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COMMISSION ON THE STATUS OF WOMEN

Eighteenth Session

SUMMARY RECORD OF THE FOUR HUNDRED AND
SEVENTEENTH MEETING

held at the Royal Hilton Hotel, Teheran,
on Wednesday, 3 March 1965, at 3.10 p.m.

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PRESENT:

Chairman: Miss BENITEZ (Philippines) (First Vice-Chairman)

Rapporteur: Mrs. JIAGGE (Ghana)

Members:

Austria	Mrs. LINGENS
China	Miss WANG
Dominican Republic	Miss MARTINEZ BONILLA
Finland	Mrs. SIPILA
France	Miss CHATON
Guinea	Mrs. FATOUE ARIBOT
Hungary	Mrs. BOKOR
Iran	Mrs. AHI
Mexico	Miss LAVALLE URBINA
Nepal	Mrs. RANA
Philippines	Mrs. ALMANZOR
Poland	Mrs. DEMBINSKA
Union of Soviet Socialist Republics	Mrs. MIRONOVA
United Arab Republic	Mrs. HUSSEIN
United Kingdom of Great Britain and Northern Ireland	Mrs. MCKAY
United States of America	Mrs. TILLET

Observer for a Member State:

Japan Mrs. TAKAHASHI

Representative of a specialized agency:

United Nations Miss FRIDERICH
Educational, Scientific
and Cultural Organization

Representatives of non-governmental organizations:

Category B and Register:

International Council of Women Mrs. GOLDMAN
International Federation of Women in Legal Careers Mrs. HENRION

Representatives of non-governmental organizations:
Category B and Register: (continued)

World Union of Catholic
Women's Organizations

Mrs. TCHILOYANS

International Council of
Social Democratic Women

Mrs. SARAN

Secretariat:

Mr. HUMPHREY

Director, Division of
Human Rights

Mrs. BRUCE

Chief, Status of
Women Section

Mrs. SANTANDER-DOWNING

Secretary to the
Commission

POLITICAL RIGHTS OF WOMEN (item 3 of the agenda) (continued)

- (a) Progress achieved in the field of political rights (A/5456 and Add.1, A/5735)
- (b) Implementation of the Convention on the Political Rights of Women (E/CN.6/430 and Add.1, E/CN.6/360/Add.3 and Add.4)
- (c) Status of women in Trust Territories (E/CN.6/427)
- (d) Status of women in Non-Self-Governing Territories (E/CN.6/434)

Mrs. JIAGGE (Ghana) said that she had been pleased to note from the memorandum by the Secretary-General (A/5735) that women had the right to vote in all elections and were eligible for election on an equal basis with men in 106 countries. That was a great achievement, and the Commission could be justifiably proud of the part it had played in that achievement. She was particularly gratified to note that in no fewer than 30 African countries women had those rights. It was regrettable, however, that there were nine countries in which women had no voting rights and were not eligible for election.

As she had said at the Commission's seventeenth session, Ghana supported the Convention on the Political Rights of Women. In Ghana women voted in all elections and were eligible for election on the same basis as men. Under the Constitution, no one was prohibited from voting on account of sex, race, tribe, religion or political belief. Women were eligible for election and were elected to publicly elected bodies established by law. They held public office and exercised all public functions on an equal footing with men. For example, they were appointed as paramount chiefs and performed the duties of that office; three women held the post of Government Agent and were in charge of administration in their districts; ten women sat in Parliament and a woman was Minister for Social Welfare and Community Development; one woman was on the Central Committee of the Party, one woman sat on the High Court Bench and two were District Magistrates, while a number of women were lay magistrates in local

and juvenile courts. The Director of the Aquatic and Biological Research Institute was a woman, and women held important posts in the fields of medicine, science and education. A woman had also been appointed to serve on the Legon University Council.

However, the number of women holding important public office was still small. That was not due to any discrimination, but to the fact that few women had the necessary training and qualifications to hold important posts, a state of affairs that resulted from government policy during the colonial era. In those days the facilities provided for the education and vocational training of women were miserably inadequate. She hoped to have the opportunity at a later stage of informing the Commission of what had been done since independence.

There was one point she wished to stress, namely the fact that giving women the vote was one thing, but teaching them to understand the responsibilities and duties involved was another. It was essential to ensure the effective use of political rights if real progress was to be achieved; and for that political education of women at all levels would be necessary. Ghana had already taken some action in that respect. In January 1965, Dr. Nkrumah had made it clear to the nation that the decision to transform and modernize the country's economy on the basis of socialist exploitation and utilization of the country's natural resources would call for sacrifice. The Ghana National Council - a political organization - had decided to explore what those sacrifices would entail. The Minister for Trade had been invited to explain questions relating to import licences and the Minister for Finance and Foreign Exchange to explain how women traders would be affected. A residential course had been arranged for women leaders at which the Seven Year Development Plan, the sacrifices called for and the reasons for those sacrifices had been carefully studied. In a developing country it was important to assess the needs of the country and to decide on priorities. To achieve the targets set, it might frequently be necessary for sacrifices to be made and political education was vital if the ordinary people were to understand the purpose of those sacrifices.

DRAFT DECLARATION ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN
(item 4 of the agenda) (E/CN.6/426 and Add.1 and 2; E/CN.6/L.396;
E/CN.6/NGO/148, 150 and 152) (continued)

The CHAIRMAN invited the Commission to continue consideration of item 4.

Miss CHATON (France) expressed her appreciation of the preliminary work done by the representative of Poland and by the International Federation of Women in Legal Careers, which had provided the Commission with a technical basis for its work.

The French delegation thought that if the declaration was to be effective, it should list the general principles which should be adhered to absolutely if discrimination against women was to be eliminated. It should show that unless such discrimination was eliminated, the principle of equality in dignity and rights of human beings laid down in Article 1 of the Universal Declaration of Human Rights was not being applied; it should show that all discrimination based on sex was an offence against human dignity. It was for the Commission to see how the principles already defined in existing conventions of the International Labour Organisation and the United Nations Educational, Scientific and Cultural Organization should be taken into account. Those important conventions should not be overlooked, but perhaps they might be improved upon in the light of new facts. The main fields in which discrimination could be practised, such as the political, legal, educational, social, economic and cultural fields, should be enumerated.

The Commission had been entrusted with a very important task, and she wondered whether it could complete that task in a few days just as though it was an ordinary item of the agenda. She feared that there would be a danger of repetition during consideration of the various items on the agenda, especially since the Commission was meeting for the first time for two years and it was not yet known when it would next meet. For that reason, she suggested that the Commission should undertake its work in connexion with the proposed draft declaration in the following manner: first of all, a declaration of principles should be drawn up by a drafting committee and adopted, after discussion, by the Commission. The Commission would then continue its consideration of the other items on E/CN.6/SR.417

its agenda, leaving it to the drafting committee to extract from the discussions any points which it felt were worth mentioning or on which it felt governments might be requested to take action. After the drafting committee had prepared a document on the subject, the Commission could resume its consideration of the item. That final stage would require the preparation of a very carefully worded text, which should be clear and precise. It should be practical in nature without referring to details.

Her delegation wished to stress the fact that the Universal Declaration applied to all human beings and that if the Commission adopted any new declaration, it should have a universal application. A declaration which contained a list of detailed measures could not be universal in character.

Mrs. TILLET (United States of America) expressed her delegation's support for a declaration on the elimination of discrimination against women and its belief that the draft should take the form of a guide for the future, without any implication that the work of the Commission was finished. Many forms of discrimination could be changed only by enactment of laws, and to change a law public opinion must first be changed. Moreover, in addition to legal discrimination, many injustices still existed by virtue of traditional prejudice and outworn social mores.

Although the Universal Declaration of Human Rights already stated that human rights should apply to both men and women, that did not obviate the need for the declaration under consideration.

In the planning of the Commission's work on item 4, it was extremely important to allow sufficient time for careful and painstaking work. The United States delegation looked forward to participating in the Drafting Committee and was grateful to the Polish delegation for providing a basis for discussion. In particular, the final text should make it clear that the objective was not complete identity of treatment for men and women, because of the different roles of men and women in society. Identical treatment could be expected to eliminate discrimination on the basis of race or religion, but there were areas of activity,

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especially in the family, where identical treatment would be discriminatory against women.

Miss WANG (China) said that her delegation agreed with most of the recommendations and comments made by the preceding speakers, but felt that the principles contained in the draft declaration should be of a wider scope and should incorporate all the key principles of all the various conventions. In that connexion, she fully agreed with the United States representative that the presentation of basic principles in a single document would provide guidelines for the further work needed to ensure freedom and equality for women in every aspect of life. With regard to discrimination against women in her own country, she observed that according to the constitution of the Republic of China, Chinese nationals were equal before the law regardless of sex; her Government would therefore have no difficulty about incorporating in the draft declaration the principles of equality between men and women which were contained in the Conventions on the Political Rights of Women, the Nationality of Married Women, Consent to Marriage, Minimum Age for Marriage and Registration of Marriages, and concerning Equal Remuneration for Men and Women Workers for Work of Equal Value, all of which had long been ratified by her Government. In order to incorporate in the draft declaration, all the principles relevant to the elimination of discrimination against women, she proposed that it should also contain the various principles of equality of rights between men and women set forth in the Universal Declaration of Human Rights. Lastly, she proposed that the elimination of legal discrimination against women should be listed as one of the principles in the draft declaration, inasmuch as a number of delegations had expressed concern over the situation in that respect at previous sessions.

Mrs. HENRION (International Federation of Women in Legal Careers), after explaining the aims and describing the activities of the organization she represented, drew attention to the draft declaration submitted by it (E/CN.6/NGO/152), which she hoped the members of the Drafting Committee would have time to study.

The International Federation had been guided by several basic ideas when preparing its draft. The first was that a declaration should contain a statement of general principles and should not be burdened with details as to their application. It should refer to all types of discrimination against women in a clear and concise way.

The second idea was that the principles enunciated in the Conventions and Recommendations on the political rights of women, consent to marriage, equal pay, discrimination in employment, referred to specific problems. It was therefore not necessary to refer to them in a declaration.

The third idea, perhaps a new one, was that attention should be drawn to the causes of discrimination. There were many causes of discrimination, amongst which were some psychological ones and some based on religion. Efforts should be made to eliminate those causes.

The International Federation had tried to avoid using in its draft any language that might itself convey the idea of discrimination. For example, it had tried to avoid using the terms "men and women" or "husband and wife", and had instead used terms which applied to both sexes. It believed that if all discrimination against women was to disappear, it was essential to avoid drawing attention to the differences of sex. In that connexion, the International Federation had excluded all reference to protective measures for women which were based on the theory that women were weaker than men and all reference to protective measures for mothers as deprived persons. It wanted to emphasize the social function of motherhood, while maintaining that motherhood was the right of women. It believed that society should help mothers by providing such things as nurseries and creches so that they could give as much time to their professional work as men. Women should not be forced to work part-time because of home responsibilities. A proper social service would also eliminate absenteeism amongst women to a large extent. Furthermore, automation would gradually lead to a reduction in hours of work for all workers. The International Federation felt that amongst resulting improvements in working conditions, it would

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be wise to seek for solutions which would benefit women directly and not by discrimination.

Finally, although no such suggestion had been included in the International Federation's draft, she suggested that a recommendation might be made to Member States to introduce legislation making social discrimination and discrimination against women a punishable offence.

Mrs. TOHILOYANS (World Union of Catholic Women's Organizations) speaking at the invitation of the Chairman, thanked the Commission for the opportunity to participate in its work and read out a statement.^{1/}

Mrs. GOLDMAN (International Council of Women), speaking at the invitation of the Chairman, said her Organization hoped that the draft declaration would stress the fact that much action was still necessary in order to implement the various conventions on discrimination against women which had already been adopted. Her organization was particularly interested in the subject of discrimination insofar as it affected family life; it felt strongly that there should be complete equality in the family responsibilities of men and women and in that connexion hoped that the Commission would continue to take an interest in the problem of the legal position of children. It should not, however, be forgotten that those problems were not entirely of a legal nature but were also closely connected with the field of social action.

Mrs. SARAN (International Council of Social Democratic Women), speaking at the invitation of the Chairman, said that the value of the proposed draft declaration had been acknowledged by the representatives of governments and non-governmental organizations and there was no doubt that it could become an important instrument for ensuring the enforcement of laws already in existence. Her organization wished to emphasize, however, that such a draft declaration would be useful only if it could be formulated in a concise, simple and direct

^{1/} The full text of this statement is contained in the memorandum by the Secretary-General on the draft declaration on the elimination of discrimination against women (E/CN.6/426, page 44).

style; that would call for a radical break with the classical style generally used in the drafting of conventions and declarations. She hoped, therefore, that the draft declaration would not contain a lengthy preamble but would be written more in the form of an urgent appeal to all the peoples represented by those participating in the Commission's work. In conclusion, she drew attention to the alarming fact that in many of the developing countries the gap between educational opportunities for men and women was not closing but widening, a situation mainly attributable to the urgent economic needs of those countries. Since education and training played a key role in elimination of discrimination, she hoped that special stress would be placed in the declaration on measures to deal with that situation in the developing countries.

The CHAIRMAN declared the general debate on agenda item 4 closed.

The meeting was suspended at 4.15 p.m. and resumed at 5.5 p.m.

Mrs. DEMBINSKA (Poland), introducing her delegation's draft declaration (E/CN.6/L.396), gave a brief description of the conditions which had led her delegation to take that initiative. The General Assembly had recently been dealing with various declarations and conventions to combat different forms of discrimination: thus, it had adopted a Declaration on the Elimination of all Forms of Racial Discrimination, would shortly consider a draft convention on that subject and intended to adopt a declaration and a convention on the elimination of all forms of religious intolerance. In fact, since the adoption of the Universal Declaration of Human Rights, the General Assembly had entered upon a new phase, that of preparing instruments on specific aspects of human rights. It had therefore been considered advisable also to prepare a declaration on the elimination of discrimination against women.

The Polish delegation's arguments for taking that initiative were threefold. First, although a number of instruments in that field already existed, they had been signed and ratified by relatively few countries. Thus the Convention on the Political Rights of Women had been signed by 53 countries and ratified by 44; the Convention on the Nationality of Married Women had been signed by only 30 countries; and the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages had been signed by 19 countries and ratified by 13. Similarly, of the two relevant Conventions of the International Labour Organisation, No. 100 had been ratified by 48 countries and No. 111 by 58, and the UNESCO Convention against Discrimination in Education had been ratified by 30 countries. That situation showed that women needed a new instrument to help them to encourage signatures and ratifications of existing instruments.

Secondly, the existing instruments against discrimination in specific fields were dispersed. She had cited three United Nations Conventions, two ILO Conventions and one UNESCO Convention; it was obviously desirable to compile the fundamental principles involved in a single document, to facilitate propaganda against discrimination and to promote the education of women concerning the rights they already possessed.

Thirdly, it had seemed advisable to formulate the underlying principles of problems already dealt with by the Commission and of those which it would take up in its future work. Although the Commission had adopted resolutions on various specific aspects of discrimination, none of the instruments it had prepared, except the Convention on Consent to Marriage, touched on questions of private law. The problems involved, moreover, were not only those of law but those of custom, usage and even religion. An ordered formulation of those problems would help the Commission to draw up its programme of future action.

In drafting its text, her delegation had tried to include the most essential principles of all existing conventions, recommendations and resolutions on the subject, although it had tried to avoid purely

technical details. It would be noted that the first three articles were based on the corresponding clauses of the Declaration on the Elimination of all Forms of Racial Discrimination.

In conclusion, she welcomed the draft declaration submitted by the International Federation of Women in Legal Careers, particularly since some of the paragraphs of its preamble corresponded to those of her delegation's draft. She would be prepared to consider shortening the preamble, in accordance with a suggestion made during the debate; her delegation would welcome any amendments that would improve the text.

Mrs. McKAY (United Kingdom) said that, although her delegation did not intend to participate in the Drafting Committee, it wished to comment on the Polish draft declaration. Her Government took a positive attitude towards the idea of a declaration, in the hope that it would stimulate governments, international agencies and public opinion to face the facts of discrimination. Her delegation therefore hoped that the terms of the instrument would inspire public opinion to join in the struggle against discrimination and would encourage the non-governmental organizations to increase their efforts to shed light on specific issues. It expected that the declaration would be a clarion call and a banner of hope to women everywhere and that men could also support it as part of the general movement for the attainment of human rights.

She agreed with a previous speaker that the declaration should be short, concise and simple, and was glad that the Polish representative, who was to be congratulated on providing the Commission with a basis for discussion, did not seem to be unduly concerned about having a shorter preamble. In her delegation's opinion, the preamble should be as short as possible, and indeed could be dispensed with altogether, since article 1 might serve as an introduction to the declaration.

It should be further stressed that the document was not a convention, recommendation or resolution. The purpose of a declaration was to establish principles, not to impose legal obligations, but the Polish draft seemed to follow the latter course. It was to be hoped that the declaration would be followed by a convention, and the mandatory language

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of the Polish draft would be suitable for such an instrument; in the case at issue, however, it would be advisable to follow more closely the terms of the Universal Declaration of Human Rights.

That did not mean that the language of the declaration should be vague: on the contrary, it should be extremely precise, but brief and universal. Unduly flowery language would tend to cast doubt on the possibility of realizing the rights enumerated. The declaration must help women everywhere to deal with problems of discrimination; and yet those problems were sometimes extremely delicate and complex, and the terms of the instrument must not be such as to aggravate already explosive situations or to intensify the difficulties of people working for the emancipation of women.

Furthermore, unless the declaration was formulated in generally acceptable terms, the whole endeavour would be lost. It was essential to avoid making it impossible for anyone to join in that endeavour. The text should be so simple and concise as to appeal to ordinary women everywhere; it was to be hoped that the document would be given wide publicity throughout the world, and all women should be able to realize that it affected them personally and to feel that they wanted to fight for the principles contained in it. The ordinary woman knew nothing of previously adopted United Nations instruments, and would feel excluded from the common endeavour if there were a welter of references to those documents. The declaration must have mass appeal and should be an instrument of tolerance and individual liberty in the spirit of the Charter.

Mrs. SIPILA (Finland) drew attention to her Government's comments (E/CN.6/426, page 12), in which it expressed the view that the preparation of the proposed draft declaration should not be allowed to obstruct or delay the practical work programme to be carried out by the Commission. Nevertheless, the Polish delegation was to be congratulated on providing a basis for discussion and possible criticism. On reading that draft, she had concluded that it would be difficult for,

ner to convince the average woman in her country of the idealistic principles contained in the text, which seemed somewhat wordy. She would prefer something more concise, dealing more specifically with different aspects of discrimination against women; such a document would have more force from the point of view of public relations.

Mrs. MIRONOVA (Union of Soviet Socialist Republics) welcomed the initiative of the Polish delegation, which had provided a sound basis for the Commission's work. Perhaps the preamble might be slightly shortened, particularly since the Polish representative had invited constructive suggestions to that effect. She herself, however, did not believe that the preamble was too long, for it gave the necessary background for the subsequent articles. It was to be hoped that the Drafting Committee would avail itself fully of the sound foundation that the Polish delegation had provided for its work. The contribution by a non-governmental organization was also valuable and would undoubtedly be taken into account. She hoped that the Commission would be able to complete the draft declaration at its current session and thus lay down principles which would further the struggle to secure the rights of half the population of the world.

Mrs. DEMBINSKA (Poland) said she had been somewhat disturbed by the divergent views that had been expressed. Some representatives wanted the declaration to help women to combat existing discrimination, while others seemed to want an appeal. It was true that the forms of expression used in the United Nations were not always easy for the masses to understand; but it was certainly not a tradition of the United Nations to prepare and adopt mere appeals. Moreover, it was not clear for whom such an appeal would be intended. Would it be addressed to women? Or to men? For her part, she preferred to address the document to governments.

Mrs. FATOU ARIBOT (Guinea) considered that there was an unfortunate difference of opinion on the form that the declaration should take. It would be wise for the Drafting Committee to concentrate on specific provisions of existing documents and to compile them in a single draft. In any case, experience had shown that governments interpreted declarations according to their own lights.

The meeting rose at 6.10 p.m.