



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

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Fifth session

SUMMARY RECORD OF THE 69th MEETING

Held at Headquarters, New York,
on Wednesday, 12 March 1986, at 3 p.m.

Chairperson: Ms. BERNARD

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The meeting was called to order at 3.15 p.m.

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

Initial report of Hungary (CEDAW/C/5/Add.26 and Amend.1)

1. At the invitation of the Chairperson, Mr. Kulawiec (Czechoslovakia) took a place at the Committee table.
2. Mr. KULAWIEC (Czechoslovakia) introduced his country's report, stressing the action taken by Czechoslovak women in the past with a view to achieving the rights laid down in the 1920 and 1960 constitutions. The report facilitated evaluation of both the de jure and the de facto position occupied currently by Czechoslovak women. The highest Czech authorities were continuing to seek new opportunities to strengthen that position through the creation of the organizational and material conditions required in order to enable women to participate more in public activities, expand their self-education possibilities and have more time for the education of their children.
3. One of the chief requirements for achieving and maintaining the equality of men and women was the integration of women into the work process. Consequently, in Czechoslovakia appropriate employment was being provided for women, women's quality of life was being constantly improved and the public at large was being guided towards a proper understanding of the position of women in the family, in the context of their other social roles. Women's working conditions were laid down in the 1965 Labour Code, which was entirely in keeping with the provisions of the Convention.
4. The status of women had improved on a parallel with Czechoslovakia's material and cultural advancement, thus enabling women to combine all the aspects of their triple role as mothers, workers and active citizens more effectively and with greater ease. Thanks to the establishment of child-care centres, school clubs and canteens and communal services, mothers could delegate child-care and housework to others while they were working. That had enabled women to make inroads into and excel in a broad range of disciplines, in all of which they occupied high-level posts. Moreover, both technological progress and various safeguards had released women from physically-demanding work, which had a negative impact on the female organism. It should also be stressed that women were increasingly holding management, political and public positions, which however did not mean that they were neglecting their fundamental role as mothers, which was both acknowledged and protected by the socialist State.
5. Lastly, the prerequisites for enabling women to fulfil their roles as mothers and educators more successfully and in a manner that was in keeping with their role at work were laid down in the directives on Czechoslovak economic and social development for the eighth five-year plan and its prospects up to the year 2000, which had been reviewed and endorsed by the Czechoslovak Union of Women.

6. The CHAIRPERSON, referring to article 16 of the Convention, welcomed the fact that in Czechoslovakia men were no longer head of the family, since the legal institution of paternal authority had been transformed into one of parental authority (p. 15 of the report). She was also pleased that mothers and fathers had the same rights and responsibilities in bringing up and providing for their children and that the same value was attributed to work carried out by women at home as to the work carried out by men outside the home.

7. With regard to article 11 of the Convention, the granting of a widow's pension in the event of the husband's death was a form of discrimination against men, since no widower's pension was granted in the event of the wife's death. She imagined that that arrangement was based on the discriminatory assumption that a widower had the means to support himself, whereas a widow did not.

8. Lastly, she wondered what measures had been adopted with a view to ensuring implementation of the principle of equal pay for equal work, which was legally established but not observed in practice, and with a view to encouraging women to acquire more qualifications so that they could demand fair remuneration.

9. Ms. IDER said that it was encouraging that the number of female workers who had had a secondary or further education was rising steadily. The number of women pursuing careers was extremely high, and 58.5 per cent of professionals were women. She was surprised to note that many of the women in question were specialists in the field of economics. The provision of day-care centres and nursery schools was one of the measures that had done the most to promote participation by women in Czechoslovak academic, political, scientific and social life, and other States parties to the Convention could learn much from the report submitted by Czechoslovakia.

10. Measures enabling women to be employed on an equal footing with men no doubt called for a considerable volume of resources. She wondered what percentage of the budget was set aside for social security, education and financial benefits for women; how day-care centres and kindergartens were funded; whether the State made grants available for female students; what steps were being taken to improve vocational training for women and how many women participated in training programmes each year; and what the average family-size was.

11. Ms. CARON said that the report submitted by Czechoslovakia gave the impression that women did not play a very active role in the country's political life, as indicated by the low number of women who were members of the Presidium and the Central Committee. She wondered whether there might be some way of increasing their representation in those organs.

12. Although prostitution did not appear to pose a serious problem in Czechoslovakia, she had herself had an opportunity to note that it was flourishing in hotels. She wished to know what was being done to eliminate it, in addition to the adoption of the measures referred to in the report.

(Ms. Caron)

13. She recognized that the aim might well be to safeguard the interests of women, but it appeared that women were regarded as the sole custodians of children and that the fact that children usually also had fathers, who should share in the daily tasks of bringing them up, was being forgotten. Although it was claimed that women enjoyed the same rights as men in the area of employment, their inclusion in the active population was based not only on their "physiological characteristics" but also, above all, on their "social function" (p. 9), which was apparently child-bearing. On page 10 of the report it was indicated that, despite the fact that all forms of discrimination were prohibited, in actual practice women were, on the average, paid somewhat less for their work than men; in an endeavour to justify that state of affairs reference was made to the obstacle that family responsibilities represented for women where their employment was concerned. Since the socialist countries appeared to have a tendency to focus solely on the reproductive role of women, she wished to know whether any steps had been taken to change that paternalistic approach.

14. Ms. EVATT said that it could be deduced from Czechoslovakia's report that women bore most of the burden of social change and that there were no plans to introduce changes affecting men either in the context of employment or the family. The report indicated that women were encountering difficulties in advancing in their work as a result of their family responsibilities; that resulted in a lower income level, which could have an adverse effect on the economic independence of women and meant that steps should be taken to prevent that situation from occurring.

15. There was no reference in the report to any specific measures taken with a view to ensuring implementation of each of the individual articles of the Convention. She wished to request information on articles 3 to 5, 8, 10 to 12 and 16. Moreover, it was regrettable that the report made no mention of the minimum age at marriage, of the rights of married women regarding choice of name and place of residence and of the legal status of natural children and their claims on their mothers and fathers. If the divorce rate was high, it would be interesting to have information on the provisions concerning the separation of spouses' property and the custody of children. Lastly, she wished to ask whether violence was common in the family and what measures had been taken to protect women who were the victims of such violence.

16. Ms. CORTES wondered whether equal rights for women were completely guaranteed in the Czechoslovak Socialist Republic, as indicated in the report, and what goals had been set for the future. It would be desirable to know whether women who were admitted to further education had any specific preferences or whether Czechoslovakia had succeeded in eliminating the stereotypical idea that certain professions were more appropriate for women than others. The report acknowledged that average remuneration for women's work was lower than that for work carried out by men; she wished to know exactly how much lower. She would also be interested to know whether women who took leave in order to care for children under the age of two years encountered difficulties upon returning to work and, if so, what steps were being taken to help them overcome such problems. Lastly, she wished to know whether in practice men shared child-care tasks and, if it was correct that mothers and fathers had the same rights and responsibilities in respect of their children, what happened in the event of disagreement.

17. Ms. WADSTEIN asked, with reference to article 5 of the Convention, whether any steps had been taken to see that men eased women's workload and what role men played in the raising of children. With regard to article 7 she asked for data concerning the participation of women in leadership positions in the trade unions. With regard to articles 10 and 11, she asked what steps had been taken to eliminate stereotypes. She asked for a breakdown of data and a list of jobs which were prohibited to women with an explanation of why they were prohibited.

18. It appeared from the report that some of the steps taken in Czechoslovakia to protect women could have discriminatory effects. She asked whether the fact that more and more women were working shorter days was a good thing or whether it would reduce their income and, if that were the case, whether that income would be sufficient to enable women to maintain themselves on their own. She also wondered about the negative effects of maternity leave and asked whether many women stopped working in order to look after a child until the child was two years old and whether fathers, too, could take advantage of that leave.

19. Ms. LAIOU-ANTONIOU said that although Czechoslovakia had fully attained the goal of creating the material and legal bases for emancipation there was still much discrimination based on the traditional view that men and women had different social roles. As was clear from page 4 of the report, in Czechoslovakia a women's role was still considered to be the bearing and raising of children. Although it was recognized that work was a prerequisite for the achievement of equality for women in society (p. 3) emphasis was placed on creating conditions which would make it easier for women to perform their role as mothers and in the family. She wondered whether there were similar programmes to help men perform their role as fathers in the family.

20. With regard to article 11, although women made up 48 per cent of the labour force, they remained concentrated in sectors traditionally considered as feminine. For example, 50 per cent of the doctors were women but 75 per cent of the women doctors were paediatricians.

21. It appeared that woman's reproductive capacity had a negative impact on her work, too, for in actual practice women were, on the average, paid somewhat less for their work than men (p. 10). The report sought to explain that in terms of vocational training pointing out that since there was a period of time during which women needed to care for their family, they were unable to practise their profession and to improve and upgrade their qualifications. All that clearly demonstrated that, despite the progress which had been made, the Czechoslovak Union of Women still had a lot to do to achieve real equality.

22. Ms. MUKAYIRANGA asked whether the competent organs and public organizations mentioned on page 3 of the report as being responsible for improving the situation of women were women's organizations, governmental organizations or other kinds of organizations. She would welcome more information on the participation of women in the National Assembly and on the percentage of women in the other organs of power. It was also necessary to specify what situations the report was referring to when it mentioned trafficking in women in relation to article 6. Although the figures relating to secondary education were impressive it would be worth asking why women were in the minority at the university.

23. Ms. SALEMA asked for more information on the theory of equality on which the report was based, for as other experts had pointed out, the goal of ensuring that women had more time for, above all, the raising of their children, seemed to call into question the statement made in the Family Law (p. 15) to the effect that women enjoyed the same rights as men in the raising of children. Furthermore, the statement that the work of the woman within the home was evaluated in the same way as the man's work outside the home (p. 15) was not clear. Did that mean that it was remunerated equally?

24. She also asked for data regarding the number of women who, invoking the right referred to on page 5, sought remedy from the courts or other bodies in the event that their legal rights were threatened. With regard to article 6 of the Convention, although the report stated that there were no cases of offences regarding trafficking in women (p. 5) more information should be provided on the subject.

25. Ms. EL-FETOUH asked for more information regarding the equality of men and women at work. According to the report (p. 9) the law stated that women were ensured working conditions that took into account their physiological characteristics and social function in bearing, raising and caring for children; that meant that child-bearing was considered a social task. It would be interesting to know whether any kind of remuneration had been envisaged for that socially recognized task and, if such remuneration did exist, whether it varied according to the number of children a woman had. It was not clear what was meant by the term "physiological characteristics" used in the Labour Law.

26. With regard to part II of the Convention, it would be interesting to know what percentage of judges in Czechoslovakia were women. It would be worth knowing why the law discriminated against the man in the case of a marriage between foreigners.

27. With regard to article 11 of the Convention, she wondered whether the absence of unemployment meant that women could choose what type of work they wanted and could refuse work offered to them by the State without fear of any punishment. The argument that women's child-bearing function justified paying them a lower salary called for an explanation for, at first sight, it ran counter to article 11 of the Convention. In any event, since Czechoslovakia reviewed its laws periodically she hoped that those contradictions would be resolved.

28. She also asked for up-to-date examples regarding the application of the equal pay law and, with reference to article 16, she said it would be necessary to know what happened, in the event of divorce, to the property owned individually by each spouse prior to marriage. Finally, she asked whether the fact that the woman's work within the home was deemed equivalent to the man's work outside the home was reflected in material terms and, if that was the case, who determined the value of such work.

29. Ms. GUAN asked for some clarifications: according to the report women in Czechoslovakia could occupy any leadership position and participate in the work of public organizations. She asked whether in real life there were any prejudices against women, whether women themselves had any feeling of inferiority in those

(Ms. Guan)

leadership positions and whether their domestic work interfered with their management role in Government as had been the case in China. She further asked what type of work the Government of Czechoslovakia and public organizations had carried out on the subject.

30. Her second question related to the number of nurseries and kindergartens which had increased considerably although there were still not enough to meet all the needs of the society. She wondered what would happen to the small number of children who did not have access to those institutions and what steps the Government was prepared to take to increase the number of such institutions.

31. Her third question related to the statement that in Czechoslovakia men and women were absolutely equal in the family and in the marriage. She wondered whether the household tasks were shared equally and whether men participated in the work of the home thus increasing women's opportunities to participate in social activities, to get promotions and to have greater access to vocational training in order to get better paying jobs. Furthermore, although the question of divorce was not mentioned in the report, she wondered what the divorce rate was in Czechoslovakia, and whether, when a divorce was granted, the courts protected the rights of women and children.

32. Finally, she welcomed the news that although in Czechoslovakia the Government had endeavoured to guarantee the equality of men and women it would continue to explore new ways of strengthening and improving the status of women.

33. Ms. OESER (Rapporteur) said that she was very impressed by the structure of the report submitted by Czechoslovakia, which provided information on many laws and gave a clear picture of the status of women in the various areas covered. The report also highlighted the view that the implementation of the principle of the equality of women could not be pursued by itself and that society as a whole should play a part in achieving that goal.

34. With regard to the first paragraph on page 5 of the report, she wished to know by what mechanism women could seek remedy from the courts, what cases were brought before them, what were the "other bodies" mentioned in the report and how they operated. With reference to subparagraph (b) on page 9, she inquired whether society favoured the option it mentioned, whether the measure was designed to facilitate raising small children or whether it had some other objective, and whether it was a temporary or permanent measure. Lastly, she would welcome clarification of the concept of "socially useful work" referred to on page 19, since she believed that all work was socially useful.

35. Ms. SMITH observed that Czechoslovakia's view on the role of women as a leader of the family differed from that which many members of the Committee deemed to be in the spirit of the Convention, and she asked the representative of Czechoslovakia to provide further information on the matter. Although the report stated that it was "constantly necessary to seek new opportunities for strengthening the position of women in society", it also expressed great satisfaction with the status of women in Czechoslovakia. She hoped that that satisfaction would not delay efforts to strengthen the position of women.

(Ms. Smith)

36. Lastly, she said that women in Czechoslovakia still did not hold high-level political positions and asked whether the Government had considered the reasons for that phenomenon, whether that was deemed an ideal situation and, if not, whether thought had been given to ways of changing it or to the possibility of establishing a quota system.

37. Ms. PEYTCHEVA praised the structure, content and clarity of the report and said that during her brief visits to Czechoslovakia she had become convinced of the active participation of women in her meetings with government officials, heads of scientific and research organizations and women.

38. She welcomed the active participation of Czechoslovak women in efforts to strengthen international peace and security and their co-operation with international women's anti-war movements, as well as their solidarity with women and peoples fighting for freedom and national independence. Moreover, Czechoslovak women had participated in the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women and Czechoslovakia had hosted the World Assembly for Peace and Life and Against Nuclear War.

39. She wished to know the duration of maternity leave available to students and whether it was the same as that enjoyed by adult women. In view of the fact that maternity leave for adult women could last as long as two years, she wished to know whether studies or observations had been made of the percentage of all women taking advantage of such leave and whether, in the case of highly qualified specialists, they preferred to return to work before that period had elapsed. She also wished to know whether such women took advantage of the child-care facilities established in Czechoslovakia for that purpose. It would also be useful to have information on the practice of establishing "mininurseries".

40. With reference to maternity leave, she wished to know whether women were able to improve their skills while on maternity leave or immediately after returning to work. She also wished to know whether, when rationalization measures were adopted, steps were also taken to retrain women to move to other sectors of the economy.

41. Lastly, she would appreciate information on interactions between the Czechoslovak Union of Women and the local authorities to improve living and working conditions for women in the light of the comment in the report on efforts to achieve the full equality of women and to ensure that they had more time for public activities, self-education and, above all, the raising of their children.

42. Ms. VELIZ DIAZ de VILLALVILLA noted the excellent structure of the report, which dealt extensively with legislation on women in their capacities as mothers, workers and citizens.

43. She would appreciate a number of clarifications. For example, in the third subparagraph of subparagraph (d) on page 9, reference was made to "school scout units", for children from 6 to 9 years of age, but there was no indication of what those units were, what their objectives were or what work they performed. Moreover, it was stated in the last paragraph on page 10 that women were, on the average, paid somewhat less for their work than men; she wished to know what measures the Government envisaged to correct that situation.

(Ms. Veliz Diaz de Villalvilla)

44. With regard to legislation on maternity, the report stated that maternity leave was provided for 26 weeks and, in the case of single mothers, for 35 weeks. She wished to know whether the amount of 90 per cent of the average wage referred to in the report was the figure paid during the leave or whether it represented what the mother received once her leave had elapsed. With respect to the 2-year leave, she wished to know whether men could take advantage of it and, if so, how it functioned. If such were not the case, she wished to know whether Czechoslovakia envisaged implementing such a programme in the future.

45. With regard to the participation of women in the political life of their country at various supervisory posts, she would welcome statistics on such participation at different managerial levels, for example, the posts of Vice-Minister, Director, Department Head, etc. In the light of Czechoslovak women's active participation at the university level, and in the work force, science and technology, it was fitting to ask whether subjective factors existed which prevented women from occupying higher-level posts. Perhaps the Committee should express the desire of all Governments to ensure that women exercised power on an equal footing with men, a question of concern not only to Governments but also to United Nations bodies.

46. Since Czechoslovakia was a socialist country in which women represented nearly one-half of the economically active population, she wondered whether subjective factors existed which prevented women from occupying posts at the highest level. She urged the representative of the Czechoslovak Government to provide information on the number of women holding positions at the country's highest managerial levels.

47. No reference was made in the report to the progress achieved by the Czechoslovak Socialist Republic with regard to health. Information should be supplied with regard to family planning policies, advisory services for youth, the existence of information centres and the current situation with respect to abortions.

48. She noted that the report did not refer to the contribution of Czechoslovak women to peace and, more specifically, to the solidarity and material support provided to the developing countries of Africa, Asia and Latin America, which said a great deal about the country's spirit and political awareness.

49. Ms. MONTENEGRO de FLETCHER asked the representative of the Czechoslovak Government to supply information on the number of women currently engaged in the Czechoslovak foreign service, and on women in supervisory positions in the trade unions and in Government.

50. She asked whether the same criteria were applied in Czechoslovakia with respect to family disputes in the case of marriages and consensual unions. She wished to know what régime covered the couple's dwelling in the event of separation or divorce. She also wished to receive details on the family planning policy and the abortion situation.

The meeting rose at 5.30 p.m.