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Chairman: Mrs. Halima EMBAREK WARZAZI
(Morocco).

AGENDA ITEM 56

Draft Declaration on the Elimination of Discrimination against Women (*continued*) A/6303, chap. XI, sect. XIII, paras. 498-502; A/6349; E/4175, chap. II; A/C.3/L.1341/Rev.1, A/C.3/L.1383/Rev.1, A/C.3/L.1384-1386, A/C.3/L.1392, A/C.3/L.1400 and Corr.1, A/C.3/L.1401, A/C.3/L.1403, A/C.3/L.1406, A/C.3/L.1413/Rev.1

1. Mrs. POCEK-MATIC (Yugoslavia) said that discrimination against women was only one of the forms of denial of human rights and fundamental freedoms, and logically belonged in the same category as racial discrimination. Her delegation regarded the draft Declaration (A/6349, annex I) as a new international instrument to combat outmoded prejudices and harmful practices which denied human rights on grounds of sex. In its view, the Declaration should express the position of the international community not only in terms of what was possible and acceptable at present to the majority of States, but also in terms of a common aspiration towards which all efforts should be directed. It should be more specific than declarations normally were.

2. The aim of her delegation's amendments (A/C.3/L.1341/Rev.1) to article 1 of the draft Declaration was to emphasize that equality for women was not only their right but also a social necessity for every country and particularly for those countries where ancient traditions constituted a strong obstacle to women's advancement in society. It also emphasized that discrimination on grounds of sex was not only unjust but also harmful to the general development of a society.

3. Because her delegation felt that there was insufficient time for the Committee to study the amendments and prepare an adequate text, it supported, and had co-sponsored, the joint draft resolution in document A/C.3/L.1413/Rev.1.

4. Mrs. KEITA (Mali) said that contemporary woman was emerging from a condition of age-old inferiority to man and aspired to independence in order to be able to develop her personality and use her abilities fully for the benefit of society.

5. The preamble of the Mali Constitution reaffirmed the rights set out in the Universal Declaration of Human Rights, including equality between the sexes. Her country had therefore been concerned to provide its women citizens with a marriage code to protect them against infringements of their liberty and dignity before marriage, in marriage and in the event of the dissolution of marriage. A code on the guardianship of children was annexed to the marriage code. Malian women were thus entitled to take part, equally with men and in partnership with them, in the building up of the nation in every sphere, and her Government was making ever increasing efforts to promote the rapid emancipation of women.

6. The Economic and Social Council and the Commission on the Status of Women were to be commended for their efforts in preparing the draft declaration before the Committee. However, her delegation proposed the deletion of article 6, paragraph 1, subparagraph (d), on the right to choose domicile and residence, as it considered that a matter which should be left to the discretion of the married women.

7. Her delegation believed that, if the declaration was to be of practical value, the conditions prevailing in different countries must be taken into account.

8. Mrs. KOVANTSEVA (Byelorussian Soviet Socialist Republic) drew attention to the amendments submitted by her delegation (A/C.3/L.1406). The addition of the words "in a number of countries" at the end of the fourth preambular paragraph was necessary since the present text implied that discrimination against women existed everywhere. That was not in fact the case. Discrimination had been eliminated in the Socialist countries and series efforts were being made in the developing countries of Asia and Africa to ensure practical equality between the sexes. It would therefore be altogether unjust to place such countries on an equal footing with countries which restricted women's rights.

9. The principle of the equality of all citizens, regardless of sex, had been a corner-stone of the policy of the Soviet State for well-nigh fifty years, and article 96 of the Constitution of the Byelorussian SSR provided equal rights for men and women in all spheres of economic, public and political life. The Constitution also guaranteed equal rights in respect of work, remuneration for work, recreation, social security and education, and provided for public protection of the interests of mothers and children, public assistance to large families and unwed mothers, and many other facilities.

10. In her country, equality of rights was not merely a legislative principle but also a practical reality. Byelorussian women took an active part in the political,

economic and cultural life of the nation. In 1963, for instance, 151 women had been elected to the Supreme Soviet of the Republic, constituting nearly 36 per cent of all deputies. Fifty-nine women took part in the work of the standing committees of the Supreme Soviet of the Republic, and two served as deputy chairmen of the Supreme Soviet. In the local soviets, 34,919, or 43 per cent of all deputies were women. As a result of equal educational opportunities for men and women, women constituted one-half of the student bodies of the specialized, secondary and higher educational establishments. On 1 November 1965, there had been 5,426 women teachers.

11. Even those few examples showed that women enjoyed full equality of rights with men in the Byelorussian SSR. Her delegation's amendment to the preamble of the draft declaration was therefore necessary in order to avoid ambiguity.

12. The second amendment, to article 4, sub-paragraph (b), was intended to strengthen the Declaration. It was obvious that, if rights were to be put into effect, they must be not merely reflected in legislation but guaranteed.

13. Mrs. OULD DADDAH (Mauritania) said that her delegation, as a sponsor of the draft resolution in document A/C.3/L.1413/Rev.1, naturally supported the proposal that the draft Declaration should be reviewed by the Commission on the Status of Women and considered again by the General Assembly at its twenty-second session.

14. The Mauritanian Constitution established equal rights and duties for men and women. Contrary to common belief, Islam afforded women a number of important rights, particularly in respect of property. In that area, Moslem law was more advanced than Roman law. With regard to polygamy, although the practice was permitted under the Koran, it was virtually inexistent in practice. Women had enjoyed a privileged position in traditional Mauritanian society; having received a sound Arabic education, many of them had made brilliant contributions in the fields of law, medicine, literature and theology to the cultural heritage of their country.

15. At the same time, many difficulties confronted the women of her country today. Mauritanian society was in flux; it was moving very rapidly from a traditional, stable, balanced organization to a modern society with all its attendant problems. The people, suddenly and without preparation, had to face a new way of life, with new aspirations and new social, economic and national imperatives. Her country, and many other countries of the third world, would have to accomplish in record time what it had taken others decades or even centuries to achieve. The Declaration on discrimination against women could be of assistance in that regard. However, it was essential to take account of the time lag between the developing and the fully developed nations. Unfortunately, that had not been done in connexion with the draft declaration. Women in the developing countries should be helped to move from a traditional to a modern society without succumbing to the dangers inherent in too rapid transition; that was a psychological and sociological problem. Another problem—of an economic nature—was that of enabling as many girls

as possible in the developing countries to attend school. That was an area in which much could be done through international solidarity.

16. In moving towards a modern society, the women of the third world should not be encouraged to ape what was most superficial in western society; they should be helped to safeguard what was best in their own heritage. An organic society must be built up, based on the family unit. Equality of rights and duties was of course needed. However, woman, in the new society, must be enabled not only to work but also, and above all, to exercise her finest function, that of a mother. While it was clearly unjust to relegate women to household duties, it was equally unjust and inhuman, on the pretext of liberating them, to condemn them to a life of labour outside the home.

17. She hoped that the Commission on the Status of Women would take those points into account in its further work on the draft Declaration.

18. Lady GAITSKELL (United Kingdom) said that her delegation attached great importance to the Declaration on discrimination against women, and was therefore concerned that the text should not be a hasty and ill-considered one. Accordingly it supported the joint draft resolution (A/C.3/L.1413/Rev.1).

19. In her view, the Declaration should be addressed primarily to those many women who were still deprived of numerous rights and opportunities. It should therefore not be complicated by amendments which were too sophisticated and of minimal concern to women who had been denied the benefits of education. A case in point was one suggested amendment to article 6, on domicile.

20. Even in her own country, where women's rights were not in their infancy, they were still of relatively recent date. Thus the right to vote had been achieved only fifty years ago, the right to an equal voice in matters concerning children, forty years ago and the right to divorce on equal grounds some forty years ago.

21. She had been impressed by the statistics given by the USSR representative in describing the status of women in Kazakhstan. However, the rights of women in the United Kingdom, which the USSR representative had minimized, might still be a source of envy and inspiration to women in many countries.

22. In some countries, where men were very militant about their own rights and freedom, they were very reluctant to grant the same rights to their womenfolk, arguing that it was necessary to deal gently with customs and tradition. The emancipation of women, however, did not endanger men's masculinity, and greater participation of women in the social, political and economic life of their countries would make for speedier national development.

23. The Declaration should be a simple document and should concentrate on fundamentals. The first of those was the right of women to the same educational opportunities as men. That was far more important than the question of the name a woman bore after marriage. Other major rights were the right to vote, the right to equality before the law, the right to work at any job and to hold office. An article on

traffic in women was out of place in the Declaration; that subject should be dealt with under criminal legislation.

24. The right of women to equal opportunities with men could not be considered in a vacuum, or divorced from a woman's primary duty to her family. A woman with young children could not compete with a man in work and ambition, even if she so desired, and nothing could replace a mother's instinctive affection and care for her children. Every woman should have the opportunity of finding a balance between the fulfilment of her personality as a human being and the fulfilment of her family responsibilities. In that context, family planning was vitally important, and she would welcome an article promoting knowledge on that subject for women who desired it.

25. Her delegation would reserve for later its detailed comments on the draft declaration and the amendments thereto. Meanwhile it wished only to suggest the deletion of article 6, paragraph 1, subparagraph (d). It would prefer some more flexible formulation in article 10, paragraph 2, which now provided for a "guarantee" of return to former employment after maternity leave.

26. Mrs. SEKANINOVA-CAKARTOVA (Czechoslovakia) commended the Commission on the Status of Women for the draft Declaration (A/6349, annex I), which could serve as an excellent basis for discussion and, she hoped, early action. Although the draft was comprehensive and carefully prepared, many of the amendments submitted would help to improve the text. It had been studied with interest by her country which felt that a declaration on discrimination against women could be of great significance for women who had yet to obtain their emancipation. In addition to its moral value, the Declaration could serve as a basis for practical action to achieve equal rights for men and women everywhere. Czechoslovakia's experience proved that such equality was of great importance from the standpoint of human rights and individual development, and also from that of the development of the country as a whole.

27. Seeking to make the draft clearer and more precise, her delegation had submitted two amendments (A/C.3/L.1403). The first would protect the right of women not only to vote in all elections but also to be eligible for election to all elected bodies. The latter right was the necessary counterpart to the more passive right to full suffrage. The second amendment would bring the two clauses of article 11 into harmony and emphasize that observance of the principles contained in the Declaration must be preceded by their implementation.

28. Although she would have liked to see the Declaration adopted at the present session, she supported draft resolution A/C.3/L.1413/Rev.1 and was confident that the General Assembly would be able to adopt and proclaim the Declaration at its twenty-second session.

29. Mrs. WILLIAMS (Sierra Leone) expressed her appreciation to the Commission on the Status of Women, whose draft was a great contribution to the universal recognition of the equality of men and women. In the rapidly changing world of today, the need to accelerate

progress towards equal rights was of the utmost importance.

30. Under her country's Constitution, men and women were ensured equal rights and women were accorded their proper place in the community. They were active in all spheres of life and all professions, and she was proud to say that the mayor of Sierra Leone's largest city was a woman and that the cabinet of the central Government included a woman. Working women enjoyed the same conditions of employment as men and received equal pay for equal work. Sierra Leonean women were nonetheless good housewives and mothers. The family unit in African society was much larger than in Western society, however, and while the mother was at work there were always the grandparents or aunts to take care of the children at home.

31. Whatever changes were made in the draft Declaration, care should be taken to see that the final document still pursued the objectives of improving the lot of women in the world, widening the scope of their activities and removing the barriers which had been set up against their rights. Every effort should be made to move with the times, but without breaking up the family unit so dear to all women. The goal should be an active role for women both as individuals and as parents.

32. Because the Committee now lacked the time to give the draft declaration the very careful consideration it required, her delegation would support draft resolution A/C.3/L.1413/Rev.1.

33. Mrs. KATIGBAK (Philippines) said that she would not speak of the achievements of Philippine womanhood, considerable though they were, because what needed emphasis was not progress but problems.

34. It was often said that women should have equality. Her delegation agreed, but with certain qualifications. In the case of dissolution of marriage, women should have more than equality. In all court cases there was an aggrieved party, and in dissolution of marriage, because of the woman's emotional and physical nature and her responsibilities to home and family, she was the aggrieved party and should be recognized as such. The legal systems of many countries, including the Philippines, recognized that, especially in matters of custody of children and partition of property for support. Nor should the notion of equality be unconditionally applied to the principle of equal pay for equal work. It was a fact that in some countries, on the basis of the philosophy of total equality, women had been pressed into undertaking physically heavy labour for which nature had not intended or equipped them. From that standpoint, woman could not be the equal of man, and that inequality should be taken into account. Failure to do so could result in the neglect of woman's main responsibility in any culture, which was the home and the family. In short, care should be taken to give the word "equality" not a purely academic and intellectual substance, but its true and practical meaning.

35. Mrs. NOERTHEN (Denmark) considered that the draft Declaration should be as short and concise as possible. Excessively detailed provisions might have the effect of making the document too rigid. An example was the Greek amendment regarding the right of women to bear their family name together with that of their

husband (A/C.3/L.1383/Rev.1). A more flexible practice was entirely workable, and she much preferred the Greek representative's oral formulation to the effect that marriage should not automatically affect the name of a woman.

36. To her delegation, the key word in the relations between women and men was partnership, and even though the draft concerned the elimination of discrimination, it should stress the joint role of the two partners. Thus, the responsibility for all family affairs, including the upbringing of children, should be shared by both spouses. The same applied to the question of family planning, and in the otherwise acceptable United States amendment to article 9 (A/6349, annex II), she suggested that the opening words should read "Women as well as men are entitled to ..."; her delegation would even wish to allow both women and men the necessary medical assistance in that context.

37. In connexion with article 6, she observed that Scandinavian women had enjoyed personal and property rights for a long time without that affecting married life. She realized that there were other cultural patterns in the world, but believed that an effort should be made to look more to the future than to the past and present. She was accordingly unable to accept the Indian amendments calling for the insertion of the words "as far as possible" in article 6 (A/6349, annex II).

38. She hoped that the Committee would agree that the words "subject to the exceptions necessitated by the dangerous and arduous nature of the work" in article 10, paragraph 1, sub-paragraph (a) of the draft, were dangerous and should be deleted. Women had often been excluded from work they were quite fit to perform on the pretext that it was arduous. If protection of workers was needed it should be provided for all workers. She also considered that sub-paragraph (c) should provide for equality of treatment in the matter of survivors' benefits. In paragraph 2 of the same article the interests of women might be better safeguarded if it were specified that the costs of maternity leave should be met, not by the employer, but out of public funds.

39. She congratulated the Commission on the Status of Women. The draft it had prepared provided a good basis for further work. Her delegation supported draft resolution A/C.3/L.1413/Rev.1.

40. Mrs. AFNAN (Iraq) expressed support for the draft resolution before the Committee. She was confident that the Commission on the Status of Women, with its newly enlarged membership and its long-standing interest in the draft Declaration, would transmit an excellent document to the Third Committee at the next session.

41. Most of the amendments to the preamble of the draft took the same positive approach as the draft itself, namely, that the elimination of discrimination was not an end in itself but a way of promoting a fuller and more meaningful contribution by women to the social life of their country. She commended in particular the amendments to the preamble submitted by Romania (A/C.3/L.1384), Colombia and Jamaica (A/C.3/L.1401) and the USSR (A/6349, annex II). In connexion with the USSR amendment she drew atten-

tion to the extraordinary progress made by women in newly independent countries.

42. The Yugoslav amendments to article 1 (A/C.3/L.1341/Rev.1) proposed a valuable addition which deserved favourable consideration. Article 2, in her view, should not advocate the abolition of customs; even laws should not be abolished wholesale, since only certain of their provisions were likely to be discriminatory. Her delegation in the Commission on the Status of Women would propose the following formula for that article: "... to eliminate from existing laws, regulations and customs provisions and practices which are discriminatory against women". She supported the Swedish amendments to articles 3, 4 and 6 (A/C.3/L.1385). In connexion with article 6, she was glad to note that others opposed the reference to "the right to choose domicile and residence". The Belgian representative's suggestion was even less acceptable, because it implied even greater interference in personal matters between spouses which lay entirely outside the purview of the draft declaration. The reference to "the right to freedom of movement" in article 6 had no clear meaning, and she hoped that the Commission on the Status of Women would delete it. She welcomed the statements favouring the deletion of article 8; prostitution was a separate subject calling for criminal legislation. It did not seem relevant to the present declaration. Article 9, which dealt with education was of particular importance and UNESCO's outstanding work to eliminate discrimination in education deserved notice. That article pointed up the fact that the draft Declaration concentrated on the social aspects of discrimination against women and dwelt insufficiently on the economic aspects. That omission should be remedied in article 10. In that connexion she supported the USSR amendment concerning equal right to work (A/6349, annex II); it was well known that when there was unemployment work was usually given to men first, and although the traditional division of labour in families provided some justification for that, it should be seen to that women who needed work had an equal right to obtain it. Unlike the Philippine representative, she understood the word "equality" literally. Differences in circumstances were subject to change, and therefore the Declaration, which was to be of lasting value, should call for equality pure and simple.

43. The Byelorussian amendment to the fourth preambular paragraph (A/C.3/L.1406) raised an important issue and represented an approach with which she could not agree. She had been much impressed by the data which had been provided concerning professional employment of women in the USSR. But she had been equally impressed by the Finnish representative's statement that, despite the removal of obstacles in Finland, discrimination had not been completely eliminated because women had not taken advantage of such removal. That was a most significant lesson to be borne in mind. Another important point was that the removal of obstacles by legislation or the enactment of protective legislation did not provide any real solution. She had been deeply impressed by all the progress made in so many new nations and could say that, in her own country, despite significant advances, much remained to be done. All in all, the

Declaration was a necessity and she would welcome its adoption.

44. Mr. HANABLIA (Tunisia) welcomed the proposal in document A/C.3/L.1413/Rev.1 that the item under discussion should be taken up as a matter of high priority at the twenty-second session.

45. Since his Government's views on the subject of women's emancipation and progress were well known, he would merely point out that his country had made great strides towards meeting the great and complex problems facing it since it realized that it would not be possible to overcome under-development and to achieve full and genuine independence as long as one half of its population remained in a state of backwardness. It was for that reason that it had made great efforts to inculcate in Tunisian women an awareness of the part they could play in the life of society and in national development. The religion of Islam, far from being a brake on progress, was adaptable to changing conditions and circumstances and his Government's efforts to raise the status of women, although not yet fully successful, were becoming increasingly effective. His country had tried to take advantage of the experience gained by other countries during previous social revolutions and to adapt it to its traditions, possibilities and way of thought inherited from an ancient civilization which had undergone myriad foreign influences. Since independence, the personal status of women in Tunisia had greatly changed as a result of the adoption of legislation and other measures, which were being implemented in practice. Tunisia had also ratified all conventions of the International Labour Organisation concluded on the subject of women's rights to work.

46. Those steps, together with the effective work being done by the political parties and by national organizations of Tunisian women, both in the towns and cities and in rural areas, would not, however, suffice to solve the problem. What was needed was an intensive educational effort to make women fully aware of their role in society and to prepare them to play their full part in the life of the nation. That was a point which should be stressed in the draft Declaration. Unfortunately, the *leit-motiv* of the present text of that Declaration (A/6349, annex I), including its title, seemed to be the struggle for equality between men and women. His delegation believed that the whole concept of the Declaration should be revised to show that there was no battle between men and women, who played complementary roles in society, and that women, as well as men, should be full citizens having full and equal rights and duties. What was essential was to ensure that women as citizens were able fully to enjoy their rights under the law. Those rights would be surprisingly easy to achieve if women were prepared to play their full part in national life. They could be so prepared only through education. He hoped that that idea would be stressed by the Commission on the Status of Women.

47. In general, the amendments submitted improved the text of the draft Declaration; but that text would nevertheless require thorough revision.

48. Mr. ABOUL NASR (United Arab Republic) proposed that the words "the observations of Governments and" should be inserted after the words "taking

into account" in operative paragraph 1 of the draft resolution in document A/C.3/L.1413/Rev.1 and that the words "the nineteenth session of the Commission on the Status of Women, the forty-first session of the Economic and Social Council and" should be inserted after the words "the discussions at" in the same paragraph.

49. Mr. HOVEYDA (Iran) said that his delegation had decided not to sponsor draft resolution A/C.3/L.1413/Rev.1 because it felt that the discussion of so important a substantive item should not be scamped. If the draft was of unique historical significance as had been suggested, the Third Committee could scarcely decide, as the draft resolution proposed, to return the draft Declaration to its source, the Economic and Social Council, or expect the Council and the Commission on the Status of Women to do work which the Third Committee itself should do. It was hardly consistent to say in the draft resolution that the Committee had been unable to give adequate consideration to the draft Declaration and the amendments submitted to it and then to say that the Commission on the Status of Women should review that text bearing in mind the amendments submitted and taking into account the discussions at the twenty-first session of the General Assembly. What the Committee should say was that, while there was general support for the draft Declaration prepared by the Commission, many points in that text required revision and that the recently enlarged Commission, being both representative enough and small enough, was the most appropriate body to undertake that task. Moreover, in postponing other items, the Committee should not refer them back to their respective sources but directly to the General Assembly at its next session. The sponsors of the draft resolution in document A/C.3/L.1413/Rev.1 should revise their draft to give a better reason for the action they were proposing.

50. If the draft Declaration was as important as had been stated, how could the Third Committee dispose of it in four meetings and expect the views expressed in so short a period to enlighten the Commission when it revised the text? His country, which took pride in the progress it had made during the last few years in ensuring the rights of women and took great interest in the elimination of discrimination against women, considered the draft Declaration both necessary and useful, but felt that there were many serious gaps in the present text. Only one representative had so far discussed the draft Declaration article by article. If other members of the Third Committee had followed that example, that would have been helpful to the Commission. His delegation could not support the Byelorussian amendment (A/C.3/L.1406) to the preamble of the draft declaration unless it enumerated specifically what countries were meant. In any event there was some discrimination against women in all countries—and it was sometimes their own fault.

51. His delegation supported the Czechoslovak amendments (A/C.3/L.1403) and the Romanian amendments (A/C.3/L.1384), although their drafting might be improved. It had no comment to make on the Polish amendment (A/C.3/L.1400 and Corr.1) and no objection to the Yugoslav amendments (A/C.3/L.1341/Rev.1). On the other hand, it doubted that the Belgian amend-

ment (A/C.3/L.1386) served any useful purpose. In particular, he thought that that representative's reference to unhealthy neighbourhoods in connexion with the right to choose a domicile could not be related specifically to women and, in any event, bad living conditions were sometimes inescapable. The Greek amendment (A/C.3/L.1383/Rev.1) would make longer names which were already difficult to remember. In any case, human dignity did not depend on names.

52. The Colombian and Jamaican amendment to the sixth preambular paragraph (A/C.3/L.1401) was not entirely clear: did it mean that women should actively participate in the implementation of development plans—surely a goal of all Governments—or in planning, which was somewhat more difficult in view of the paucity of women specialists in that field. The first Swedish amendment to article 4 (A/C.3/L.1385) was illogical: surely "on equal terms" implied "without any discrimination". The Iraqi representative's oral amendment improved the text of the draft Declaration. His delegation would support that amendment and also the United Arab Republic oral amendment.

53. In his view, it was futile to set forth unrealizable ideals in the draft Declaration in view of the diversity

of conditions prevailing throughout the world. It should be borne in mind that all countries were not necessarily contemporary in all respects. The Commission's main concern in revising the draft Declaration should be to avoid creating difficulties which would prevent some countries from subscribing to the Declaration.

54. The president of a congress on the status of women recently held at Rome had said that the status of women had declined in recent years because women themselves did not want progress and had not taken advantage of gains made; if that was the case, then it was up to men to do more in the field of women's rights.

55. He was glad to learn from the USSR representative's statement at the previous meeting of the progress made by the women of Kazakhstan but regretted that representative's remark that those women had been subjugated as Oriental women before the 1917 Revolution. That was a survival of prejudice which his delegation deplored. Oriental women were not, and never had been, as subjugated as some people claimed.

The meeting rose at 1.15 p.m.