system of classification used by the Group of 77. In the absence of a directive from the Committee, the Secretariat had used the United Nations system. However, that system could be replaced by some other system if the Committee so desired.

48. Ms. MONTENEGRO DE FLETCHER said that the Committee should take advantage of the opportunity to be represented in a world forum and should seek to present its position in the clearest and fullest way possible. She shared the views of a number of experts on the structure of the report and on the need for an introduction on the lines suggested by the Rapporteur. More emphasis might also be placed on the need to motivate member countries of the United Nations to ratify the

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Convention and to promote its implementation. That might result in the submission of more national reports.

49. Ms. CARON agreed that a working group should be set up as soon as possible to draft an introduction to the Compendium and that any amendments experts wished to propose should be submitted in writing. She also felt that, in order to avoid discrimination, countries should not be named in the Compendium. While she agreed that the classification on page 7 of the Compendium might be reviewed, any other classification adopted should include no distinguishing features such as the asterisk which appeared against Rwanda at present. The difficulties experienced in different countries should in her view also be mentioned in general terms rather than individually. The proposed working group should be set up at once and might be composed of the members of the Bureau, who could co-opt other members. The working group should report back to the Committee by a given date so that the Committee's report for the Conference might be finalized by the end of the session.

50. Ms. SMITH agreed with the Rapporteur's suggestions regarding the introduction to be prepared, and noted that the Rapporteur had made no mention of a working group to carry out the task. In view of the amount of work involved, she felt that the task should be performed by a working group. However, if the Rapporteur felt equal to the task, she would be happy with that solution. In her view it was preferable to avoid classifying countries, in order not to give a misleading impression. It should also be made clear that the report prepared for the Conference was based on information concerning a limited number of countries. She hoped that the amendments to the Compendium which were submitted would not be too extensive.

51. The CHAIRPERSON, summing up, said that all members appeared to agree that the Compendium should form the basis of the Committee's contribution to the World Conference, and that any proposed amendments should be submitted in writing. It was also generally agreed that the country reports which the Committee had not yet considered should be referred to in the introduction in a general way. As to the classification of countries, the one used in the Compendium could be rejected and a different system worked out, if the Committee so desired. It was generally felt that a working group should be established as soon as possible, since the task was too great to be undertaken by the Rapporteur or by the Secretary alone. She therefore suggested that the working group should be set up forthwith, but should not consist of members of the Bureau, although it might perhaps be chaired by one of the Vice-Chairpersons.

52. Ms. SINEGIORGIS suggested that, before the next meeting, the Chairperson should hold consultations with other members of the Bureau regarding the composition of the working group. It should in any event be a representative group.

53. Ms. BIRYUKOVA felt that the Rapporteur should be asked whether she considered that a working group was needed immediately. If it was to be set up at once, it could only start work on the proposed introduction and could not consider any other matters, since the reports of one-third of the countries mentioned in the Compendium had not yet been considered.

54. Ms. CARON said that the majority of members were in favour of setting up a working group, not because they questioned the ability of the Rapporteur to do the work herself, but because they preferred to have a group representing the various regions. The Rapporteur should not in any event be placed in the position of having to say whether or not she could perform the task alone.

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55. Ms. MUKAYIRANGA suggested that the members of the Bureau, who had already been elected, should constitute the working group.

56. Ms. IDER said that there should be consultations on the composition of the group, and that, once established, it should be allowed to determine its own method of work.

57. Ms. OESER (Rapporteur) said that while she was grateful that some members wished to entrust her with the task of writing the introduction to the Compendium, she nevertheless preferred to work on the basis of a consensus and would favour the establishment of a group representing all regions.

58. The CHAIRPERSON said that the Bureau would consider the question of the composition of the working group and would report back to the Committee at the beginning of the afternoon meeting.

The meeting rose at 12.50 p.m.