

UNITED NATIONS
ECONOMIC
AND
SOCIAL COUNCIL



Distr.
GENERAL
E/CN.6/SR.211
18 June 1956
ENGLISH
Original: ENGLISH and
FRENCH

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COMMISSION ON THE STATUS OF WOMEN

Tenth Session

SUMMARY RECORD OF THE TWO HUNDRED AND ELEVENTH MEETING

held at the Palais des Nations, Geneva,
on Thursday, 15 March 1956, at 3 p.m.

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Present:

Chairman: Mrs. RÖSSEL (Sweden)

Members:

Mrs. CORREA MORALES de APARICIO	Argentina
Miss GIBSON	Australia
Mrs. CISELET	Belgium
Mrs. NOVIKOVA	Byelorussian Soviet Socialist Republic
Mrs. CHU	China
Miss MAÑAS	Cuba
Miss BERNARDINO	Dominican Republic
Mrs. LEFAUCHEUX	France
Mrs. BEN-ZVI	Israel
Begum ANWAR AHMED	Pakistan
Mrs. DEMBINSKA	Poland
Mr. GIRON	Sweden
Mrs. SPIRIDONOVA	Union of Soviet Socialist Republics
Mr. WARDROP	United Kingdom of Great Britain and Northern Ireland
Mrs. HAHN	United States of America
Mrs. SANCHEZ de URDANETA	Venezuela
Mrs. MITROVIĆ	Yugoslavia

Observers for Governments of States Members of the United Nations:

Mr. STOIANOV	Bulgaria
Mr. STERNAD	Czechoslovakia
Miss CORCOS	Italy
Miss LUNSINGH-MEIJER	Netherlands

Representative of a specialized agency:

United Nations Educational, Scientific and Cultural Organization	Miss SALAS
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Representatives of non-governmental organizations:

Category A

International Federation of Christian Trade Unions	Miss NAGELS Mrs. SCHMIDT
World Federation of Trade Unions	Mr. DRINKWATER Mrs. NOCE
World Federation of United Nations Associations	Mrs. TROUPIN

Category B

Catholic International Union for Social Service	Miss HERTOEGHE Miss de ROMER
International Alliance of Women	Miss CAMPOAMOR
International Council of Women	Mrs. CARTER
International Federation "Amies de la Jeune Fille"	Mrs. van WERVEKE
International Federation of Business and Professional Women	Miss TOMLINSON
International Federation of University Women	Miss DUBOIS Mrs. FLECHTER Miss ROBB
International Federation of Women Lawyers	Lady CHATTERJEE Miss MANFREDINI
International League for the Rights of Man	Mrs. WOLLE-EGENOLF
International Union for Child Welfare	Miss MOSER
Liaison Committee of Women's International Organizations	Miss van EEGHEN Mrs. HYMER
Pan-Pacific Women's Association	Mrs. HYMER
Pax Romana	Mrs. BUENSOD
Women's International League for Peace and Freedom	Mrs. BAER
World Federation of Catholic Young Women and Girls	Miss FARQUET Miss HERREN
World Union of Catholic Women's Organizations	Miss de LUCY-FOSSARIEU Miss de ROMER
World's Young Women's Christian Association	Miss ARNOLD The Hon. Isabel CATTO
Young Christian Workers	Miss PEZZULLO

Register

Open Door International

St. Joan's International Social and
Political Alliance

World Federation of Democratic Youth

Secretariat:

Mrs. Tenison-Woods

Mrs. Grinberg-Vinaver

Mrs. BAER

Miss CHALLONER

Mrs. MOLKOVA

Representative of the
Secretary-General

Secretary to the
Commission

1. ACCESS OF WOMEN TO EDUCATION (item 4 of the agenda) (continued):

(b) Note transmitting the draft report of the Special Rapporteur on discrimination in the field of education, prepared for the eighth session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities (E/CN.6/277, E/CN.4/Sub.2/L.92 and Addenda thereto) (continued)

Miss SALAS (United Nations Educational, Scientific and Cultural Organization) said that in 1954 and 1955 the United Nations Educational, Scientific and Cultural Organization (UNESCO) had assisted the Special Rapporteur financially and technically in the preparation of his draft report on discrimination in education. At the forthcoming session of the Executive Board of UNESCO in April, the Director General would submit proposals for meeting the Sub-Commission's resolution requesting comments on the Report.

Speaking at the invitation of the CHAIRMAN, Miss ROBB (International Federation of University Women) stressed the special concern of the International Federation of University Women for the access of women to education. It had for many years been doing much to promote research by women in many fields of study, and to encourage women graduates to put their university training to practical use in public service in their national communities.

Commenting on the draft report on discrimination in the field of education (E/CN.4/Sub.2/L.92), she said that her organization recognized the possible usefulness of such distinctions as that between "active" and "static" discrimination but fully shared the Special Rapporteur's feeling that the difference might often be academic. Her organization appreciated the difficulties confronting a United Nations rapporteur in his choice of sources when studying a controversial subject; but, while agreeing that what were referred to as "national practical measures" to eliminate discrimination were on the whole reasonable, her organization was rather more doubtful about the suggestion concerning an international covenant and fund.

With regard to the section of the report specifically applying to discrimination against women in the field of education (paragraphs 139 to 148) and the summary of the work of the Commission in that field (paragraphs 292 to 301) she wished to make the following points. Firstly, the difficulty described by the Rapporteur in arriving at a working definition of "elementary", "secondary" and "higher" education for the purposes of his study (paragraphs 53 and 54)

bore out a point often made by the Federation, namely, the need for agreement on the meaning of common educational terms and the establishment of some equivalence of degrees. Secondly, the Special Rapporteur, in common with the authors of UNESCO's annual reports to the Commission, had found that girls were actually less hampered by legislative discrimination than by the weight of tradition and lack of opportunities for employment. Thirdly, there should be equal access for girls and women to all types of education at all levels whatever special fields of study might be chosen. Fourthly, costs as well as access were listed in the report among the major aspects of discrimination in education. For example a government might provide access for all boys and girls to secondary education but budgetary provisions might be smaller for girls' schools in terms of teachers' salaries, buildings, equipment etc. Where State bursaries or social security were provided for students, they might be smaller or less comprehensive for girls. Fifthly, the Federation was particularly concerned at the prevalent conditions governing the employment of women teachers. There was a world-wide shortage of teachers, but women, who were to be found in large numbers in the elementary and lower-paid grades in nearly all educational systems, frequently suffered not only from salary discriminations but were also at a disadvantage as regards the conditions applicable to promotion, pension funds and pensionable age etc. and were sometimes subject to a marriage bar. Lastly, the high percentage increases in girls' education in Trust and Non-Self-Governing Territories and other economically under-developed areas sometimes tended to distract attention from the smallness of the original figure; the educated world continued to be surrounded by a vast sea of illiteracy composed to a large degree of women, and that factor obviously had wide social implications for the future.

In conclusion she quoted a report submitted in 1953 to the General Assembly on higher education in Africa, which stated that while women and girls were uneducated little progress could be made, for it was necessary to ensure that the resources in raising each generation a further stage should have a cumulative effect. And this could not be achieved without the education of women.

Speaking at the invitation of the Chairman, Mrs. SCHMIDT (International Federation of Christian Trade Unions) said that the elimination of discriminatory methods and the securing of equal rights for all women throughout the world was of the greatest importance. The International Federation of Christian Trade Unions (IFCTU) wished in that connexion to urge on the Commission its opinion that existing discriminatory measures could not be abolished effectively unless the following steps were taken:

First, that all States should ratify the Covenants on Human Rights;

Secondly, that they should endeavour to adapt their national legislation to the provisions of the Covenants;

Thirdly, that they should provide for severe punishment of any infraction of such legislation;

Fourthly, that provision should be made for the right of appeal to an appropriate body of the United Nations in instances where national legislation proved inadequate.

IFCTU would request that earnest consideration be given to the above measures as a means of protecting women throughout the world against discriminatory measures of all kinds.

Speaking at the invitation of the Chairman, Miss CAMPOAMOR (International Alliance of Women) said that her organization, expressing the desires of the numerous delegations assembled at its Congress held at Colombo in 1955 and attended by a large number of Asian representatives, wished to stress that many fundamental social requirements could not be met if the education of women were not further extended.

Her organization could not approve the attitude of certain United Nations specialized agencies which, when organizing courses on fundamental social needs and problems, had often failed to include an equitable proportion of women among the participants.

It requested that UNESCO be recommended:

First, when preparing projects for the education of any specific national population, to ensure that suitably qualified women be included from the outset in any teams established;

Secondly, to urge member States to ensure that primary educational syllabuses should be the same for boys and girls and that girls should have access on the same basis as boys to all types of secondary, technical and vocational education;

Thirdly, to devote more attention to the education of girls in Asia, Africa and in Trust and Non-Self-Governing Territories. The existing situation, in which men were educated, while women were deprived of education, constituted a barrier to all progress.

Mrs. SANCHEZ de URDANETA (Venezuela) said that in order to meet existing needs in Venezuela a new and progressive Education Act had recently been introduced, which provided for a large-scale increase in educational opportunities throughout the country and in particular assisted economically handicapped sectors of the community to acquire educational qualifications.

The new Act enabled persons over 18 years of age to sit for a certificate of elementary education without previously qualifying by undergoing a regular period of school attendance. It provided for the creation of special workers' centres giving elementary education and occupational training. The Act further made it compulsory for adequate land to be set aside for schools and playgrounds in proportion to the school population. Special measures had been taken to set up centres for workers over 14 years of age, in which four years of elementary education or two years of occupational training were provided.

Secondary education had been divided into two stages: three years of general instruction and two years of preparation for the school leaving certificate (Bachillerato), which latter included two main divisions - science and arts. It was expected that the new syllabus would result in a steady increase in the number of pupils attending school. The Education Act also provided facilities for persons over 25, already in possession of a certificate of elementary education, to obtain a school leaving certificate without having previously attended secondary school. Evening classes were also being greatly extended. Many subjects including commerce, art, social work and domestic science could also be studied at technical institutes and colleges, at which women had enrolled in much greater proportions than men.

A number of significant examples might be quoted of the numbers of women in employment in Venezuela: women formed 80% of elementary school teachers and 48% of the employees of the Ministry of Education. Some 133,000 women held Federal certificates of matriculation and about 166,000 held matriculation certificates granted by other authorities.

As regards educational discrimination, the Venezuelan Constitution guaranteed men and women equal right of access to education, to trades and professions and to all other fields of activity.

Mrs. LEFAUCHEUX (France) said she had been greatly interested by the statements of the representatives of the non-governmental organizations, particularly the statement by the representative of the International Federation of University Women, who had been good enough to provide the Commission with various data concerning the access of women to higher education. That question, it would be remembered, was one to which the Commission at its ninth session had decided to devote a more thorough study at its tenth session as a logical sequel to its studies on the access of women to primary and secondary education; that being so, she wondered why no report on the subject was before the Commission. In the circumstances, it might perhaps be well to recommend the Economic and Social Council to ask the Secretary-General to undertake such a study.

Mrs. GRINBERG-VINAVER, Secretary to the Commission, referred the Commission to the statement made at the preceding meeting concerning the programme of work of UNESCO, with special reference to studies on the access of women to higher education.

Miss SALAS (United Nations Educational, Scientific and Cultural Organization) said that data on the question would be included in UNESCO's report for 1958. She pointed out that UNESCO in proposing to take up the subject in its report had in mind the fact that the Commission on the Status of Women had brought it up on several occasions.

Mrs. HAHN (United States of America) submitted that the material contained in paragraphs 139-148 of the Special Rapporteur's report seemed inadequate. Mr. Ammoun's report would be considered an inclusive study of the subject of discrimination in education, whereas the absence of adequate information on restrictions on women's education would provide an incomplete picture of the situation.

She accordingly hoped that the Secretary-General would prepare an analytical summary of additional information on discrimination against women and girls for the Special Rapporteur's use. Such a summary should draw on the Commission's past documentation as well as the country reports and other sources used by Mr. Ammoun. The summary should also be useful to the Commission and might be

examined by it at its subsequent session in an evaluation of remaining limitations on the access of women to education.

While the Commission was considering the report of the eighth session of the Sub-Commission (E/CN.4/721), attention should be drawn to its decision to initiate two additional studies in the field of discrimination, one relating to religious rights and practices and another relating to political rights. The first was to be begun in 1956 and the second in 1957. A Special Rapporteur had been appointed for each.

Documentation prepared for the Commission contained a considerable amount of material that should be useful to the Sub-Commission's two Rapporteurs, and she assumed that steps were being taken to bring it to their attention. For instance, in document E/CN.6/158 and Addenda, concerning the access of women to public office, information was available on the eligibility of women to religious positions in the civil services of governments, and document E/CN.6/157 and Addenda, concerning civil liberties, contained information on religious law. On political rights, there was a wealth of material prepared by the United Nations Secretariat as well as UNESCO for the Commission and the General Assembly.

Mrs. CHU (China) said that in her country there was no discrimination whatsoever against women in the field of education. A co-educational system of education, extending from the kindergarten to the university, was in force and remarkable increases had been achieved in the attendance of girls at all levels of schools.

Taking Taiwan Province as an example, she would give some figures showing increases in school attendance over the previous nine years. In elementary education attendance of girls had gone up from 337,997 in 1946 to 504,144 in 1954, and the number of women teachers at elementary schools had increased from 4,905 to 8,877. In secondary education the number of girl pupils had increased from 26,120 in 1946 to 53,500 in 1954 and women teachers had gone up from 902 to 2,220. In higher education the number of girl students had increased from 54 in 1946 to 2,004 in 1954 and that of women professors from 361 in 1946 to 631 in 1956. Those increases were largely due to the successful achievement of the land reform programme which had resulted in a great improvement of the economic condition of the rural population, and to the greater part played by women in local government. Nevertheless much remained to be done, particularly in

secondary education, to encourage and assist girls to go on to secondary and higher schools. At present, girl students were still far outnumbered by boys. For instance, only 54,447 girls attended secondary schools in 1954, as compared to 131,125 boys. In order to open the higher positions in the various walks of life to women, and to enable women to take a more active part in public affairs, a far greater number of highly educated women were needed.

The CHAIRMAN drew attention to the fact that the Special Rapporteur had asked for comments on his report to be incorporated in the Commission's report.

Further discussion of item 4 was adjourned.

2. STATUS OF WOMEN IN PRIVATE LAW (item 9 of the agenda) (E/CN.6/185/Add.15, E/CN.6/208/Add.3)

The CHAIRMAN invited the Secretary to introduce item 9 of the agenda: status of women in private law.

Mrs. GRINBERG-VINAVER, Secretary to the Commission, said that the Commission had two documents before it relating to item 9 of the agenda. First, the Secretariat's supplementary report on family law (E/CN.6/185/Add.15), based on replies to Part III of the Questionnaire on the Legal Status and Treatment of Women received from the Governments of Haiti, Mexico, Nicaragua and the Soviet Union. The second document (E/CN.6/208/Add.3) was a supplementary report by the Secretary-General on property rights of women comprising further replies to part II of the Questionnaire, received from the Governments of Egypt, France, Haiti, Mexico, Poland, the Soviet Union and Turkey.

Mrs. LEFAUCHEUX (France) did not propose to repeat the statement she had made at the ninth session on the status of women in private law, but wished to reiterate that the subject comprised a number of problems of capital importance, towards the solution of which little progress had so far been made. Outstanding among them was the problem of equality of rights of the husband and wife in respect of the children. There was one particular aspect of that problem which was of the utmost importance to women, especially in countries where they did not yet enjoy complete equality in that respect, namely: the custody of children under age where the mother was left a widow. In many countries, the only way in which the woman could maintain contact with her children was by taking them to live with her in the family of her deceased husband. Thus she was faced with the dilemma

of either giving up her children if she wished to remake her life, or cleaving to her children and subordinating all her own interests to theirs. It was an extremely serious problem, and the Commission ought to treat it more seriously.

With regard to the question of property rights of women, she would be glad if the Secretariat could undertake a study on taxation as it affected married women's employment. In many countries the taxation system included a progressive surtax which, as the wife's earnings were added to the husband's, could involve a burden of taxation out of proportion to the wife's contribution to the family budget. It was interesting to note that one country, Belgium, where the taxation laws had hitherto suffered from that defect, had recently amended them.

Such a study would be of interest to women's associations, and would enable the Commission to study a question which was important although it clearly concerned only a section of working women.

Mrs. HAHN (United States of America) expressed her delegation's appreciation of the excellent documentation the Secretary-General had prepared on item 9 of the agenda. For the first time, information had been made available to the Commission on the legal status of women, under family and property law, in a number of countries which had not been covered in the original survey. The fact that different countries were at different stages of development made the status of women in private law extremely difficult for the Commission to deal with. Even in economically developed countries, changes in the law came about gradually, and often lagged behind de facto improvements. Under the early common law brought by the first settlers to the United States of America the basic principle of family life had been said to be: "husband and wife are one, and that one is he". Marriage had then suspended woman's separate existence, or integrated it with that of her husband in such a way as to give him control over her person, her property, her children and her earnings. Those days were long since past, and today women retained their individuality, both during marriage and on its dissolution.

One of the subjects of continuing interest to the Commission was the rights of the mother in respect of her children. The paramount right of the father to dictate and control the life of his minor child had virtually disappeared from United States law. Equality of parental rights had been recognized by the State of Kansas as early as 1859. Most States had adopted statutory amendments giving

mother and father joint and equal rights over their children. A series of laws equalizing women's status in the matter had been adopted towards the end of the nineteenth century, and that progressive trend had been hastened by the grant of suffrage to women. In the same way, the powers of a father to appoint a guardian over his child by testament had been greatly limited.

The replies made by the United States Government to the United Nations Questionnaires in 1950 and 1952 showed that in her country women were well on the way to full partnership with men in marriage, guardianship of children and all relationships.

Certain legal distinctions existed in the United States of America which were not discriminatory against women, but which contributed to the unity and well-being of the family. Some twenty States, for example, allowed the wife to sue for divorce on the grounds of the husband's wilful failure to support. In all but sixteen States, a husband having a separate title to the family home could not make a valid conveyance of the property unless his wife was party to the deed. After the husband's death, the "homestead laws", operating in forty-three states, ensured the right of the wife and family to continue to occupy the family home. Most "homestead laws" also exempted the family home from seizure for debt. Other laws imposed limitations on the husband's right to assign his future earnings. Some States allowed no such assignment at all, and about half required that an assignment by the husband of wages to be earned by him in the future should be counter-signed by his wife.

Mrs. GRINBERG-VINAVER, Secretary to the Commission, referring to the French representative's suggestion that the Secretariat might study taxation laws as they affected women, pointed out that the Commission had considered a report on the subject at its fifth session under the agenda item entitled: "Status of Women in public law", but had expressed no desire to pursue it.

Mrs. LEFAUCHEUX (France) had not forgotten the work done by the Commission on the subject. The report in question, however, was already five years old, and it might be of interest to reopen the study. It was a matter of serious concern to Frenchwomen, and of such importance that she felt justified in drawing the Commission's attention to it. Though it was clearly not a problem of private law, she had felt that it might be raised in connexion with the rights of spouses. It might alternatively be discussed under the agenda item "Economic Opportunities for women", since it was of special concern to working women. That was only a suggestion, however.

Mrs. CISELET (Belgium) said that the French representative's remarks were very interesting and to the point. Ill-devised taxation laws could undoubtedly lead to working women being penalized. The tax legislation in force in Belgium since 1934, which had presented that drawback, had recently been amended. The question was a highly important one, and should be studied by the Commission. As the Secretary had pointed out, however, it was a matter not of private but of public law. The French representative's suggestion that it be studied under the agenda item "Economic opportunities for women" seemed therefore a sensible and appropriate one.

Begum ANWAR AHMED (Pakistan) explained that the family laws of peoples with ancient cultures did not constitute an independent legal system, but were an integral part of the cultural pattern. Experience had shown that such cultural patterns offered resistance to change. Nevertheless, social and economic development did require a new approach to family law.

The documents submitted by the Secretary-General and the Commission's resolutions on the subject, had proved of great value to the non-governmental organizations in their efforts to reform family laws. The All-Pakistan Women's Association had succeeded in persuading the Government to set up a Commission on Family Laws, of which she was a member, to study the changes that would have to be made in laws relating to marriage, divorce, the custody and guardianship of children and inheritance. The Commission's report would be published in June 1956.

Non-governmental organizations could do a great deal to help governments to initiate essential changes in their family laws.

Speaking at the invitation of the CHAIRMAN, Mrs. CARTER (International Council of Women) said that the International Council of Women (ICW) had for a long time been carrying on an intensive campaign in the countries in which it was active to ameliorate the condition of women under private law. It had found that only an enlightened public opinion could create the atmosphere essential to the introduction of the legal reforms necessary to redress the great inequalities in that field. At its Triennial Conference, held in 1954, ICW had recommended an intensive effort to work along such lines, making use of the Press, broadcasting etc. That programme was well under way, and had focused attention on the problem in some twelve countries.

In the United Kingdom, the campaign had been waged by means of public meetings, conferences, deputations to ministries, publications, and memoranda addressed to State commissions and departmental committees. In the United States of America, the Council's activities had taken many forms: for instance, the National Council of Women had taken part in conferences and discussion groups with the United States Department of Labour, and had circulated a publication designed to emphasize the importance of equality for women under civil law. In New Zealand, the National Council of Women had concentrated on publicizing the resolutions which it had submitted to the Government. In Italy, the National Council had summoned its constituent bodies in Milan and in Rome to discuss the problem, and had succeeded in securing the introduction into a course at the University of Milan of the consideration of women's problems under private law, as well as the problems of political rights for women. In Finland, in addition to other publicity, a bulletin commemorating the forty years of the Council's activity in the field of equal rights had been widely circulated. In Australia, broadcasts, public meetings and discussion groups were fully used. In the Union of South Africa, the Commission of Enquiry into Women's Legal Disabilities in the Union of South Africa, many of whose recommendations had been embodied in the Matrimonial Affairs Act, had been the direct outcome of representations made to the Government by the National Council of Women. In Southern Rhodesia, at the request of the National Council of Women, a Commission on the Disabilities of Women had been set up in 1954 to investigate guardianship and custody of children, maintenance of ex-spouses and children, and enforcement of maintenance orders, law of surety, consent to marriage of minors, and illegitimacy. The above were some examples of the techniques used by the constituent members of ICW in the promotion of the aims they shared with the Commission on the Status of Women in the field of women's rights under private law.

The Council had, during the past year, made an enquiry into community property laws and their effect on women coming under their jurisdiction. Its findings were similar to those in the report of the Secretary-General on the property rights of women.

ICW intended to continue its campaign on the status of women in private law, confident that in the near future an enlightened public opinion would make possible the achievement of the results for which it was striving.

Speaking at the invitation of the CHAIRMAN, Miss CHALLONER (St. Joan's International Social and Political Alliance) said that the position with regard to ancient laws and cultural practices, and their effect on the human dignity of women, had first been brought up at the Peace Conference in 1919. Her own organization had been working on the subject since 1934 and great progress had been made during the past few years. In the name of the Alliance, she expressed her deep appreciation of the activities of the Commission on the Status of Women and in particular of the work which had led up to the adoption by the General Assembly on 17 December 1954 of resolution 843 (IX). That had been a great victory, but it should be looked upon as a beginning not as an end.

She felt that practices which gravely depressed the status of women, such as the buying and selling of women, should be dealt with under status rather than under slavery, as they directly affected women alone. She urged the Commission to demand universal recognition of the free and full consent of both spouses to marriage; no marriage contracts for girls under 14; a legal age to be fixed, over which men and women would be free to marry as they pleased; no dowry to be requirable, and no cases to be brought before tribunals for non-payment of marriage gifts; the imposition of sanctions on anyone who compelled a woman to accept or break a marriage; the right to appeal against coercion in marriage, and the public enforcement of that right; no lending of wives, who should be free to dispose of themselves and their children, and to remain with their husband's family or return to their own on the death of the husband; and the recognition of Christian marriage.

The Alliance had recently concluded that child betrothal, which sometimes bound a woman from birth, was an even greater evil than child marriage. In a committee dealing with the Slavery Convention, it had succeeded in securing the introduction in a resolution, before the words "given in marriage" of the words "promised or". If that custom were abolished, other relevant reforms would follow naturally.

It had been suggested that child marriage was not so repellent locally as it was outside the countries where it was practised. In that connexion, she would refer to the report of a committee set up by the Nigerian Government consisting of three men and one woman, all Nigerians, which had recommended some of the points the Alliance had been pressing for many years. In that report,

great importance had been given to the question of child marriage, and the Nigerian Government had chosen that subject out of all others for a resolution at the highest level.

At the invitation of the CHAIRMAN, Miss van EEGHEN (Liaison Committee of Women's International Organizations) spoke in support of the statement made by the representative of St. Joan's International Social and Political Alliance, and, on the strength of several years study of the subject by the Liaison Committee, endorsed all she had said.

Miss MAÑAS (Cuba) thanked the representatives of the non-governmental organizations for their statements. The ideas expressed by those organizations in oral interventions and in documents contributed substantially to the Commission's work by bringing to its attention the views of many women who could not themselves attend its meetings. She also expressed her appreciation of the documents on the status of women in private law prepared for the session. The facts concerning her own country were to be found in her Government's replies to the United Nations questionnaires on the subject. Discrimination against women was unknown in Cuba, where it was forbidden, and even punishable under the Constitution.

The legal position of women in the family had been discussed by the Commission before. It was bound up with the question of women's other rights, in particular their political rights and the right of access to work.

Attention had been drawn to the differences between the legal systems obtaining in the different countries, and to the many causes of those differences. She reminded the Commission that at the ninth session her delegation had stressed the value and effect of its decisions, not directly, on advanced legislation, but in a far wider sense, in the light of the many ideas put forward by governments and non-governmental organizations on that vital sector of the Commission's work. Her delegation would be submitting a draft resolution on the position of women in family law viewed from that broader angle. She urged the Commission to make every effort to bring home to all the governments which had not yet come to grips with the problem the importance of studying ways of carrying through the necessary reforms, so that no woman should suffer from discrimination in any country.

Stressing the cardinal importance for married women of the question under discussion, Mrs. CISELET (Belgium) said that as a barrister she had been in an especially good position to realize the injustice of laws based on inequality of the sexes. The provisions of Belgian law were, with certain statutory modifications, the same as those of the Code Napoléon, under which a woman was legally a minor. In the absence of a marriage contract the marriage was based on community of property, a system which deprived the wife of control over her own property. No wonder women's associations were strong in their demand for changes in a law which, in the event of marital discord, put the wife at a serious disadvantage. Their claims, which men had for long failed to understand, were now appreciated by many men, who agreed that the Civil Code should be amended. Accordingly, several Bills intended to establish equality of rights between spouses had been introduced in the Belgian Parliament; she herself had tabled some in the Senate, of which she was a member. A commission had studied the various texts in great detail; recently, after seven years' toil, it had completed its task and submitted two preliminary drafts to the Minister concerned. The present Government had in fact included in its programme the reform of the Civil Code to make husband and wife equal before the law. That was a pledge of the very highest importance to Belgian women.

Mrs. MITROVIĆ (Yugoslavia) thought that the reports by the Secretary-General on the status of women in family law and on property rights of women showed how indispensable the Commission's work was in those two very important fields. They showed that in many countries women's rights over both person and property were very precarious, owing either to the country's traditions or to gaps in its law.

The Yugoslav delegation's statements at the eighth and ninth sessions, and its replies to the Secretary-General's Questionnaire, had given very full information on the status of Yugoslav women in family law under the Yugoslav Constitution and the basic statute on marriage, the provisions of which were based on the principle of the equality of husband and wife before the law.

Any property acquired by the spouses through work during the marriage was owned jointly by them, and, in assessing the share of each, account was taken not only of their respective earnings but also of the help given to each by the other, housekeeping and the like, so that a wife who had no outside occupation but worked at home - who kept house - enjoyed equality with her husband who worked outside the home.

Complete equality between husband and wife in succession rights had been established under the Law of 1955, article 4 of which stated in very clear terms that a husband and a wife related in equivalent degree to the deceased had the same right to succeed. The rules of succession provided that on the death of either spouse the estate should be divided equally between the surviving spouse and the children. If a spouse died without issue, the estate was divided between the surviving spouse and the deceased's relatives. There was therefore no longer any inequality between husband and wife in respect of succession. It was of course impossible, in view of the diversity between countries in law and custom, to draft a model statute in full detail; but there was no doubt that the Commission must work unremittingly for a relationship between husband and wife as regards property and succession based on the principle of equality between the sexes.

Miss GIBSON (Australia) said that she had read the documents prepared for the Commission and heard the oral reports submitted to it with great interest. She was not in a position to give a simple description of the situation of women in private law in Australia, since there was no Australian Commonwealth law relating to the majority of the matters dealt with in the Secretary-General's Questionnaire. A description of the position in the different Constitutions of the several States and Territories making up the Australian Commonwealth would take up more than all that was left of the Commission's time during the present meeting. She would confine herself to remarking that, although there were slight divergencies, in substance the situation was the same in the different constitutional laws for both men and women, and she would refer interested members to document E/CN.6/185/Add.2, which contained fuller information on the subject.

Further consideration of item 9 of the agenda was deferred to the next meeting.

The meeting rose at 5.20 p.m.

COMMISSION ON THE STATUS OF WOMEN
Tenth session
212th and 213th meetings

DAILY AGENDA

Friday, 16 March 1956

Access of women to education (item 4)

(Note by the Secretary-General transmitting draft report of the Special Rapporteur on discrimination in the field of education to the Commission on the Status of Women (E/CN.6/277); Study of discrimination in education: draft report drawn up by the Special Rapporteur (E/CN.4/Sub.2/L.92)).

Status of women in private law (item 9)

(Supplementary Report of the Secretary-General on the status of women in family law (E/CN.6/185/Add.15); Supplementary Report by the Secretary-General on Property Rights of Women (E/CN.6/208/Add.3)).

Technical assistance (item 10)

(Memorandum by the Secretary-General on technical assistance; Summary of selected projects affecting the status of women and selected list of materials (E/CN.6/274); Progress Report by the Secretary-General on technical assistance programmes in relation to the status of women (E/CN.6/L.188); Report by the Secretary-General on advisory services in the field of human rights (E/CN.6/283, E/CN.4/722 and Corr. 1 and 2)).