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Chairman: Mrs. Mara RADIĆ (Yugoslavia).

AGENDA ITEM 53

Draft Declaration on the Elimination of Discrimination against Women (continued) (A/6678 and Corr.1, A/6703 and Corr.1, chap. XII, sect. XII; E/4316, A/C.3/L.1438, A/C.3/L.1439, A/C.3/L.1440/Rev.1, A/C.3/L.1441 to 1444, A/C.3/L.1445/Rev.1, A/C.3/L.1446 to 1449)

CONSIDERATION OF THE DRAFT DECLARATION AND THE AMENDMENTS THERETO (continued)

1. U HLA AUNG (Burma) said that the existing Burmese legislation guaranteed equal rights for men and women and discrimination against women on grounds of sex was non-existent in Burma and therefore as a whole the draft Declaration (A/6678 and Corr.1, annex I) was acceptable to his delegation. On the other hand, his delegation, while fully understanding the views expressed by other delegations on the text of the draft Declaration and the reasons which had motivated the introduction of various amendments, had no desire to impose the Burmese social order on other countries. If the various amendments and the draft text as a whole were put to a vote, the stand of his delegation would be based on that sincere desire.

2. Mrs AFNAN (Iraq) said that the amendments proposed by Belgium (A/C.3/L.1443) were the most extensive. The General Assembly had, however, specifically requested that lengthy texts should be avoided. The effectiveness of the draft Declaration would depend not so much on perfect wording as on the extent to which it reflected an agreement of views. The amendment to the last paragraph of the preamble altered the substance of the draft by replacing the words "Solemnly proclaims this Declaration" by "Invites Member States to bring their legislation into harmony with the following principles", without specifying the manner in which it should be done; that was a matter more suitable for a convention. Her delegation was also unable to support the deletion of the fifth and sixth preambular paragraphs,

since they constituted an introduction that was absolutely necessary for the instrument.

3. With regard to the proposal of Poland and Romania (A/C.3/L.1448) to introduce a new preambular paragraph, her delegation reserved its position, since it believed that the purpose of the Declaration was not to recognize the contributions made by women but to eliminate the discrimination practised against them.

4. She thought that the way to overcome the disagreements concerning article 2 was to make a clear distinction between laws and regulations, on the one hand, and customs and practices, on the other, and she supported the amendment to that effect proposed jointly by Nigeria and Senegal (A/C.3/L.1440/Rev.1), although she did not agree with the amendments proposed in that document concerning the other articles.

5. With regard to article 6, she recognized the complexity of the subjects it dealt with and said that her delegation reserved its position on the amendments proposed to the article; however, if the search for common ground led to a text which would be foreign to her country's culture, her delegation would find it impossible to support it.

6. She recognized the importance of articles 9 and 10, since they guaranteed the equality of women in the cultural, economic and social fields, but did not agree with the change in order proposed by Morocco (A/C.3/L.1438).

7. Lastly, she stressed that discrimination against women was incompatible with human dignity and said that an end must be put to it in all fields, drawing attention to the fact that in spite of the provisions of the United Nations Charter and the Universal Declaration of Human Rights, it had still not been possible to appoint a woman as Under-Secretary in the United Nations Secretariat.

8. Mr. TSAO (China) agreed with the comments of the Iraqi representative on the amendment proposed by Belgium to the last preambular paragraph and said that his delegation was likewise unable to support the proposal, since the purpose of a declaration was not so much to serve as a guide for the legislation of the various countries as to prepare public opinion through instruction and education. Moreover, the Declaration should be addressed not only to Governments but also to non-governmental organizations and individuals; the fact that the amendment referred solely to national legislation would thus limit the scope of the draft. Consequently, the amendment affected the whole purpose of the draft and he therefore invited the representative of Belgium to reconsider his position.

9. Mr. PAREJA (Peru) said that with reference to his amendments (A/C.3/L.1439), he was withdrawing his amendment to article 3 since it was almost identical with the proposal which the delegations of Nigeria and Senegal had made jointly concerning that article (A/C.3/L.1440/Rev.1).

10. Mr. VERMEYLEN (Belgium) said that he was surprised at the statements made to the effect that since the text of the draft Declaration was so important, it should be approved almost without discussion. In his view, precisely the contrary was true: in view of the importance of the text, it was essential that it should be perfectly drafted. However, as certain representatives had interpreted the Belgian amendments as weakening the original text, whereas they had the opposite purpose, he would withdraw all the amendments proposed by his delegation, with the exception of those relating to articles 8 and 11.

11. M. A. A. MOHAMMED (Nigeria) said that although no proposal had been made to combine similar amendments into groups, as was usual, his delegation would be agreeable to such a suggestion.

12. With regard to the amendments proposed, he said that he had no difficulty in agreeing to the Moroccan amendments (A/C.3/L.1438), since they did not affect the substance of the draft. He thanked the Peruvian representative for withdrawing his amendment to article 3. With regard to the other Peruvian amendments (A/C.3/L.1439), he was unable to support the amendment to article 2, which proposed the deletion of the word "customs", since there were customs that should be abolished. As to the amendment to article 4, he did not think that it improved the text, for to combine the various paragraphs into a single paragraph would reduce their importance. On the other hand, he thought it right to delete the reference to married women in article 6 and supported the deletion of articles 7 and 8.

13. With regard to the amendments proposed by Chile, Costa Rica and Uruguay (A/C.3/L.1441), he approved of the amendment to article 10, paragraph 2, but did not support the addition of a third paragraph to that article.

14. With regard to the amendment proposed by New Zealand (A/C.3/L.1444), he would have no difficulty in agreeing to it. As to the amendments proposed by Guatemala (A/C.3/L.1445/Rev.1), he opposed those concerning article 1 and article 6, paragraph 1 (c), and supported the amendment relating to article 6, paragraph 3, as well as the deletion of articles 7 and 8 which had also been proposed by his own delegation and that of Senegal (A/C.3/L.1440/Rev.1).

15. As to the amendment submitted by the Ivory Coast (A/C.3/L.1447) to article 10, paragraph 1 (d), he was unable to support it without the necessary clarifications. The amendment proposed by Poland and Romania (A/C.3/L.1448) seemed an excellent one and he would have no difficulty in supporting it.

16. Mr. SANCHEZ GAVITO (Mexico) said that after four days of useful general debate, the discussion of the amendments was proving less fruitful because of the danger of repetition. He therefore formally proposed under rule 118 of the rules of procedure,

that the debate on the amendments in general should be closed and that the Committee should proceed to consider the Draft Declaration article by article and paragraph by paragraph, dealing with each amendment individually when the corresponding article or paragraph was taken up.

17. Mr. ABOUL-NASR (United Arab Republic) opposed the Mexican representative's proposal and observed that the general debate was already closed. That, however, did not rule out acceptance of the proposal made by the French delegation at the previous meeting.

18. Mr. HOVEYDA (Iran) opposed the Mexican representative's proposal and moved that the debate should not be closed but that the time allowed to each speaker should be limited.

19. The CHAIRMAN put the Mexican representative's motion to the vote.

The motion was adopted by 75 votes to 3, with 14 abstentions.

PREAMBLE

20. The CHAIRMAN invited the Committee to vote on the preamble to the draft Declaration paragraph by paragraph.

The first preambular paragraph (A/6678 and Corr.1, annex I) was adopted unanimously.

21. Mrs AMBROSIO (Philippines) said that although she had no objection to the second preambular paragraph she would prefer to see a reference to the International Covenants on Human Rights in that paragraph rather than the fourth, as proposed by Nigeria and Senegal (A/C.3/L.1440/Rev.1), since the International Covenants had not yet entered into force.

The second preambular paragraph (A/6678 and Corr.1, annex I) was adopted unanimously.

22. After a brief procedural discussion in which Mrs. EMBAREK WARZAZI (Morocco), Mr. NETTEL (Austria), Mr. A. A. MOHAMMED (Nigeria) and Mrs. DE BARRIOS (Dominican Republic) took part, Mr. KALPAGE (Ceylon) moved the adjournment of the meeting.

The motion was rejected by 44 votes to 28, with 8 abstentions.

The third preambular paragraph (A/6678 and Corr.1, annex I) was adopted unanimously.

23. Mrs AMBROSIO (Philippines) opposed the amendment submitted by Nigeria and Senegal (A/C.3/L.1440/Rev.1), in the belief that it would be inappropriate to refer to the International Covenants on Human Rights in that paragraph since they had not yet entered into force. She asked if that understanding was correct.

24. Mr. SCHREIBER (Secretariat) replied that the Covenants were not in force because the requisite number of ratifications by Governments had not yet been received. However, as the reference was to texts which had already been adopted by the General Assembly and constituted a well recognized international instrument, he saw no objection from the legal standpoint to mentioning them in the preamble.

25. Mr. ABOUL-NASR (United Arab Republic) said that in his view there was nothing in the text of the paragraph as it stood to prevent a reference to covenants which had not yet entered into force. The Covenants would enter into force in the relatively near future, whereas the draft Declaration would not do so for several years. He therefore supported the amendment.

26. In reply to a question asked by Mr. A. A. MOHAMMED (Nigeria), Mrs. AMBROSIO (Philippines) said that what she had wanted was clarification. She was satisfied with the information given and would therefore withdraw her objection to the amendment.

The amendment of Nigeria and Senegal (A/C.3/L.1440/Rev.1) to the fourth preambular paragraph was adopted by 87 votes to none, with 4 abstentions.

The fourth preambular paragraph (A/6678 and Corr.1, annex I), as amended, was adopted unanimously.

The fifth preambular paragraph (A/6678 and Corr.1, annex I) was adopted unanimously.

27. Mrs. SIPILA (Finland) said that when the first version of the draft had been examined, the insertion of a text similar to the amendment submitted at the current session by Poland and Romania (A/C.3/L.1448) had been proposed and rejected. When the Commission on the Status of Women had again considered the draft, another such amendment had been submitted and it too had failed to win approval.

28. Mrs. HARRIS (United States of America) said that in the Commission her delegation had opposed the inclusion of such a text in the preamble because it implied that women were already contributing substantially to social, political, economic and cultural life, which was not entirely true. Besides, the proposed paragraph placed undue emphasis on the role of women in the family; that role had often been used as a pretext for discriminatory practices against women.

29. In reply to questions asked by Mr. PAOLINI (France) and Mrs. do REGO (Dahomey), Miss GROZA

(Romania) said that the fifth preambular paragraph stressed one aspect of the question, discrimination against women, while the proposed new paragraph stressed another, the importance of their contribution to society in general and the part they played in the family. The two paragraphs were interrelated and both were important; her delegation therefore did not wish to withdraw the amendment.

30. Mr. ABOUL-NASR (United Arab Republic), Mr. HOVEYDA (Iran), Mrs. EMBAREK WARZAZI (Morocco), Mr. PAOLINI (France), Mr. CIASULLO (Uruguay), Mr. PAREJA (Peru), Mr. BAHNEV (Bulgaria), Mr. SIRI (El Salvador) and Mrs. RAJA-GOPALAN (India) supported the inclusion of the new paragraph (A/C.3/L.1448).

31. Mr. VERMEYLEN (Belgium) said that he would support the amendment, for now that his delegation had withdrawn its amendments to the preamble, particularly that calling for the deletion of the fifth and sixth paragraphs, there was no reason why the new paragraph proposed by the delegations of Poland and Romania should not be included. He did not think there would be any overlap between the new paragraph and the fifth preambular paragraph.

The amendment of Poland and Romania (A/C.3/L.1448) calling for a new sixth preambular paragraph was adopted by 62 votes to 6, with 18 abstentions.

The seventh preambular paragraph (A/6678 and Corr.1, annex I, sixth preambular paragraph) was adopted by 89 votes to none, with 1 abstention.

The eighth preambular paragraph (A/6678 and Corr.1, annex I, seventh preambular paragraph) was adopted unanimously.

The last preambular paragraph (A/6678 and Corr.1, annex I) was adopted unanimously.

The preamble as a whole, as amended, was adopted unanimously.

The meeting rose at 6.45 p.m.