



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

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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Seventh session

SUMMARY RECORD OF THE FIRST PART (PUBLIC)\* OF THE 115th MEETING

Held at Headquarters, New York,  
on Tuesday, 23 February 1988, at 3 p.m.

Chairperson: Ms. BERNARD

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Consideration of reports submitted by States parties under article 18 of the  
Convention (continued)

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\* The summary record of the second part (closed) of the meeting appears as  
document CEDAW/C/SR.115/Add.1.

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consolidated in a single corrigendum, to be issued shortly after the end of the  
session.

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

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

Initial report of Australia (CEDAW/C/5/Add.40) (continued)

Article 16

1. Ms. MONTENEGRO DE FLETCHER requested statistics on the number of marriages, divorces and customary marriages in Australia. She asked what protection women and children had in customary marriages, and why children of customary marriages could not be registered in the father's name, since a distinction was thereby created between children born in and out of wedlock. The family courts seemed to have broad discretionary powers; she asked how family judges decided on the allocation of property to spouses in the case of divorce or separation, and also whether family courts consisted of one person or of a group of persons. She asked whether aboriginal couples who wished to do so could join the family law system.
2. Ms. LAIOU-ANTONIOU asked why the marriage age was 16 for women and 18 for men and also why a child of a marriage could be registered only in its father's name.
3. Ms. FORDE asked whether it was possible for customary aboriginal marriages to be given legal recognition. She also asked whether cohabiting couples had any legal maintenance responsibilities to each other, and how property was distributed on the dissolution of such unions or upon the death of one of the parties.
4. The CHAIRPERSON said that the 12 months' separation period required for divorce in Australia seemed relatively short; she asked whether there had been an increased incidence of divorce since 1975. She commended the change in the law regarding the domicile of married women and asked what implications the change had in actual practice. She asked what percentage of aboriginal women exercised professions.

The public meeting rose at 3.30 p.m.