



Convention on the Elimination  
of All Forms of Discrimination  
against Women

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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Eighth session

SUMMARY RECORD OF THE 148th MEETING

Held at the Vienna International Centre, Vienna,  
on Thursday, 2 March 1989, at 2 30 p m

Chairperson Ms EVATT

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The meeting was called to order at 2 45 p m

ADOPTION OF THE AGENDA AND ORGANIZATION OF WORK (continued)

Adoption of the second report of Working Group I (Revision 1, 28 February 1989)

1 The CHAIRPERSON invited the Committee to consider, paragraph by paragraph, the second report of Working Group I

A Meeting of chairpersons of human rights treaty bodies

2 The CHAIRPERSON pointed out that section A reviewed the various conclusions and recommendations contained in the report of the meeting of chairpersons of human rights treaty bodies (HRI/MC/1988/1) and suggested action the Committee might wish to take on them

Paragraphs 1, 2 and 2(a)

3 Paragraphs 1, 2 and 2(a) were approved

Paragraph 2(b)

4 The CHAIRPERSON noted that paragraph 2(b) proposed, in subparagraphs (i) to (iv), specific measures which the Committee could take in the case of overdue reports

5 Ms SINEGIORGIS considered that subparagraph 2 (b)(iv) was unnecessary and should be deleted.

6 Ms PILATAXI de ARENAS said that she could not agree to States parties being informed that members of the Committee were willing to visit them for purposes of discussing problems related to reporting. She therefore suggested that the second part of subparagraph (iv) should be deleted

7 Ms BERNARD said she could agree to the partial deletion just suggested, but would prefer to see the entire subparagraph deleted, since it duplicated the measure proposed in subparagraph (ii)

8 Ms GONZALEZ MARTINEZ said that she had reservations concerning both subparagraph (ii) and subparagraph (iv). The former indicated that individual members should use personal contacts on an informal basis, which in fact they did in certain cases. However, spelling that practice out in the report might appear, in particular to members of other human rights bodies, as overstepping the terms of reference of the Committee. The suggestion made in subparagraph (iv) was also contrary to normal practice, under which contacts were limited to the period of the Committee's session

9 Ms GUAN Minqian said that subparagraph (ii) might perhaps be more acceptable if the words "should use personal contacts" were replaced by "may use personal contacts"

10 Ms FORDE proposed the deletion of subparagraph (ii)

11 Ms TALLAWY pointed out that the four measures proposed in paragraph 2(b), including the use of personal contacts, were measures listed in paragraph 55 of the report of the meeting of chairpersons of human rights treaty bodies Working

(Ms Tallawy)

Group I had decided to add the words "on an informal basis" in subparagraph (ii) in order to make it clear that such contacts were to be of an unofficial nature

12 The CHAIRPERSON, supported by Ms CORTI, suggested that subparagraph (ii) might read "Individual members of the Committee may consider using personal contacts "

13 Ms GONZALEZ MARTINEZ said that she would not oppose that amendment, but suggested the addition to the subparagraph of the words "during sessions of the Committee"

14 Ms OESER observed that she had herself contacted the representatives of the German Democratic Republic to advise them on the presentation of that country's second periodic report She found the text of subparagraph (ii) as amended by the Chairperson acceptable In the case of an overdue report she could see no harm in a member of the Committee using personal contacts in order to remind the Government concerned of its responsibilities

15 Ms FORDE pointed out that the introductory part of paragraph 2 recommended expression of the Committee's general support for the conclusions and recommendations of the meeting of chairpersons Since the measures listed in paragraph 2(b) would continue to be taken, whether they appeared in the Committee's report or not, she proposed that they should be deleted from the text

16 Ms CORTI agreed with the previous speaker If subparagraph (ii) were to be retained, she proposed the deletion from it of the words "on an informal basis"

17 Ms BERNARD proposed that the four subparagraphs under discussion and the introductory wording in paragraph 2(b) which preceded them should be deleted

18 It was so agreed

### Paragraph 3

19 Ms LIAOU ANTONIOU said that she had strong reservations concerning paragraph 3 She drew attention to draft general recommendation 3, prepared by Working Group II, on advisory services for States parties

20 The CHAIRPERSON pointed out that paragraph 3 suggested that resources be sought for the holding of one or two seminars a year, missions by a human rights officer and training In her view, the paragraph was not inconsistent with Working Group II's general recommendation 3

### Paragraph 3(a)

21 Ms SINEGIORGIS asked for clarification of the phrase "assistance in relation to the Convention"

22 The CHAIRPERSON said that the idea was to make assistance available for the implementation of the Convention and reporting thereunder

23 Ms TALLAWY said that the aim of the meeting of chairpersons had been to ensure that technical assistance and advisory services would be provided by the Secretary-General in order to help Governments in the preparation of their

(Ms Tallawy)

reports Consequently, the purpose of paragraph 3 was to focus on the kind of services available within the United Nations for that purpose

24 After a short discussion in which Ms CORTI, Ms ALFONSIN de FASAN, Ms SINEGIORGIS, Ms LAIOU ANTONIOU, Ms BERNARD and Ms SOUMARE took part, Ms OESER proposed that the final part of paragraph 3(a), after the words "to provide", should be deleted

25 It was so agreed

Paragraph 3(b)

26 After a discussion of the role and functions of a human rights officer, Ms CREYDT (Secretary of the Committee) drew the Committee's attention to the functions and responsibilities of the Secretariat as defined in the Convention and the Committee's rules of procedure She said that, in the light of those texts, it was not clear whether the Secretariat could carry out the task described in paragraph 3(b)

27 Ms OESER pointed out that paragraph 3(c) made provision for the sending of experts, using UNDP resources She proposed that paragraph 3(b) should be deleted

28 Ms SINEGIORGIS supported that proposal

29 Paragraph 3(b) was deleted

Paragraph 3(c)

30 Ms SINEGIORGIS proposed that the reference to advice on ratification of the Convention should be deleted, since ratification involved a sovereign decision by the State concerned

31 It was so agreed

32 The CHAIRPERSON considered that it might be advisable to insert a reference to Indicative Planning Figures under UNDP country programmes

33 Ms TALLAWY pointed out that special funds were available for women's activities under UNDP

34 Paragraph 3(c), as amended, was approved

Paragraph 4

35 Paragraph 4 was approved

Paragraph 5

36 The introductory part was approved

37 Paragraph 5(a) was approved

38 Paragraph 5(b) was deleted

39 Paragraph 5(c)(1) was approved

Paragraph 5(c)(11)

40 Ms SINEGIORGIS and Ms GONZALEZ MARTINEZ proposed the deletion of the final sentence of subparagraph (11), because it duplicated a recommendation of Working Group II

41 The CHAIRPERSON suggested that the final sentence of paragraph 5(c)(11) should be deleted if the recommendation of Working Group II relating to extrabudgetary resources was approved

42 It was so agreed

43 Paragraph 5, as amended, was approved

Paragraph 6

44 After a discussion in which Ms SINEGIORGIS, Ms GONZALEZ MARTINEZ, Ms OESER and Ms BERNARD took part, it was decided to delete subparagraphs (a) and (b) and the final sentence of the paragraph, and to amend the second sentence of the introductory part of the paragraph to make it read as follows "The Committee suggests that the Centre for Human Rights and the United Nations Institute for Training and Research (UNITAR) should consult with the Division for the Advancement of Women and take into account, among other things, publications by the Commonwealth Secretariat and the International Women's Rights Action Watch"

45 Paragraph 6, as amended, was approved

46 Paragraphs 7-10 were deleted

47 Paragraph 11 was approved

B Reports for ninth session, 1990

Paragraph 1

48 Paragraph 1 was approved

Paragraph 2

49 Following a suggestion from Ms SINEGIORGIS, supported by Ms CORTI, it was agreed that eight initial reports and four periodic reports should be considered by the Committee at its ninth session

50 Paragraph 2, amended accordingly, was approved

Paragraph 3

51 Ms SCHOPP-SCHILLING said that if a State party were kept on the reserve list too long its Government might be tempted to appoint lower-level representatives

52 The CHAIRPERSON said that States parties would have to be released from the reserve list a week in advance

53 Ms OESER, supported by Ms SINEGIORGIS, said that it would never be possible to ensure that what had happened at the eighth session would not happen again and the report should include the statement that the Committee would do everything in its power to ensure that representatives of States parties attended to present their Governments' reports

54 Ms LAIOU ANTONIOU said that if a State party was determined not to attend, it would not attend. The Secretariat could only maintain contact with States parties and use its good offices to ensure the attendance of their representatives to present their reports

55 Ms CORTI asked if there was a way of ensuring that a State party which had announced its plan to attend in order to present its report did not fail to attend

56 The CHAIRPERSON said that it might be possible to require States parties which were due to present their report at a particular meeting to be represented at the meeting held the day before. If they failed to do so, the next reporting State party on the list would be called upon to replace it

57 It was decided that a sentence would be added at the end of paragraph 3 to the effect that the Secretariat should use whatever means were at its disposal to ensure that States parties attended to present their reports

58 Paragraph 3, thus amended, was approved

Paragraph 4

59. Ms SINEGIORGIS sought clarification of the second sentence. She wanted to know by whom the States parties should be asked to ensure that their representative was provided with the necessary sources of information

60 Ms WALLA-TCHANGAI said that it was not easy for developing countries to ensure that their representative was so provided. The language used in the paragraph should perhaps be more diplomatic

61 The CHAIRPERSON said that paragraph 4 would be redrafted, using less direct language

C Gabon

62 The CHAIRPERSON suggested that the Committee should postpone consideration of section C, referring to Gabon, until it took up the draft report on its eighth session

63 Ms UKEJE (Rapporteur) said that the decisions just taken in relation to section B were sufficient. She saw no need to refer specifically to the representative of Gabon. She suggested that no text such as the one proposed in paragraph 1 of section C should be included in the Committee's report

64. Ms WALLA-TCHANGAI and Ms SOUMARE supported the Rapporteur's suggestion

65 Ms OESER considered that some reference should be made by the Committee to Gabon's difficulties with the Committee's questions. The Committee's report on Gabon would otherwise be unbalanced. It would also be necessary to decide whether

(Ms Oeser)

the Committee's questions concerning the report of Gabon should be included in the Committee's current report or in that on its ninth session

66 Ms CORTI agreed that some explanation of the absence of replies to the Committee's questions was needed The proposed paragraph could perhaps be redrafted

67 Ms GUAN Minglian said that there was already a paragraph to much the same effect in part V of the draft report of the Committee (CEDAW/C/L 5/Add 1) The paragraph proposed by Working Group I was therefore unnecessary

68 Ms GONZALEZ MARTINEZ said that the paragraph in part V of the Committee's draft report indicated that questions had been asked and indicated the action decided upon The paragraph proposed in the Working Group's report was too long and not tactfully worded She proposed that it should not be used

69 It was so agreed

70 The CHAIRPERSON said that the question remained of whether the Committee's questions should be included in the report on the eighth session or, together with the answers provided, in the report on the ninth session

71 Ms FORDE pointed out that the questions had been asked at the eighth session

72 Ms CORTI favoured inclusion of the questions in the report on the eighth session, together with a statement to the effect that the representative of Gabon had promised that replies would be provided in writing

73 Ms BERNARD agreed that the questions should be included in the report of the eighth session She did not favour incorporation of the paragraph under discussion in the Committee's report If the wording in part V of the draft report of the Committee was adopted there would be no need for any further reference to the difficulties of the representative of Gabon

74 The CHAIRPERSON said she took it that the Committee preferred to examine the matter further when it considered the draft report on the session

D Response to the statement submitted by the Secretary-General in pursuance of the request contained in paragraph 15 of General Assembly resolution 43/100

75 Ms SCHOPP-SCHILLING asked what the phrase "so far as practicable" meant

76 The CHAIRPERSON said the phrase was meant to convey that the Committee endeavoured to adapt its schedule to the pattern of conferences as determined by the Committee on Conferences of the General Assembly

77 Ms SCHOPP-SCHILLING proposed that the words "whether in New York or Vienna" should be added after the phrase "to hold its meetings"

78 Ms TALLAWY asked whether the Secretary-General's assessment of the costs of holding meetings of the Committee at Vienna and in New York had implications for the Committee's timetable

79 Ms CREYDT (Secretary of the Committee) said that a note had been circulated which indicated possible dates for the Committee's ninth session. However, no decision had as yet been taken on the matter.

80 The CHAIRPERSON said that the Committee had not been offered a real choice. Since a session starting on 20 February would have only nine working days, the Committee was virtually obliged to choose the period 22 January - 2 February 1990.

81 Ms CORTI sensed that the Committee was being pressured to meet in Vienna. It was therefore important to include a reference to both New York and Vienna, as had been proposed.

82 Ms SINEGIORGIS said that it was the Committee's prerogative to determine the date of the session. It was then for the Secretariat to make the necessary services available.

83 Ms BERNARD suggested that it would be sufficient simply to indicate that the Committee had taken note of the statement of the Secretary-General.

84 Ms SOUMARE said that, in its present form, paragraph 1 of section D implied that the Committee was not entitled to decide when to hold its meetings.

85 Ms NOVIKOVA said that the Committee had already taken a firm decision to hold its next session in New York. The question of the date was a matter for the Committee alone to decide.

86 Ms FENGER-MÖLLER supported the inclusion in the text of the phrase "whether in New York or at Vienna". However, she thought it would be appropriate to include a reference to the availability of the necessary conference services, given the Organization's financial constraints.

87 Ms GONZALEZ MARTINEZ supported the suggestion that the Committee should take note of the Secretary-General's statement. It should then decide when the ninth session was to be held.

88 The CHAIRPERSON said that, since the Economic and Social Council would receive the Secretary-General's assessment of the costs of holding meetings at Vienna and in New York, the Committee had to indicate that it had studied the statement, and not merely taken note of it. She recognized that the Committee did not wish to abdicate its right to determine the date of its next session. However, as a practical matter, it was necessary to recognize that the timing of its sessions was influenced by the availability of Secretariat services.

89 Ms TALLAWY, supported by Ms SINEGEORGIS, proposed that paragraph 1 of section D should read "Working Group I suggests that the Committee should take note of the statement of the Secretary-General and decide to meet in New York on 22 January 1989."

90 It was so agreed

91 The CHAIRPERSON said that, in the absence of objection, she would take it that the Committee approved the second report of Working Group I, as a whole, as amended.

92 It was so decided

IMPLEMENTATION OF ARTICLE 21 OF THE CONVENTION

Report of Working Group II (CEDAW/C/CRP 5/Rev 3)

93 Ms LAIOU ANTONIOU (Chairperson of Working Group II), introducing the report of Working Group II on the implementation of article 21 of the Convention (CEDAW/C/CRP 5/Rev 3), said that the Group had considered six draft general recommendations and two draft decisions. Four of the draft recommendations, those numbered 1, 3, 5, and 6 in the report of the Working Group, had been sent forward from the seventh session of the Committee for consideration at the eighth session (A/43/38, paras 767-768). The Working Group had also considered a draft general recommendation on the tenth anniversary of the adoption of the Convention and another one on violence against women. After extensive discussion, the Working Group had unanimously approved the six draft general recommendations now before the Committee. It had also considered and approved a draft decision on a study of the problem of violence against women. A draft decision on the holding of a press conference in connection with the tenth anniversary of the adoption of the Convention had not been submitted to the Committee, as it had been felt that the latter did not at present have sufficient time to prepare the holding of a successful press conference.

Draft general recommendation 1

94 Ms LAIOU ANTONIOU suggested that the title of the recommendation should be amended to read "Statistical data concerning women's situation".

95 It was so agreed

96 Ms UKEJE (Rapporteur) proposed that the word "sex" in line 4 of the operative paragraph should be replaced by the word "gender".

97 It was so agreed

98 Draft general recommendation 1, as amended, was adopted

Draft general recommendation 2

99 Ms WALLA-TCHANGAI proposed that the phrase "by organizing conferences and seminars, and" should be inserted between the words "Convention" and "by publishing" in the second line of subparagraph (d) of the operative paragraph, first because if only the States parties were requested to disseminate information on the Convention other States would be deliberately left out, secondly because the States parties might fail to commemorate the tenth anniversary of the Convention on account of other priorities, and thirdly because a conference would have a stronger impact than information material alone.

100 Ms LAIOU ANTONIOU (Chairperson of Working Group II) pointed out that that idea had already been discussed by the Working Group and rejected on financial grounds.

101 Ms CORTI said that the specialized agencies could play a useful part in the commemoration of the tenth anniversary, and proposed that the phrase ", in co-operation with the specialized agencies", should be inserted after the word "disseminating" at the end of the second line of subparagraph (d).

102 Ms PILATAXI de ARENAS supported that proposal, as some States which had not ratified the Convention were members of specialized agencies

103 Ms WALLA-TCHANGAI also supported that proposal. She pointed out that since all countries already had information facilities and United Nations representation, the organization of conferences and seminars, which would be more effective than information material alone, would not entail additional expenditure

104 Ms SINEGIORGIS opposed the inclusion of a reference to conferences and seminars in view of past United Nations practice

105 Ms BERNARD suggested that the Secretary-General should be requested in the recommendation to encourage the States parties to hold conferences at their own expense

106 The CHAIRPERSON pointed out that the States parties, to which the recommendation was addressed, could hardly be expected to request the Secretary-General to encourage the States parties themselves to hold conferences

107 Ms LAIOU ANTONIOU, speaking as a member of the Committee, supported the views expressed by Ms Walla-Tchangai. She drew attention to the fact that the local offices of the United Nations and the specialized agencies possessed resources and had proved most willing to disseminate information in the past. She recognized, however, that the Working Group had not shared that view.

108 Ms LAIOU ANTONIOU (Chairperson of Working Group II), replying to a question from the CHAIRPERSON, said that the idea of the States parties holding conferences and seminars had been considered in the Working Group, but had not been specifically recommended

109 The CHAIRPERSON said that the point might be covered by an addition to subparagraph (a) or subparagraph (b)

110 Ms NOVIKOVA, supported by Ms SOUMARE, considered it inappropriate that the recommendations in subparagraphs (c) and (d) should be addressed to the States parties, since they concerned matters pertaining to the United Nations. She thought that the entire operative paragraph should be redrafted

111 The CHAIRPERSON said she had understood that all the subparagraphs were addressed to the States parties, which were called on to request action by the Secretary-General

112 Ms SINEGIORGIS fully supported the Chairperson's interpretation of the paragraph

113 Ms UKEJE proposed the insertion in subparagraph (c), after the words "article 8", of the words "(which relates to the participation of women at all levels)"

114 Ms SINEGIORGIS saw no need to specify the subject of article 8

115 Ms GUAN Minqian, supported by Ms OESER, suggested that the Committee, in the introductory part of the operative paragraph, should simply invite the States parties to "consider" the various steps indicated in subparagraphs (a), (b), (c) and (d). Furthermore, the Committee could not realistically expect all the

(Ms Guan Mingqian)

principles of the Convention to be fully implemented by the end of the year, and subparagraph (c) should therefore be reworded more flexibly, States parties being asked simply to endeavour to achieve that objective

116 The CHAIRPERSON, summing up the various amendments proposed, said that, in the absence of objection she would take it that the Committee agreed to make the following changes in the draft recommendation the introductory part of the operative paragraph should read "Recommends that, on the occasion of the tenth anniversary of the adoption of the Convention, the States parties consider ", subparagraph (a) should read "undertaking programmes, including conferences and seminars, to publicize the Convention in their respective countries,", subparagraph (b) should read "inviting their national women's organizations and its implementation,", subparagraph (c) should read "encouraging action to ensure the full implementation of the principles of the Convention, and in particular article 8, relating to the participation of women in international organizations, at all levels of activity of the United Nations and the United Nations system,", and subparagraph (d) should read "requesting the Secretary-General of the United Nations to commemorate the tenth anniversary of the adoption of the Convention by publishing and disseminating, in co-operation with the specialized agencies, printed and other materials (A/CONF 116/13) "

117 It was so agreed

118 Draft general recommendation 2, as amended, was adopted

Draft general recommendation 3

119 Draft general recommendation 3 was adopted

Draft general recommendation 4

120 The CHAIRPERSON suggested that subparagraph (d) should be amended to read "statistical data on the incidence of violence of all kinds against women and on women who are the victims of violence"

121 It was so agreed

122 Ms GONZALEZ MARTINEZ proposed that the first preambular paragraph should be amended to read "Considering that articles 2, 5, 11, 12 and 16 of the Convention require the States parties to act to protect women against violence of all kinds," and that the word "rape" should be included in the enumeration in parenthesis in subparagraph (a)

123 Ms SOUMARE supported the proposal of Ms Gonzalez Martinez for amendment of the first preambular paragraph

124 Ms BERNARD also supported that proposal, but she proposed the deletion of the enumeration in parenthesis in subparagraph (a)

125 The CHAIRPERSON thought it important to retain the specific reference to sexual violence and harassment

126 Ms PILATAXI de ARENAS proposed that the enumeration in subparagraph (a) should be introduced by the word "including"

127 Ms UKEJE (Rapporteur) proposed that the introductory part of the operative paragraph should be amended to read "Recommends to the States parties to include in their periodic reports to the Committee information about "

128 The CHAIRPERSON said that, in the absence of objection, she would take it that the Committee agreed to make the following changes in the draft recommendation the first preambular paragraph should read "Considering that articles 2, 5, 11, 12 and 16 of the Convention require the States parties to act to protect women against violence of all kinds,", the introductory part of the operative paragraph should read "Recommends to the States parties to include in their periodic reports to the Committee information about", subparagraph (a) should read "The legislation in force regarding violence against women in everyday life (including sexual violence, abuses in the family, sexual harassment at the work place, etc ),", and subparagraph (d) should read "Statistical data on the incidence of violence of all kinds against women and on women who are the victims of violence"

129 It was so decided

130 Draft general recommendation 4, as amended, was adopted

The meeting rose at 5 45 p m