

# United Nations GENERAL ASSEMBLY

TWENTY-SECOND SESSION

Official Records



THIRD COMMITTEE, 1477th  
MEETING

Monday, 9 October 1967,  
at 3.30 p.m.

NEW YORK

## CONTENTS

Page

### Agenda item 53:

#### *Draft Declaration on the Elimination of Discrimination against Women (continued)*

<i>Article 2 (concluded)</i> . . . . .	67
<i>Article 3</i> . . . . .	69
<i>Article 4</i> . . . . .	69
<i>Article 5</i> . . . . .	70

*Chairman:* Mrs. Mara RADIĆ (Yugoslavia).

## AGENDA ITEM 53

Draft Declaration on the Elimination of Discrimination against Women (continued) [A/6678 and Corr.1, A/6703 and Corr.1, chap. XII, sect. XII; E/4316, A/C.3/L.1438, A/C.3/L.1439/Rev.1, A/C.3/L.1440/Rev.1, A/C.3/L.1441/Rev.1, A/C.3/L.1443/Rev.1, A/C.3/L.1444/Rev.1, A/C.3/L.1445/Rev.1, A/C.3/L.1446, A/C.3/L.1447, A/C.3/L.1449/Rev.1, A/C.3/L.1450, A/C.3/L.1451 and Corr.1, A/C.3/L.1453, A/C.3/L.1454]

### ARTICLE 2 (concluded)

1. Mrs. SIVOLOB (Ukrainian Soviet Socialist Republic) said that as the majority of delegations had already taken a position on article 2 and the relevant amendments she thought there was no need to continue the discussion. She knew that other delegations had further amendments and sub-amendments to submit on that article, but she thought the Committee should proceed to vote as soon as possible.

2. Mrs. RAJAGOPALAN (India) said that she could agree to the amendment submitted by Nigeria and Senegal (A/C.3/L.1440/Rev.1), in accordance with which the word "customs" would be deleted. Although it was certainly possible to abolish customs, the decision to do so was one which should be taken by the parliament of each country and not by a committee of an international organization. Her delegation also supported the New Zealand amendment (A/C.3/L.1444/Rev.1).

3. Mrs. HARRIS (United States of America), speaking in exercise of her right of reply, said that she wished to make it clear, in view of the apparent misunderstanding of her statement at the preceding meeting, that in her discussion of the abolition of customs such as polygamy, she had specified her own country, where polygamy had actually been suppressed by law. In reply to the observations made concerning racial segregation in the United States, she stated that many customs of racial segregation had likewise been suppressed by legislative measures.

4. Mrs. RAOELINA (Madagascar) said that she was in favour of keeping the word "abolish" in article 2, that she could not accept the Peruvian amendment (A/C.3/L.1439/Rev.1) and that she supported the amendments of Nigeria and Senegal (A/C.3/L.1440/Rev.1) and New Zealand (A/C.3/L.1444/Rev.1).

5. Mr. LAVALLE (Guatemala) was of the opinion that the wording of the first paragraph of article 2 proposed orally by Belgium at the 1476th meeting was excellent from the standpoint of both style and conciseness, and solved the problem posed by the word "abolish". He therefore hoped that Belgium would submit the amendment in writing.

6. Mr. SCHREIBER (Secretariat), replying to a question asked by the representative of Belgium, said that the latter's proposal constituted a sub-amendment. Accordingly, there would appear to be no reason why it should not be circulated even though the time-limit for the submission of amendments had expired.

7. Miss MARTINEZ (Jamaica) noted that article 2 referred to measures which Governments should take directly, whereas article 3 referred to measures which Governments should take indirectly by influencing public opinion. Her delegation could not support the Nigerian-Senegalese amendment, for while it might not be possible to abolish certain customs there were others which were so inhuman and degrading that their direct eradication by Governments was justified. She agreed with the Indian representative that the Declaration could not oblige Governments to do anything but could only exhort them to take certain measures. After consulting the most authoritative dictionary published in the United Kingdom, she could confirm the United States representative's assertion that the word "abolish" could be used in English with regard to customs. Finally, she thanked the New Zealand delegation for deleting the words "as appropriate" in its amendment which would enable her delegation to support the text as thus revised (A/C.3/L.1444/Rev.1).

8. Mr. BARREIRO (Spain) agreed with the representative of the Ukrainian Soviet Socialist Republic that there had been enough discussion of article 2 and the relevant amendments. He thought that the difficulties encountered in that connexion were due to the fact that while the article was intended to ensure legal protection for the rights of women it referred to problems which could not be solved by legal means. His delegation supported the Nigerian-Senegalese amendment (A/C.3/L.1440/Rev.1) calling for the deletion of the word "customs", but if it was not found acceptable he would submit the following sub-amendment: "All necessary measures shall be taken to establish adequate legal protection for equal

rights of men and women, in particular: (a) Measures shall be taken to reform laws and regulations and prohibit customs which are discriminatory against women". The rest would remain unchanged.

9. Mr. RICARDO (Colombia) said that if the delegations which had proposed amendments could not reach agreement his delegation would prefer to keep the original text.

10. Mr. VAN TILBURG (Netherlands) said that he was in favour of the original text of the article and that he shared the United States representative's opinion on the desirability of using the term "abolish". His delegation supported the amendments submitted by New Zealand (A/C.3/L.1444/Rev.1) and by Nigeria and Senegal (A/C.3/L.1440/Rev.1).

*Mr. Nettel (Austria), Vice-Chairman, took the Chair.*

11. Mrs. SIPILA (Finland), speaking in exercise of her right of reply, explained that her delegation thought the United Nations could only recommend Governments to abolish discriminatory practices. Her delegation would vote against the Nigerian-Senegalese amendment and in favour of the original text.

12. Mr. SANCHEZ GAVITO (Mexico), addressing himself in particular to the delegations of the United Arab Republic, Morocco and India, said that when his delegation voted in favour of the abolition of discriminatory customs it would do so not with the intention of obliging those three countries to abolish them but solely with the intention of bringing about their abolition in Mexico. He agreed with the United Kingdom representative that the Declaration should be like a call to arms and place a moral obligation on Governments but should not invade their sphere of competence or seek to abolish a right which was of divine origin. He noted, moreover, that the dictionary of the Spanish Academy agreed with Webster on the applicability of the word "abolish" to customs. He therefore disagreed with the Spanish representative's view concerning the impossibility of abolishing customs. There were many examples in history of the direct abolition of customs, including the abolition of many customs in the territory now known as Mexico by Spain itself and the admirable reform that took place in Turkey during the 1920's. His delegation would be in favour of using the word "abolish" if a better one could not be found.

13. Mr. SANON (Upper Volta) said that in order to help the Committee finish its work he would withdraw the amendment submitted by his delegation at the preceding meeting. His delegation would support whatever text was approved by the Committee. With regard to the revised text of the New Zealand amendment (A/C.3/L.1444/Rev.1), he thought that the original text of the amendment was better and that the formulation proposed by France at the 1476th meeting was more acceptable.

14. Mr. KOITE (Mali) thought that it would not be realistic to use the word "abolish" in the introductory paragraph of article 2 because customs which had been in force for centuries could not be abolished. The best method would be to educate the public with regard

to practices based on the supposed inferiority of women so that those practices would gradually die out. His delegation was against keeping the paragraph in its present form and supported the amendment submitted by Nigeria and Senegal (A/C.3/L.1440/Rev.1). He would also suggest, with a view to speeding up the Committee's work, that the debate on that matter should be closed.

15. Mr. RIOS (Panama) said that in order to enable the discussion to proceed more rapidly his delegation would withdraw its sub-amendment (A/C.3/L.1454) to the Nigerian-Senegalese amendment to article 2. In his view, the original text could not be improved upon and it should be approved by the Committee.

16. Mr. FOUM (United Republic of Tanzania) expressed satisfaction that the Committee seemed to be about to reach agreement on the paragraph in question. His delegation had not been able to detect any fundamental differences between the positions set forth. All the speakers seemed to agree that there were certain irregularities in society and that something must be done to correct the situation. It would be too much to ask peoples to try to abolish their customs overnight; the proper course would be to teach them to accept the standards which were gradually being accepted throughout the world. In many countries customs were simply a faithful reflection of prevailing religious beliefs, and since religions were not willing to alter their principles it could not be demanded that peoples should change their age-old practices.

17. The amendment submitted by Nigeria and Senegal seemed to him to offer a satisfactory solution. He sympathized with those who wished to abolish by law customs which were discriminatory against women but he did not think any of the delegations represented in the Committee would be opposed to a process of re-education of the public aimed at modifying such customs. Everyone should recognize the historical development of society. His delegation appreciated the spirit in which the sub-amendment of the Democratic Republic of the Congo had been submitted but it had certain misgivings about it, for it did not wish to see peoples prevented from enjoying their customs. He therefore hoped that the delegation of the Congo, in order to facilitate the Committee's work, would not press for a vote on its sub-amendment.

18. Mr. LUSINGA (Democratic Republic of the Congo) withdrew his sub-amendment (A/C.3/L.1450).

19. Mr. A. A. MOHAMMED (Nigeria) remarked that the Nigerian-Senegalese amendment had been misinterpreted by some speakers. Certain countries had made such progress in protecting women's rights that they could combat discriminatory practices by means of legislation; but anyone who thought that the same could be done in other parts of the world, such as Asia and Africa, was unduly optimistic. Countries in those regions could not be asked to legislate against their customs; moreover, they had other procedures for eradicating those customs which were prejudicial to women and to the family. What mattered was to promote the eradication of those customs by every possible means, including education and propaganda.

20. He agreed with the Mali representative's suggestion and formally proposed closure of the debate on article 2.

21. After a short procedural discussion, in which Mr. SANCHEZ GAVITO (Mexico), Mr. VAN TILBURG (Netherlands), Mrs. EMBAREK WARZAZI (Morocco), Mr. A. A. MOHAMMED (Nigeria) and Mr. VERMEYLEN (Belgium) took part, Mr. TECKLE (Ethiopia) stated that his delegation opposed the closure of the debate.

*The motion for the closure of the debate on article 2 was approved by 61 votes to 9, with 18 abstentions.*

*The sub-amendment of Belgium (A/C.3/L.1453) to the amendment of Nigeria and Senegal to the introductory paragraph (A/C.3/L.1440/Rev.1) was rejected by 52 votes to 18, with 33 abstentions.*

*The amendment of Nigeria and Senegal to the introductory paragraph (A/C.3/L.1440/Rev.1) was rejected by 46 votes to 33, with 20 abstentions.*

*The introductory paragraph (A/6678 and Corr.1, annex I) was adopted by 71 votes to 1, with 23 abstentions.*

*The amendment of New Zealand to sub-paragraph (a) (A/C.3/L.1444/Rev.1) was adopted by 37 votes to 24, with 29 abstentions.*

*Sub-paragraph (a) (A/6678 and Corr.1, annex I), as amended, was adopted by 74 votes to none, with 17 abstentions.*

*The amendment of Nigeria and Senegal to sub-paragraph (b) (A/C.3/L.1440/Rev.1) was adopted by 71 votes to 1, with 13 abstentions.*

*Sub-paragraph (b) (A/6678 and Corr.1, annex I), as amended, was adopted by 74 votes to none, with 1 abstention.*

*Article 2 as a whole, as amended, was adopted unanimously.*

### ARTICLE 3

22. Mr. A. A. MOHAMMED (Nigeria), speaking for both sponsors, withdrew the Nigerian-Senegalese amendment to article 3 (A/C.3/L.1440/Rev.1) in the light of the voting on article 2.

*Article 3 (A/6678 and Corr.1, annex I) was adopted unanimously.*

### ARTICLE 4

23. Mr. PAREJA (Peru) said that his amendment to article 4 (A/C.3/L.1439/Rev.1) was intended to remedy the original drafting, which was unduly analytical: a definition should be concise and brief. Moreover, since the New Zealand amendment to article 2, paragraph (a) had been adopted, so that the paragraph now read: "The principle of equality of rights shall be embodied in the constitution or otherwise guaranteed by law", the closing sentence of article 4, "Such rights shall be guaranteed by legislation," was redundant. Consequently, if his amendment should be rejected, he would ask for a separate vote on the closing sentence of article 4.

24. Mr. VERMEYLEN (Belgium) stated that he favoured all amendments that would simplify the text of the draft Declaration, and he therefore supported

the Peruvian representative's proposal in principle. He warned, however, that omission of the reference to elections might be interpreted in the opposite sense than that intended, since in some countries public office was held by direct appointment from the executive power, no elections being involved.

25. Mrs. SIPILA (Finland) thought it advisable not to depart from the terminology used in other international conventions, such as the Convention on the Political Rights of Women.

26. Mrs. EMBAREK WARZAZI (Morocco) agreed with the Belgian representative's comments on the Peruvian amendment.

27. Mr. PAREJA (Peru), with a view to meeting those objections, proposed that the present paragraphs (a), (b) and (c) should be replaced by the following "(a) The right to vote and be elected in all public elections; (b) Access to all public functions and public office in their country".

28. Mrs. EMBAREK WARZAZI (Morocco) said she would prefer paragraph (b) to begin with the words "The right to hold," that wording being more explicit than the Peruvian representative's suggestion.

29. Mr. PAOLINI (France), supported by Mr. BEAULIEU (Haiti), said that an election was not a referendum and that the formula proposed by the Peruvian representative would exclude women from referendums, thereby denying them a right recognized by law in many countries.

30. Mr. PAREJA (Peru) remarked that referendums were also public elections. He stressed that the last paragraph of the article was unnecessary because it was covered by the New Zealand amendment to article 2, which had been adopted. He accepted the Moroccan representative's suggestion.

31. Mr. ABOUL-NASR (United Arab Republic) stated that, despite the changes made by the Peruvian representative in his amendment, he preferred the original text of the article.

32. Mrs. AFNAN (Iraq) observed that, to the best of her recollection, the present text of the article virtually reproduced an article in the Convention on the Political Rights of Women, and should therefore not be amended. Paragraph (c) stated an important point and she thought the Peruvian representative had been hasty in proposing its deletion. The original text was satisfactory and she would vote for it.

33. Mr. UY (Philippines) said that the Peruvian amendment merely deleted some parts of article 4. The inclusion of the words "in their country" limited and weakened the article. The draft proposed by the Peruvian representative simply paraphrased the original text. For that reason his delegation would vote against the Peruvian amendment and for the original text.

34. Mrs. SEKANINOVA-CAKARTOVA (Czechoslovakia) felt that the Committee was discussing a very important provision. She associated herself with the position taken by the representatives of France and Finland. It would be best not to look for a different formulation than that used in existing instruments. The term "public elections" seemed unnecessarily

restrictive, and she urged that the original text of the article should be retained.

35. Mrs. SIVOLOB (Ukrainian Soviet Socialist Republic) said that article 4 of the original text adequately enunciated the political rights of women, and her delegation would therefore vote for it.

36. Mr. VERMEYLEN (Belgium) thought that the Peruvian representative's amendment was not clearly phrased. A referendum was not necessarily a plebiscite, as the Peruvian representative had implied in saying that the word "elections" included referendums.

He therefore hoped that the Peruvian representative would withdraw his amendment.

37. Mr. PAREJA (Peru), in deference to the views expressed, withdrew his amendment.

*Article 4 (A/6678 and Corr.1, annex I) was adopted by 91 votes to none, with 1 abstention.*

#### ARTICLE 5

*Article 5 (A/6678 and Corr.1, annex I) was adopted by 89 votes to none, with 1 abstention.*

*The meeting rose at 6.15 p.m.*