

**REPORT
OF THE COMMITTEE
ON THE
ELIMINATION OF DISCRIMINATION
AGAINST WOMEN**

(Fifth session)

**GENERAL ASSEMBLY
OFFICIAL RECORDS: FORTY-FIRST SESSION
SUPPLEMENT No. 45 (A/41/45)**



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LETTER OF TRANSMITTAL

21 March 1986

I have the honour to refer to article 21, paragraph 1, of the Convention on the Elimination of All Forms of Discrimination against Women, according to which the Committee on the Elimination of Discrimination against Women, established pursuant to the Convention, "shall, through the Economic and Social Council, report annually to the General Assembly of the United Nations on its activities".

The Committee on the Elimination of Discrimination against Women held its fifth session from 10 to 21 March 1986. It adopted the report of that session at its 83rd meeting, held on 21 March 1986. The report is herewith submitted to you for transmission to the General Assembly at its forty-first session.

Accept, Sir, the assurances of my highest consideration.

(Signed) Desirée P. BERNARD

Chairperson of the Committee on
the Elimination of Discrimination
against Women

His Excellency
Mr. Javier Pérez de Cuéllar
Secretary-General of the United Nations
New York

I. INTRODUCTION

A. States parties to the Convention

1. On 10 March 1986, the opening date of the fifth session of the Committee on the Elimination of Discrimination against Women, there were 85 States parties to the Convention on the Elimination of All Forms of Discrimination against Women, which was adopted by the General Assembly in resolution 34/180 of 18 December 1979 and opened for signature, ratification and accession in New York on 1 March 1980. In accordance with article 27, the Convention entered into force on 3 September 1981.

B. Sessions of the Committee

2. The Committee on the Elimination of Discrimination against Women held its fifth session from 10 to 21 March 1986 at United Nations Headquarters, New York. The Committee held 20 (64th to 83rd) meetings.

3. The fifth session of the Committee was opened by the Chairperson, Ms. Desiré Bernard (Guyana), who welcomed the members. The Assistant Secretary-General for Special Assignments of the Department of International Economic and Social Affairs drew attention to the Nairobi Forward-looking Strategies for the Advancement of Woman, 1/ which were adopted by the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace and which, inter alia, recognized the persistence of de facto and indirect discrimination despite significant progress achieved over the Decade in the area of legal provisions and guarantees. He pointed out that the Convention was one of the major achievements of the United Nations Decade for Women and, as reflected in the Forward-looking Strategies, Governments that had not yet done so were urged to ratify and to accede to the Convention. He reported that, since the last session of the Committee, 20 additional States had become parties to the Convention, making a total of 93 States that had signed the Convention and 85 States that had ratified or acceded to it, of the 85 States, 21 were African, 12 Asian, 11 Eastern European, 23 Latin American and 18 Western and other States.

4. The Assistant Secretary-General drew the attention of the Committee to the critical financial situation of the Organization and the need for co-operation in matters relating to the servicing of the meeting and to other aspects of the Committee's work. He also called the Committee's attention to General Assembly resolutions 40/3 of 24 October and 40/10 of 11 November 1985 concerning the observance of 1986 as the International Year of Peace and the Assembly's invitation to organs and subsidiary bodies of the United Nations to commemorate that observance.

5. The Assistant Secretary-General also paid tribute to the contribution made by Mrs. Leticia Shahani to the work of the United Nations during her tenure as Assistant Secretary-General for the Centre for Social Development and Humanitarian Affairs of the Department of International Economic and Social Affairs and wished her success in her new position with the Government of the Philippines.

6. In accordance with rule 17 of the Committee's rules of procedure, the Committee agreed that the Co-ordinator for the Improvement of the Status of Women in the Secretariat of the United Nations, Mrs. Mercedes Pulido de Brigenço, should

address the Committee briefly at its 70th meeting, on 13 March 1986, concerning the situation of women working in the Secretariat. The co-ordinator referred members to a report by the Secretary-General submitted to the General Assembly at its fortieth session on personnel questions and the programme of action approved by the Assembly at its fortieth session on the improvement of the status of women in the Secretariat (A/C.5/40/30). That programme contained a two-year work plan dealing with women's recruitment, career development, training, conditions of service and grievance redress systems. The intent of the work plan was to encourage a change in behaviour that would lead to a change of attitudes. She said that international organizations had to strive to be models for society at large and not merely reflect the status of women in Member States.

7. She expressed the hope that the members in the Committee would influence their own countries and would thus be able to bring about a change in opinions regarding the status of women in the Organizations.

8. The Committee felt that immediate steps should be taken to eliminate all discrimination against women within the United Nations organizations, that women should be fully integrated into all policy-making levels, and that this process should not be inhibited by financial constraints.

C. Attendance

9. All members of the Committee, except Ms. Biryukova, attended the session. Ms. Biryukova excused her absence because of her promotion to a higher post. The Committee commended Ms. Biryukova for her achievement. Mr. Ilic, Ms. Sineglorjia, Mr. Lechawicz, Ms. González-Martínez and Mr. El-Fetouh arrived later because of obligations connected with their work.

D. Agenda

10. At its 64th meeting, the Committee considered the provisional agenda contained in document CEDAW/C/11. The agenda was adopted with an amendment to item 5.

11. The agenda, as adopted, was as follows:

1. Opening of the session.
2. Adoption of the agenda and other organizational matters.
3. Format and content of the Committee's reports.
4. Consideration of reports submitted by States parties under article 18 of the Convention.
5. Ways and means of implementing article 21 of the Convention.
6. Consideration and adoption of the Committee's report on its fifth session.

II. ORGANIZATION OF WORK

A. Working Group

12. At its 64th and 65th meetings, the Committee discussed and agreed to set up an open-ended working group to consider and suggest ways and means of improving the efficiency of the work of the Committee.

13. The Working Group was composed of:

Ms. Lucy Smith (Norway) - Chairman of the group;

Ms. Elieabeth Evatt (Australia) ;

Ms. Vesselins Peytcheva (Bulgaria) ;

Ms. Firqit Singegiorqie (Ethiopia) ;

Ms. Vinitha Jayasinghe (Sri Lanka).

14. It was also decided that the Committee, in observance of the International year of Peace (1986), should prepare a statement on peace to be drafted by the Rapporteur, Me. Edith Oeser (German Democratic Republic), assisted by Ms. Marie Caron (Canada) and Ma. Chryeeanthi Laion-Antonian (Greece) (CEDAW/C/SR.64 and 65).

B. Recommendations of the Working Group

15. At its 80th, 81st and 82nd meetings, on 20 and 21 March 1986, the Committee considered the recommendations of the Working Group. The Secretary of the Committee informed the experts that 9 further reports had been received in addition to the 26 already considered and that there was a backlog of 30 reports. The situation would worsen if the Committee decided to examine only eight reports at a time. Regarding statistical data, she informed the Committee that the efforts made by the Statistical Office in the preparation of the report on selected statistics and indicators on the status of women (A/CONF.116/10) for the World Conference had resulted in the initial phase of establishing a data bank on women in the Centre for Social Development and Humanitarian Affairs. This data bank consisted at present of a selection of data available in the United Nations system on women. The present data therefore originated from Member States and covered such areas as education, demography, health, labour force and other issues. Procedures were presently being studied in co-operation with the Statistical Office for updating and expanding the data base with the co-operation of the United Nations system.

16. Recommendations made by the Working Group included the following: that the initial reports and subsequent quadrennial reports be submitted on time, in accordance with article 18.1 (b) ; that the Bureau should meet with the secretariat of the Committee one day before the beginning of the session in order to discuss matters relating to the session and that procedural or administrative matters should be submitted to the secretariat before the session for appropriate consultations; that the financial implications of establishing sessions of longer duration should be examined and that the Committee should examine only eight reports per each session of 10 days in order to discharge its duties responsibly;

that when examining the report of a State party questions should be organized by subject; that States parties should be requested, through an addendum to the guidelines on reporting, to submit comprehensive statistical information when the latter was available in the country concerned.

17. Members of the Committee agreed with the full Implementation of article 18.1 (b) and a general recommendation had been prepared in this regard.

18. Most experts felt that the Bureau should be free to decide whether it should meet with the secretariat prior to any session, while others felt that it might be useful to do so on a regular basis.

19. A representative of the Department of International Economic and Social Affairs informed the Committee of the financial implications related to the extension of the regular sessions of the Committee by five working days and made an appeal on behalf of the Secretary-General to bear in mind the present financial crisis that the United Nations was facing.

20. Members of the Committee considered the implications of requesting longer sessions in the light of the present financial crisis faced by the United Nations. Some experts agreed that the Committee should look into the possibility of both having the bureau arrive earlier at the venue of the session, at least one day before, and of extending the length of each meeting by one hour and also by holding night meetings. Some experts also expressed concern that extension of the session would require an amendment to article 20 of the Convention, while other experts pointed out that the article was not mandatory in its provision of 10 days.

21. There was general agreement that States parties and the Economic and Social Council should be informed about the constraints faced by the Committee in regard to the backlog of reports awaiting examination and the short time allotted for their consideration. It was also agreed that, under the present conditions, not more than eight reports should be examined at each session of 10 days' duration.

22. In regard to the format of questions asked by experts, it was felt that it should be the prerogative of the individual experts to decide whether to repeat a question. It was agreed that experts would endeavour to ask questions in the same order as the articles of the Convention.

23. Most experts agreed that statistical information was essential for the consideration of the status of women (in a State party) and a very helpful tool for comparative analysis. One expert also suggested that more information on the situation of rural women as agricultural producers and of women in the primary sectors would be most helpful. Some members also felt that to ask for additional statistical data would represent a burden that States parties and, in particular, developing countries might not be able to meet owing to a lack of necessary infrastructure to collect such information.

24. It was agreed that the checklist proposed by most members of the Working Group on areas where statistical information would be most helpful could be used by experts while considering reports of States parties on the implementation of the Convention as well as by the secretariat in preparing the sessions of the Committee.

25. The Committee welcomed the readiness of the secretariat to provide experts with statistical data on the status of women of the States parties whose reports were under consideration by the Committee.

26. In addressing States parties in connection with the forthcoming consideration of their periodical reports by the Committee, the secretariat should also draw their attention to the importance given by the Committee to the general guidelines on the form and contents of States parties reports under article 18 of the Convention and, in particular, to paragraph 5 of the general guidelines whereby the provision of data about the overall realities and general conditions existing in respective countries is recommended.

C. Format and content of the Committee's report

27. During discussions on agenda item 3, "Format and content of the Committee's report.", the Chairperson read communications from the Chairperson of the Committee on Conferences, dated 20 February 1986, and a letter dated 22 January 1986 from the Secretary-General addressed to all Permanent Missions regarding provisions for the rationalization of documentation and length of reports. The Committee took note of the above communications and of the recommendation of the Committee on Conferences on the issuance of abbreviated summary records.

28. The Committee, at its 65th meeting, taking into account the overall critical financial situation of the Organization, agreed on the need to limit its documentation. It also decided to have abbreviated summary records of its meetings.

29. The Committee expressed its concern at the non-availability of summary records before and during the adoption of its report.

III. CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION

A. Introduction

30. The Committee considered item 4 of its agenda at its 66th to 80th meetings, held from 11 to 14 and 17 to 20 March 1986 (CEDAW/C/SR.66-80).

31. The Committee had before it for consideration eight initial reports that had been submitted by the following States parties to the Convention: Czechoslovakia, Denmark, Ecuador, El Salvador, Mongolia, Portugal, Venezuela and Viet Nam. The reports were presented to the Committee in the order followed below.

B. Consideration of reports

Denmark

32. The Committee considered the initial report of Denmark (CEDAW/C/Add.22) at its 66th and 72nd meetings, on 11. and 14 March (CEDAW/C/SR.66 and 72).

33. The representative of Denmark, in her introduction of the country report, stated that the report was completed in 1984 and was prepared by the Danish Government with the involvement of the whole Government administration. Her presentation of the report included the provision of a booklet of statistical data.

34. The representative of Denmark informed the Committee that the official work on equality between men and women began in 1975 with the establishment of the Equal Status Council. However, even before that, organizations for women have played an important role in, for example, obtaining the right to vote in 1915 and in discussions on important issues facing the Government. The proportion of women holding elected offices has been rising over the years and at present it stands at 26.3 per cent, but organizations for women as well as the Danish Parliament have considered that improvement is required. The new bill on equality between women and men in connection with electing members to public councils, committees, etc. passed in April 1985 seemed to have had a positive effect already.

35. It was pointed out that the number of women in the labour force had increased from 49.1 per cent in 1967 to 64.2 per cent in 1984. However, at the end of 1985, the unemployment rate for women was 11 per cent as compared with 6.8 per cent for men. Some of the reasons for this may lie in the fact that women chose fewer lines of work than men. However, campaigns and educational programmes for women have begun to increase the opportunities that are available to women. Equal opportunity consultants have also been appointed to deal with this question. Because of the sexually segregated labour market, in addition to the differences in length of service and academic attainment, there was also a discrepancy in salary scales for men and women.

36. The representative of Denmark drew attention to the Maternity Leave Act dated 21 February 1984 providing for maternity leave of 4 weeks prior to childbirth and up to 24 weeks following childbirth, with 10 weeks also provided to the father. However, there are still instances, it was noted, of discriminatory practices in employment conditions connected with pregnancy and childbirth.

37. The **representative** of Denmark referred to the decline in the number of contractual marriages, the **increase** in the divorce rate and **in** consensual unions. Reference was also made to recommendations emanating from a committee established to deal with rape victims. The question of domestic violence in Denmark has been given a great deal of attention and centres have been established to deal with such problems.

38. A considerable amount of money has been given to Danish research on women.

39. There have been improvements in the collection of statistics and research on the status of women and collaboration has also been established with the Parliament of Greenland. Since the ratification of the Convention, the Danish Parliament has amended legislation **relating** to certain **aspects** of old-age pensions to ensure equality of men and **women**, and reforms **t** the taxation system are presently being considered.

40. The representative of Denmark informed the Committee that following the Nairobi Conference, the Danish Parliament has **requested** the formulation of a national plan of action on equal rights by January **1987**.

41. Members of the Committee commended the Government of Denmark for its **report**, which clearly reflected the commitment of the Danish Government to implement the **articles** of the Convention. It was observed from the report that the **ratification** of the Convention had not **per se** been of **great** significance in eliminating **discrimination** against women in Denmark, but that the establishment of the Equal Status Council in 1975 was the most important measure adopted in this respect. Nevertheless, the **provisions** of the Convention do serve as a basis, binding **upon** Denmark under international law, for a **corresponding** set of domestic rules of law.

42. Some members of the Committee noted that while there was much evidence of legislation, rules and regulations and programmes relating to the elimination of discrimination against women in Denmark, discrimination in **some** areas **continued** to persist in modern Denmark **and** the difficulty of changing attitudes continued to be a matter that required attention, as with other countries. It was important, therefore, several experts pointed out, to **assess** the **obstacles** encountered. At the same time, it was noted as **encouraging** that quite an amount of affirmative action **programmes** were being carried out in different fields.

43. Many **members** expressed interest in obtaining more **statistical** data, particularly in education, employment and social benefits, as well as **demographic** data.

44. More information, particularly in terms of statistical data, was requested on pre-school facilities, literacy rates, levels of **education** between males and females, academic attainment and the corresponding careers which were followed, types of jobs chosen, **including** employment and unemployment rates and vocational programmes. One expert asked whether education was free in Denmark **and until** what age was **schooling** compulsory.

45. Several members requested **more** data on women working at home whether part-time employment was **included** in the **figure** given for female participation in the labour **force**; and whether part-time employment and employment at home affected the provision of social **security**, health and other benefits. One expert **also asked** whether women had **equal** access to credit.

46. Some members expressed interest in knowing whether there were statistical data on the number of men taking paternity leave whether pensions were affected by maternity and paternity leave, and what pre-school facilities were available and at what cost. Questions were also raised on the low birthrate, whether it was compatible with Denmark's population policies, whether there were any incentives given to achieve national goals in this area, and whether family planning programmes had a significant impact. Some members also requested statistics on the marriage age for men and women. One expert requested information on the rights given to women with regard to abortion.

47. Some members requested details on legislation against discrimination advertising and on the new act on women's representation in committees, etc. It was asked whether any evaluation had been carried out on the effectiveness of the Equal Opportunities Act and whether the Act was only an anti-discrimination act not making affirmative action a general obligation.

48. Some questions were raised on laws concerning violence against women and on the criminal justice system in the context of female offenders and victims. One expert questioned whether prostitution was considered an offence under Danish law and whether all parties involved were liable. The question of pornography was also raised by one expert.

49. Some members noted the high divorce rate and asked whether laws for division of property took into account the different roles, earning levels, etc. of the spouses. With regard to cohabiting unions, clarification was also requested on the division of property and rights of children if any involved.

50. More statistical information was requested on the participation of women in such areas as political parties, decision-making posts in the Government, the legal system and in international forums, as well as in the armed forces.

51. One expert wondered whether the principles of the Convention would be incorporated into the Constitution of Denmark, since such action would avoid changes of views that may be held by different political parties at different times.

52. The representative of Denmark, in responding to the questions raised, expressed regret that the report did not have sufficient statistical data and informed the Committee that such data would be included in the next report.

53. In response to questions concerning demographic matters, the representative stated that out of a population of 5 million people in 1985, women numbered 2,594,000 and the larger number of women was mainly because they lived longer than men in Denmark. She also stated that infant mortality was negligible.

54. With regard to questions concerning the Equal Status Council, the representative pointed out that recommendations from the Council were often implemented by the authorities, particularly since there was an official goal and policy for improving the situation of women in Denmark. The Equal Status Council had also dealt with more than 90 cases of discrimination in the labour market, many of which were concerned with the training of women for jobs that were traditionally held by men.

55. With regard to the question concerning the possibility of incorporating the principles of the Convention into the Danish Constitution, the representative replied that, while there had not been a change in the Constitution since 1953, the

date of the amendment making it possible for Denmark to have a female monarch, there had not in practice been any difficulty in translating international instruments into national legislation where necessary, and domestic rules were interpreted in accordance with Denmark's international obligations.

56. In response to questions concerning elected officials, the representative informed the Committee that with the new bill on equality of April 1985, approximately 25 per cent of the appointed members of the newly established committees were women. Moreover, the new bill has provided that the appointing authorities and organisations are required to appoint two persons, one of them being a woman, and that that would undoubtedly help to improve the representation of women on the committee. The Equal Status Council was also active in encouraging the political parties to promote more representation of women in the political parties. Two parties in Denmark had also taken positive action in order to improve women's representation. While there were at present no women holding high posts in the Foreign Office, there was one female judge on the Supreme Court, and it was expected that more women would be occupying higher posts in the near future, especially since more women were now rising through the ranks.

57. With regard to questions concerning discriminatory advertisements, the representative stated that both the Consumer Affairs Ombudsman and the Equal Status Council could request the withdrawal of such advertisements? non-compliance would result in a court case.

58. About 25 per cent of the men in Denmark had made use of the provisions under the Maternity Leave Act for leave of two weeks after the birth of his child. Only 5 to 10 per cent had made use of the 10 weeks' leave that he was sharing with the mother, since that meant a reduction of 10 per cent from his salary during his leave. The Ministry of Labour was reviewing favourably measures to ensure that those who had taken maternity leave would not suffer economic losses in terms of salary and pension rights.

59. The representative of Denmark informed the Committee that single parents received a higher family allowance and discussions were presently under way for better support for families. There was a strong network of child-care facilities in Denmark, a third of their resources being financed by public communities.

60. Health services in Denmark, the representative replied, were free and there were special facilities for pregnant women. In Denmark abortion was legal and free.

61. The representative of Denmark informed the Committee that even though domestic science and needlework were obligatory subjects for both boys and girls at school, women ended up performing three times as much household duties as men, but that this was gradually changing, particularly since men were beginning to be aware that their non-participation in household duties was often cited among the grounds for divorce.

62. In reply to questions, the representative informed the Committee that prostitution was not illegal in Denmark. It was neither encouraged nor subject to punishment, but women were encouraged to have a "normal" job as well, which was considered necessary for their survival. Child pornography was forbidden and other pornography was becoming less visible and less important an issue since women were beginning to find other kinds of work for support.

63. The representative indicated that women's organizations in Denmark were mostly private but basic expenses were usually covered by public funds.
64. The representative responded that adopted children received the nationality of their parents. In cases of divorce or separations, mothers usually were given custody of the children but, under new legislation, it was common to find joint custody.
65. Schools were now beginning to encourage girls to take courses that would enable them to seek employment in labour markets traditionally held by men. It has been found that women who have higher education make use of their education, even though many of them hold part-time positions. Although part-time workers received the same rights to pensions, unemployment support, etc., their salaries were generally lower. While equal pay was the law, differences in salaries were usually because of a sex-segregated labour market. Discriminatory practices were often related to pregnant women but labour organizations and the Equal Status Council have been successful in courts when dealing with such discrimination.
66. In response to a question on protective legislation, the representative of Denmark informed the Committee that there was no such legislation except for pregnant women in certain cases. Research was also carried out in order to find out what jobs are dangerous for pregnant women and, at the same time, it was found that many of these jobs are dangerous to men as well.
67. In response to questions about ownership of property, the representative of Denmark informed the Committee that spouses have joint ownership of property and the tax equality spouse act treated women and men on equal terms.
68. With regard to women's involvement in the peace movement, the representative of Denmark pointed out that such involvement, although not an official government activity, reflected the democratic process and in fact many politicians often participated in such movements.

Mongol

69. The Committee considered the initial report of Mongolia (CEDAW/C/5/Add.20) at its 66th, 67th and 70th meetings, on 11 and 13 March 1986 (CEDAW/C/SR.66, 67 and 70).
70. The representative of Mongolia introduced his country's report by giving a brief summary of the historical, political, socio-economic, cultural and geographical aspects. Since the revolution of 1921, he pointed out, much had been accomplished in the development of Mongolia and one of the most significant achievements was the realization of full equality between men and women in all aspects of life. Any attempt to deny women's rights was punishable by law.
71. The representative of Mongolia pointed out that the women of Mongolia were among the first in the Orient to acquire political, economic and civil equality. Mongolian women formed 49 per cent of those working in economic and cultural activities.
72. Attention was drawn to the demographic situation and it was pointed out that children under 16 accounted for 47.1 per cent of the population and that 65 per cent of the population was under the age of 35. The representative of Mongolia pointed out that the Government had given much attention to the question

of illiteracy which, before 1921, stood at 98 per cent and which was now **totally** eliminated. Currently, of every 10,000 persons, 2,373 attended general educational schools, 246 attended **specialized secondary** educational **institutions** and vocational **schools** and 130 attended higher educational **establishments**. In fact, every fourth person **was** studying.

73. In Mongolia, ~~the~~ representative continued, the **basic provisions** of the Convention on the Elimination of Discrimination **against Women** had become a reality. Women enjoyed **all** political **rights** on an equal **footing** with **men**; the **same rights** at all levels of education, which **was** free; and the **same** rights in **terms** of employment and remuneration. Paid maternity leave was granted and special **consideration was given to nursing mothers**. As a result of **systematic** all-round **socio-economic** and health-related **measures** taken by the Government in the **past 65 years**, the country's population **had** increased threefold, and life expectancy had more than doubled and now reached 67.

74. The representative of Mongolia pointed out that Mongolian family legislation **was designed** to strengthen the family and to improve family relations. **On the basis** of equality between men and women.

75. In Mongolia, the Committee of Mongolian Women played an important **role** in **protecting** the rights and interests of Mongolian women and it **monitored** the execution of decisions and **legislation** in the **field** of maternal and child welfare.

76. Mongolia, he continued, had considered that the **United Nations Decade for Women** was an important factor in the struggle for equal rights for women in **society** and for their active involvement in the movement to strengthen peace and international security.

77. The representative of Mongolia concluded his introduction by drawing attention to a number of corrections to be made in **the English** translation of the country report.

78. Many experts commented that considerable **progress** had been attained in the years following **the** popular revolution of 1921, especially in the **social services** provided to women, as well as in legislation. Whereas the **representative** of the State Party, in his introductory speech, had mentioned a proverb that, **prior** to the popular revolution, women had been treated like slaves in the **household** and servants to their husbands, it could be noted that the State now provided the necessary framework for the full integration of women into the socio-economic and political life of the country and for the enjoyment of equal rights of women with men in all **fields** of life of the society. It was **asked** whether women were still servants to their husbands.

79. Several experts requested statistical information on the percentage of women and men **participating** in political life, how many were placed in policy-making **positions** and how many were members of the **Communist Party**. In that regard, they **also** asked about the role of the Committee of Mongolian Women in public life, the types of **activities** it engaged in and whether it could make **recommendations** to the local or State assemblies in order to improve the status of women in the country.

80. Other **experts** asked what positive measures were being taken in order to **see** that the rights accorded to women were really implemented. As there were always **discrepancies** in the law and in practice, more information was requested on the system of redress, either through courts or through labour institutions. They also

asked what kind of sanctions were given to those found guilty of discrimination. Since there was no mention in the report as to obstacles encountered, it was asked whether the Government felt that the present situation was satisfactory in regard to the status of women.

81. In regard to article 5, one expert requested information on the progress achieved in overcoming prejudices and attitudes detrimental to women and asked specifically if the superiority of the male sex still prevailed. It was also asked what role religion played in influencing certain attitudes and behaviour of both men and women and whether the traditional and customary practices, if any, had been overcome. Another expert noted that in the legal annexes, such as the Labour Code, provided in the report, there seemed to be an overprotection of women in their maternal role while the terminology used in the initial report itself made women either invisible or simple numerical averages. It was asked whether a commission entrusted with the analysis of problems such as those mentioned above had been created.

82. One expert remarked that no information had been provided on articles 6, 7 and 12 relating to the suppression of prostitution, participation in public life and health.

83. With regard to article 9, one expert requested clarification as to the right of women to keep their own nationality.

84. Many experts commended Mongolia for having almost eradicated illiteracy. More information was requested on the percentages of women attending all institutions of learning, as well as statistical information on women and men attending institutions of higher learning in all educational disciplines. Special concern was expressed with regard to women being able to attend professional and technical institutions conventionally attended only by men. It was also asked whether the Government had taken measures both through education and the media to address the problem of sex stereotyping.

85. Also of general concern was the status of rural women, since the population in the rural areas was greater than that in the urban areas. Questions were asked regarding educational measures being taken to upgrade the skills of rural women, their cultural involvement and access to facilities which seemed to be more readily accessible to women living in the cities.

86. Several experts noted that in regard to article 11 of the Convention, statistical information was necessary on women's employment by sector and occupational group and by levels within these groups, as well as by comparison to male employment, in order to allow the Committee to have an overview of the situation. It was recognized that the principle of equal pay for equal work had already been conquered but it was questioned whether that was the actual practice in the country. One expert asked how an individual was qualified to become a workers' hero. Clarifications were also sought on the terms "manual work", "fixed work", "socially useful" and "heavy loads" and how they were determined and by whom. The representative of Mongolia was also asked if he could present the list of work which prohibited the employment of women.

87. Several experts remarked that combined measures to protect mothers, such as maternity leave prior to and after the birth of a child, and their gainful employment showed that significant advance in the improvement of the status of women in Mongolia had taken place. It was asked whether women were able to keep

their employment if they decided to raise their children and take extended leave after maternity leave. One expert referred to page 8 of the report of Mongolia and asked what kind of subsidies did a family with numerous children receive. On the other hand, it was asked how women who were childless were treated. One expert asked for more information on the provisions for paternal leave, what was meant by bread-winner when referring to pensions and whether the latter referred only to men as head of the household.

88. It was remarked that the nature of the Mongolian family, whether nuclear or extended, had not been explained in that report and that it was difficult to understand the changes that had taken place within the family structure and society. More background information was requested on the availability of family planning programme, sex education and the participation of the father in the raising of children and in housework.

89. One expert, remarking that divorce laws constricted rather than freed women since marriage could only be dissolved by mutual consent provided there were no minor children, asked what would happen if no agreement was reached by the couple, if the couple could appeal to a court and under which provisions would a court examine the case. Another expert asked whether information could be provided on the property rights of spouses, the nationality rights of children and the consequences of divorce on the same.

90. An expert referred to article 12 of the Convention and to the fact that more details were needed on health care facilities for both rural and urban women. It was mentioned that in order to assess progress in this regard vital statistics should be provided, such as maternal and child mortality, life expectancy of both men and women, and the availability of medical facilities, such as those required for abortion.

91. Other experts inquired about adoption laws and the benefits women received when they adopted a child. One expert asked if the subsidies received by a natural mother were different from those received by a mother who had adopted a child. Another expert requested additional information on subsidies received by a mother on maternity leave and whether a full salary was paid during that leave.

92. In responding to the questions raised, the representative of Mongolia stressed that equal rights were guaranteed in his country and that the solution of women's problems was inseparable from the general advancement of his Government.

93. With regard to questions raised on employment, the representative pointed out that, under socialism, every citizen has a guaranteed right to work and to receive payment for work in accordance with its quantity and quality. There was no unemployment and there was equal pay for equal work.

94. The representative of Mongolia stressed that all able-bodied women who wish to are permitted to study or are employed in the national economy and culture, and today there is no branch in the economy and culture where women are not employed. Women made up 49.2 per cent of the labour force in 1983, 46.6 per cent in material production and 57.2 per cent in the non-material sphere; he cited some figures for the participation of women in the labour force. In order to protect women from undertaking certain kinds of hazardous work, the Labor Code forbade the employment of women underground at work that was heavy and hazardous to women's health. A woman cannot be dismissed because of pregnancy or because she is nursing a child, nor can her wages be lowered because of those conditions.

95. With regard to questions on pension, the representative stated that the Pensions Act and the Labour Code gave all citizens the entitlement to an old-age pension: women at the age of 55 and men at the age of 60. Many people, he pointed out, did decide to continue working beyond retirement age.

96. The representative of Mongolia pointed out that illiteracy had been eliminated long before, and that compulsory eight-year education had been introduced. He also cited some statistics on education and pointed out that female students comprised 55.1 per cent of the student population.

97. With regard to the Family, he replied that men and women had equal rights in family relations; all members shared in household duties; women had equal property rights; and children born out of wedlock enjoyed the same rights as other children. It was also possible for men to take special paid leave to look after a sick child, spouse or parent.

98. The representative of Mongolia pointed out that motherhood was considered a privilege and an honour. He also informed the Committee that the decision for the number of children rested with the spouses; medical care and education were free and crèches, education and cultural facilities were also free. Women had benefits of maternal leave and there were additional benefits for nursing mothers. It was pointed out that rural women enjoyed the same social and political rights as urban women.

99. The representative informed the Committee that a single person had the right to adopt a child providing that the person had reached the marriage age, was mentally stable, and had no legal convictions nor was subject to lawsuits.

100. With regard to questions on divorce, the representative stated that dissolution of marriage was denied when the wife was pregnant or when there was a child under one year of age (this was a measure designed to safeguard the rights of the child) or when the spouse was gravely ill or injured. Children traditionally assumed the father's name.

101. In Mongolia, the representative replied, abortion was prohibited unless there were exceptional circumstances; illegal abortion was an offence.

102. There was no prostitution in Mongolia, the representative stated, and it was a punishable offence. He also stated that rape or violence against a female were also punishable offences.

103. The representative stated that any form of discrimination was prohibited by law and complaints could be filed at the place of work or in the courts. All work places had legal advisers, unions and public organizations to monitor the implementation of legislation.

104. With regard to the question on citizenship rights, the representative explained that if a Mongolian citizen married a foreigner he/she retained his/her citizenship but could change nationality if desired. Children of such marriages were considered Mongolian citizens.

105. In response to questions about the Committee of Mongolian Women, the representative pointed out that it organized a congress every five years and was responsible for involving women in active participation in national development and for monitoring and improving educational levels of women, living and working

conditions and facilities for mothers and children. The Committee had full authority to monitor the implementation of legislation in the field of maternal and child welfare.

106. In response to some additional questions, the representative of Mongolia informed the Committee that sexist publicity was prohibited in Mongolia. On the question of divorce, the interests of both spouses and children were fully taken into account in divorce proceedings. He also pointed out that while it was traditional for children to assume the father's name, the use of the mother's name was also acceptable.

107. With regard to the list of work which prohibited the employment of women, the representative stressed that such prohibition was enacted purely in the interest of the women since those jobs were considered hazardous but, with improved automation and mechanization, it was envisaged that more jobs would become open to women.

108. On the question of abortion, the representative stated that he was not in the position to comment on whether abortion laws could be liberalized.

109. With regard to clarifying the meaning of "communist morality", the representative of Mongolia pointed out that this was the basis that governed Mongolian society, ensuring mutual respect among family members. Since Mongolia had a socialist system of economy, the means of production were in common ownership and not only of a few, therefore exploitation did not occur and equality for all was ensured.

110. On the question about household activities being considered an economic activity, the representative of Mongolia informed the Committee that information on this would be reflected in the second report.

Portugal

111. The Committee considered the initial report of Portugal (CEDAW/C/5/Add.21 and Corr.1 and Amend. 1) at its 67th, 68th and 73rd meetings, on 11, 12 and 14 March (CEDAW/C/SR.67, 68 and 73).

112. The report was introduced by two government representatives. The first speaker stated that the Government of Portugal was fully committed to the implementation of the Convention and he added that the Constitution of the Portuguese Republic enshrined the principles of equality between men and women in all spheres of life. He added that the report already showed that the obstacles to eliminate discrimination derived from economic, social and cultural factors.

113. The representative of Portugal referred to the Revolution of 25 April 1974, which had introduced new legal, social, cultural and economic reform with far-reaching implications for the standards and fabric of Portuguese society. Structural changes were introduced which were of an ongoing nature.

114. He explained that the Revolution also had brought along new perspectives in the field of human rights and in the changing of attitudes. He added that women themselves were more and more aware of the need to change attitudes and conditions; women also were more aware of their role in all spheres of life. The Commission on the Status of Women, a governmental body placed under the Prime Minister's Office, was in charge of promoting the improvement of the status of women. He stated that equality need not be understood to mean merely that women should have the same

rights and responsibilities as men, but that differences between the sexes should not be obstacles to the full realization of their personalities and to their full participation in society.

115. The second government representative remarked that the report had been prepared in 1982 and submitted to the Committee in 1983. The text had to be updated and therefore an addendum had been prepared containing recent developments, as well as a brochure updating statistical information to 1985.

116. The other representative of the Government of Portugal stated that some specific projects had been developed, such as programmes in the media, organization of seminars and elaboration of reports. A project entitled "Changing teachers' and students' attitudes on sex roles" had been carried out under the responsibility of the Commission on the Status of Women. This project, which had begun before at the primary school level, had now been extended to other levels.

117. She noted that the participation of women in decision-making positions still remained low. However, more women had been admitted into the diplomatic service.

118. She also added that the Commission For Equality in Work and Employment had been created to monitor and ensure any discriminatory practice. This Commission received and evaluated complaints by women who felt discriminated against. Another new element was the passing of a new law on the protection of maternity and paternity. This new law embodied a new philosophy which stressed the social function of both maternity and paternity. The replacement of the advertising code by a new law regulated the way the image of women was used in advertising. The advertising commission was in charge of its implementation.

119. She further explained that other projects implemented under the aegis of the Commission on the Status of Women had included family planning information through the media, research on women in Portuguese life, training of health personnel, pilot projects located in depressed areas on illiteracy eradication, maternal and child care, permanent information services on legal questions and research on women.

120. The representative of Portugal concluded by saying that much remained to be done, especially in bringing reality closer to the letter, in the elimination of outdated traditions, stereotyping and sexism and in combating the double burden carried by women. Progress was encouraging, she stated, since women's rate of access to higher education had risen from 43.5 per cent in 1970 to 57.4 per cent in 1984 and women's rate of graduation from 34.4 per cent in 1970 to 54 per cent in 1980. Women, however, were 59.4 per cent of the unemployed and only 6 per cent in Parliament. Yet, she stated, at the recent election for President of the Republic, for the first time there had been a woman candidate.

121. Members of the Committee commended the two representatives of the Government of Portugal for their presentation of the report and thanked them for the additional information provided, both verbally and as contained in the supplement. Most members congratulated the representatives on the efforts displayed by the Government of Portugal and by the progressive legislation passed, which clearly demonstrated the political will of Portugal to implement the articles of the Convention.

122. Several experts asked what were the reasons for the persistence of obstacles, in view of such advanced legislation; it was not understood why the report cited apathy as being the cause for slow progress. Some experts suggested that the

reality of women carrying the double burden as well as lack of day-care facilities, social benefits support and lack of opportunities might be at the core of the obstacles facing the full integration of women and it was asked whether the Commission on the Status of Women was carrying out research on this problem. Another expert asked whether more information could be provided on the structure of the Commission, its outreach in remote areas and whether its work was carried out by mass organizations or other type of similar organizations.

123. Also, concerning the above remark, it was asked what kind of traditional and cultural practices and traditions were hampering the advance, and what role religion was playing in this regard.

124. Several experts requested additional information and empirical data on education and literacy levels, impact of education on rural women, including vocational training, levels and sectors of women's employment, especially in the light of the fact that women were a majority of the population. One expert asked whether such demographic imbalance was due to migration of the male population. Another expert requested more information on population by sex and location.

125. It was noted that the Government had identified within the taxing system some evidence of discrimination against women and that this experience could be shared with other countries. Another expert also pointed out that the report acknowledged the fact that more women were unemployed than men and that equal remuneration remained a problem. It was asked what measures were being taken to remedy this situation.

126. Other experts asked for more information on women's participation in State or provincial assemblies, in local communities, and percentages on women's involvement in trade unions, both as members and as employees.

127. Several experts noted with praise the efforts being carried out to eliminate stereotyping in the media and education, and asked how the Commission had tackled this task, whether through textbooks or pamphlets, movies, by supervising programmes and publications, or other methods. It was also asked whether this effort extended also to pornography and, in this connection, whether prostitution, which was not penalized by law, was a prevailing phenomena. If this were so, it was further asked whether efforts at rehabilitating the prostitutes were being contemplated by the Commission on the Status of Women.

128. Several experts, referring to the report and the existence of domestic violence, asked whether the Government had the intention of subsidising shelters for victims, both men and women. It had also been noted that abortion was forbidden by law and some experts also asked whether there had been any progress in repealing such a law.

129. One expert requested information on laws regarding legal and consensual unions and what provisions existed in case of divorce regarding property rights, child custody and residence.

130. Another expert expressed satisfaction with the provisions recently created to grant subsidies to parents with sick children and asked whether the grant was in the form of a percentage of salary. If so, whose salary? It was also noted that a father could now take leave to care for his children and it was asked to what extent men had used this provision.

131. Information was sought on the experience of the implementation of the provisions banning sex discrimination in working life. It was further noted with satisfaction that victimization was forbidden by law.

132. Several experts asked what types and amount of subsidies were given regarding child care centres and maternity leave and whether this leave was also extended to the father. One expert noted that more information was required on social welfare facilities extended to rural women; in addition, statistics on women who were employed in agriculture and other non-service sectors of the economy, as well as what pensions, grants, incentives or subsidies were provided to them. Another expert requested clarification on law 4 of 1980 and asked what grounds were deemed juridically acceptable to dismiss a pregnant woman and whether a woman on maternity leave retained both full salary and the same employment.

133. It was also asked why were military and equivalent services not open to women's employment and what was considered "equivalent". Other experts asked why were provisions regarding maternity and working hours not applied to civil servants.

134. One expert also asked for information on women's peace activities or movements in Portugal.

135. The representatives of the State party thanked the Committee for the interest it had shown in Portugal's initial report. Since many of the questions raised by the experts overlapped, they proceeded to address their replies in the order in which the questions were asked and included as many elements as possible which would also answer subsequent questions on the same subject.

136. One of the representatives stated that initiatives had already been taken both by government and non-governmental organizations regarding activities for the International Year of Peace. Requirements for the building of peace included equality of the sexes and women's participation in development. Special programmes for youth, cultural initiatives, exhibitions, seminars and other activities were being planned.

137. Referring to the effectiveness of special temporary measures favouring women, the representative answered that there had not been any case of preferential treatment, particularly regarding access to work. Regarding vocational training courses, the percentage of women's participation can be considered still low, 11.1 per cent, per the data of 1984.

138. In regard to the implementation of article 5 of the Convention, one of the representatives explained that, although Church and State were separate entities, 80 per cent of the population was Roman Catholic. This certainly influenced the thinking as regards measures on abortion. In answer to several questions regarding the project on attitudes and gender roles, she stated that it would be continued and that evaluation of new pedagogical material as well as the broadening of its scope and outreach was taking place.

139. Measures concerning the suppression of prostitution were being taken. The accession by Portugal to the Convention on the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others was now following the necessary procedures. With regard to pornography, the representatives stated that detailed regulations had been prepared and were, at present, pending approval in a revised New Advertising Code.

140. One of the representative referred the members of the Committee to the supplementary information provided which stated that 6 per cent of the members of Parliament were women and only 4.2 per cent were elected at the Local level. Women represented 17 per cent and 24 per cent of the members in leading bodies of the two trade union confederations operating in Portugal and 30 per cent and 46 per cent of the total members. The most representative women's organizations belonged to the Consultative Council of the Commission on the Status of Women, which was directly under the supervision of the Prime Minister's Office. In this way, women's organizations were participating and contributing to the formulation and implementation of Government policies concerning the status of women. There was one office of the Commission in the north of the country.

141. The representative also referred to the participation of women in international organizations and stated that the questions of discrimination had never been raised. However, during 1984-1985, the percentage of women on the diplomatic staff of the Portuguese Mission to the United Nations was 50 per cent and 27 per cent of the geographical quota allocated to Portugal by the United Nations was occupied by women.

142. The representative noted that information regarding employment of women and its distribution by sectors was included on page 49 of the supplement distributed, showing, for example, that 30 per cent of the women employed were in agriculture, 23.3 per cent in manufacturing industries; 13.3 per cent in trade, restaurants and hotels; and a total of 23.3 per cent in health, education and other sectors. The rate of unemployment among women was 15.1 per cent as compared with 7.7 per cent for men.

143. As to provisions regarding maternity leave, one representative stated that during the 90 days of maternity leave, women workers received full salaries or an equivalent amount which was paid by the social security system. Child-care facilities were operated through private and public institutions for profit in some cases and as a service in others. In public institutions, the fees depended on the income level of the family or the individual, calculated according to established scales. Recently, the Government had approved legislation giving the framework for a more unified system of day-care and family crèches. The representative recognized the need for more of these free services.

144. In reply to other questions raised by the Committee, the representative stated that civil servants had the same rights as other workers in regard to time off for breast feeding and flexible working hours. The latter also applied to fathers who had children under the age of 12 or in special circumstances and a leave of absence up to 30 days to take care of a sick child. The representative also explained that under the general law, workers that stay off work for a period of six months to two years in order to take care of a sick child keep all their rights except remuneration. However, special collective labour agreements covering the great majority of workers can, and in fact do, recognize a more favourable treatment. Furthermore, the representative added, no woman could be dismissed on the grounds of pregnancy, and in regards to equal pay for equal work, the fact that the average salary was lower for women than for men was explained by the other fact that women were still concentrated in less qualified and lower paid jobs. A draft law on the military service for women on a voluntary basis would be discussed by the Parliament. Regarding the percentage of women working in professional fields, the representative stated that 52.5 per cent of the total number of workers in the scientific and liberal professions were women.

115. As to statistical information on education, the representative stated that some of this data had been already included in the supplement referred to above. For example, women were 47.9 per cent of the total attending primary-level schooling; 47.7 per cent of the preparatory level; 51.8 per cent of the secondary level; and 47.1 per cent of higher education. These figures corresponded to the period 1982-1983. An increase of up to 57.4 per cent had been registered in the entry of women to higher education during 1984-1985. Adult illiteracy was being corrected through educational corrective programmes and 54.2 per cent of women were attending them. Co-education was a rule in State schools.

146. The representative also stated that children born out of wedlock had the same rights as children born within marriage, community of acquired property was the normal marriage contract and divorce laws were in strict conformity with the principle of equality of treatment. Common law or concubinage unions did not enjoy the same rights but entitlements to medical care and certain pension benefits to be allocated from the inheritance in case of death of the companion could be obtained through the courts. Regarding family violence, besides the legal provisions contained in the Penal Code referred to in the supplement, there were only very few facilities, provided by non-governmental organizations.

147. The Committee had referred to the special situation of rural women in Portugal and the representative noted that most women in rural areas worked in agriculture and that they represented 50 per cent of the total number of workers. He added that a majority of them were non-remunerated workers in small family-owned enterprises. The Ministry of Agriculture was implementing a programme on family income and nutrition through its rural extension service. This programme had an information component on women's rights. The Commission on the Status of Women, on the other hand, was providing advice on the organization of women co-operatives in the north of the country, as well as a pilot project on integrated development which included sanitation, health and education, family planning and literacy. The United Nations Fund for Population Activities had been supporting these efforts. It recently finished a project on the training of rural women of the north for co-operative work organized under the auspices of the European Social Fund of the European Economic Community. Finally, the representative added, women's organizations had also been involved in community development projects in the Alentejo, northern and central part of the country. Furthermore, she clarified, there was no legal discrimination against rural women in social welfare benefits. A special widowhood pension was granted to women aged over 35 years; men only qualified at age 65 or if they were disabled.

148. The representative of the State party answered a question in regard to a statement made in the initial report, that lack of motivation and not apathy was probably the cause of the slow progress in the integration of women. Present economic constraints had prevented the Portuguese Government from allocating more rapidly the sufficient resources to build a larger infrastructure and support for women. However, the integration of women had become State policy, she concluded.

Czechoslovakia

149. The Committee considered the initial report of Czechoslovakia (CEDAW/C/5/Add.26 and Amend-I) at its 69th and 75th meetings, on 12 March and 17 March 1986 (CEDAW/C/SR.69 and '75).

150. In his introduction, the representative of the State Party explained that there was a long historical tradition for women's rights in Czechoslovakia, which dated to the fifteenth century. Moreover, he added, equality had been enshrined in

the Constitution of the Republic in 1920 and, after the victory of the working class in 1948, more dynamic steps had been taken to fulfil the objective of the full emancipation of women.

151. The representative explained that the Czechoslovak Union of Women played a major role in securing the involvement of women in public activities, in expanding their possibilities for self-education and in allowing them more time for the education of their children. The full integration of women in the work force was one of the main prerequisites that the Government was pursuing through the creation of jobs suitable for women, by improving their living conditions and by guiding public opinion towards a proper understanding of the position of women in the family and in social life.

152. Women represented 51.4 per cent of the population, and 80.9 per cent of all women of working age were engaged in social work. This constituted 48.1 per cent of the total work force, the representative pointed out. Simultaneously, he added, conditions had been constantly improved to enable women to combine better and more easily their triple duty as mothers, employees and active citizens.

153. The representative also stated that a dense network of pre-school facilities was being built to accommodate children of working mothers. In addition, after-school child care, school clubs and canteens had also been established, together with communal services to facilitate household care. None of these services had been available 40 years earlier, the representative added. Women were pursuing active careers in highly sophisticated branches of science and research, and carrying out professional tasks in pharmaceuticals, biology, chemistry, architecture, law, international relations, medicine and other spheres.

154. In his introduction, the representative also noted that it was not uncommon for women to hold senior posts at different levels of management in industry, agriculture, scientific institutions and administrative bodies, especially in the fields that had been women's traditional domain. He added that at the present time, the number of women who held positions in management and public life was twice as high as it had been 10 years previously.

155. The representative concluded by saying that neither professional activity nor public work was pushing back the fundamental mission of women as mothers and for that reason the Government had declared that it had to continue to create ever more favourable conditions to enable women to discharge their maternal and educational mission.

156. Some experts commended the representative of Czechoslovakia on the efforts made by the State to improve the working and social conditions of women, especially in view of the fact that paternal authority had been changed to parental authority, giving both sexes the same rights and responsibilities in raising their children. One expert noted that work at home was evaluated on the same basis as work performed outside the home, and another expert asked whether that had had national economic repercussions (i.e., whether salaries were paid for housework) and whether men shared fully in the performance of housework.

157. Other experts pointed out that the report succeeded in conveying how fundamental changes in the socio-political life of a country could make a difference in favour of women. Some experts mentioned that the percentage of employed women was very high and that they were in many different professional fields. One expert noted, however, that the responsibility for change was still

carried by women as reproducers, since they performed the multiple duties of mother, professionals or workers and citizens. It was asked whether the Government was taking any steps to ensure that women moved to leadership and policy-making positions, such as affirmative action or the setting of targets.

158. Still on the general nature of the report, one expert asked how and in what particular areas had the spiritual and material life of Czechoslovakia evolved beyond the objectives established by the Convention, as was stated in the initial report.

159. Another expert remarked that, as could be seen in the report, the social roles of the two sexes were still different, as well as the sexual division of labour. This indicated that traditional cultural views were still prevalent. It was asked whether, in accordance with article 5 of the Convention, educational efforts were being contemplated to correct stereotyped assumptions on gender role and the role of women in society and in the family.

160. Some experts recognized that, according to information provided in the report, many of the provisions contained in article 2 of the Convention were reflected in the State Party legislation, and other experts remarked that efforts on the part of the Government had to be continued in order to see those provisions implemented, such as equal pay for equal work, men's participation in child-rearing and housework, and training. It was asked if the Government was contemplating any specific measures to correct the still existing imbalances.

161. One expert noted that prostitution still appeared to be practised, despite the fact that it was outlawed; other experts asked whether the fact that women still earned less than men was a factor in the persistence of that social behaviour. Another expert asked how much less a woman earned than a man and whether such discriminatory practice could be fought in court, as stated on page 5 of the report. If so, the expert asked how many cases there had been, how they had been resolved and what bodies had received the complaints.

162. It was also asked what co-operation and interaction had been developed between the Czechoslovak Union of Women and the Government to improve the status of women and their living and working conditions.

163. Several experts requested more statistical information on the participation of women at the middle-management and directorship levels, in the trade unions, in the Government and in its enterprises. More information was also requested on demographic and health factors, such as life expectancy, maternal and child mortality rates, pre- and post-natal care centres, medical facilities offered, family planning counselling and abortion.

164. It was remarked that the Czechoslovak Union of Women was known for its international peace and solidarity activities and information was requested on the participation of women in international forums and in the foreign service.

165. Some experts asked what was the reason women were not entering technical and vocational training institutions at the same pace as men and what positive measures was the Government taking to remedy that trend. One expert asked what were the courses and fields of study being chosen by women entering institutions of higher learning. Additional information was requested on women students and maternity provisions granted to them.

166. Many experts referred to the maternity provisions and facilities presently available in the country, and asked whether women availed themselves of the three-year licence offered to raise children, whether men were able to avail themselves of the same and how many had. Another expert asked whether women were given training upon their re-entry to the work force after an extended period of maternity leave. *While* noting that subsidies were paid upon the birth of a child, the experts requested information on how and whether these subsidies were applied to the salary or paid in addition to the salary.

167. Another expert noted that there had been an increase in the number of jobs with a shorter working day and asked whether that ~~was~~ a temporary measure, why it had been required and how society as a whole had accepted the provision.

168. One expert, noting the statement contained in the initial report that there was no unemployment in the country, asked if the State could guarantee work to women and could they make a choice as to the type of work they wished to do.

169. Additional information was requested on family law, such as the choice of family residence, the rights of natural children, protection of children's rights, the rights of women upon divorce and the incidence of divorce. It was also asked what was being done regarding violence in the family.

170. A list of work forbidden to women was requested as well as information regarding legislation and criteria applied in that regard. One expert also asked in what respect work could be harmful to women and not to men. Another expert asked for clarification on the term "socially useful", which was used in the report.

171. One expert asked about the role of trade unions in the overall policy of work and employment of women in the country.

172. In replying, the representative of the State party emphasised that they did not automatically equate difference and discrimination in those areas where statistics did not show arithmetically equal proportions between men and women.

173. The representative referred to apparent contradictions in the report regarding the attained level of equality of women and men in Czechoslovakia.

174. Several mechanisms existed in Czechoslovakia to ensure that equality between men and women was exercised: through law, which unequivocally gave the conceptual foundation of this principle, through the court system, where both sexes had the same rights and duties, by appealing through higher courts if the first judgement was found discriminatory, by independent women's commissions operating in enterprises and plants, through the Czechoslovak Union of Women already mentioned, by the National Committees, which had the right to inform other competent authorities of discovered violations pertaining to the equality between women and men, and by trade unions, through their influence in examining labour norms.

175. He stated that the difference in the wages of women and men could be favourable as well as unfavourable to women. Salaries were determined on the basis of stipulated criteria with a minimum rate and a maximum limit. The criteria included practical experience, educational background and personal capabilities. *Though subjective* elements could play a part, ultimately the objective factors were the decisive elements in wage classification. The Government, he added, enforced the principle of equal pay for equal work and more printed information would be made available to the Committee.

176. The number of women holding executive, political and public offices was now twice as high as 10 years before. The Chairperson of the Czechoslovak Union of Women was a Secretary of the Central Committee of the Communist Party. Women were fairly represented in senior posts at the medium and lower levels of management. In the trade unions, he stated, women constituted 50.1 per cent of functionaries in enterprise committees. In the Central Trade Union Council, 38.5 per cent of the membership was made up of women. As to the judicial system, women were 60 per cent of the judges. Forty to 50 per cent of the Socialist Youth Union was made up of women functionaries.

177. The care of children in kindergartens was financially covered by the State while the parents only contributed to the catering by paying 5.50 or 6.50 koruny per child a day. At this time, existing nursery facilities were not fully utilized due to years with lower birth rates. However, the existing facilities were still being used, giving women more spare and leisure time.

178. Replying to questions on maternity provisions, the representative stated that regulations applicable to pregnant women and mothers applied also to pregnant students and student mothers. Regular maternity leave and extended child-care leave was only granted to women. If a man decided to take care of the child, he could put an end to his labour contract or have unpaid leave. Maternity grants were given to single women or women who gave birth to more than one child at a time, equivalent to 90 per cent of the woman's net daily wage for 35 weeks. Maternity allowance might be paid to a man provided he took care of the child or children. A grant of 2,000 koruny was paid upon the birth of every child. The representative explained that, in order to eliminate adverse effects of the utilization of maternity leave by women, a compensation allowance was paid to those who upon re-entry received a lower salary than before. The labour code also stipulated that the employer was under obligation to give a woman, upon re-entry, a job corresponding to her work contract.

179. Regarding work forbidden to women, the representative explained that since 1967, lists had been elaborated and subsequently updated according to the latest developments in science and technology. This measure had had a positive effect in correcting the rate of accidents at work.

180. The rate of women in higher education was considerably higher than men and an increase of women professionals had been noted. While in 1960 women constituted 37.9 per cent of the total number of professionals, by 1983 they were 55.1 per cent. There were no provisions for preferential treatment of women in the educational process.

181. Equitable arrangements of family relations were promoted through mass media. The remnants of the past when men held a preferred position could still be found among older generations. However, a just division of household work, including care of children, was applied in most families. The divorce rate amounted to 35,000 cases in 1984. Property was considered commonly shared but if it needed to be divided, each spouse obtained an equal share of assets brought into the marriage.

182. Family planning education was available through organs of the public health administration. There were 66 guidance centres for women and 1,289 physicians attending them. Abortion was authorized through the recommendation of an authorized physician, a social welfare officer and deputy of the respective national committee and had to be justified by reasons of health or other reasons deserving special consideration. The application for permission was submitted through the woman's personal physician and the fee ranged from 200 to 800 koruny.

183. Replying to another question, he stated that the term "socially useful work" meant work performed by citizens who contributed to the fulfilment of the tasks and realization of the objectives of Czechoslovak society,

184. The Penal Code did not include explicit provisions on prostitution since, in 1961, when the Code had been adopted, the problem did not exist. The representative stated that, with the development of international tourism, prostitution had been brought into Czechoslovakia. Obstacles to this practice were contained in provisions of labour and tax legislation. However, the latter did not apply to foreign nationals and adequate countermeasures were very difficult to formulate.

185. The representative stated that women participated in international activities through their work in the foreign and diplomatic service. Women were being included in special study programmes at universities to gain theoretical and practical experience in international relations.

186. The representative concluded by stating that the experience acquired from the discussion would serve as useful guidance for the elaboration of the next report. Additional information more adapted to the needs of the Committee would also be furnished.

187. Several experts requested additional clarification regarding government measures to avoid work segregation and government efforts to eliminate women being stereotyped as mothers only, as well as in placing women in policy and decision-making positions; whether women were able to make a free choice in the type of work they performed and how it could be termed as favourable to a woman when she earned less than a man while carrying out the same type of work. One expert asked under what conditions was abortion authorized. Another expert pointed out that according to her experience, Czechoslovak women enjoyed full equality with men and that facilities accorded by the Government only facilitated their performance in their dual social role as mothers and active members of society.

188. The representative of the State party replied that the four existing political parties in Czechoslovakia were continuing to examine measures to improve the ratio of women in top-level positions. More progressive norms had to be developed in order to facilitate women's role in society. In this sense, the representative stated that the social philosophy of his country transcended and went beyond the aims of the Convention.

189. No statistical data was available on women working in international organisations and international affairs but, as stated previously, measures were already taken to increase the participation of women in this area. As regards salary levels, he explained that they depended solely on individual qualifications and the job evaluation, and that if a woman was more qualified than a man, she earned more.

190. Finally, abortion was allowed, he explained, with the human interest and human concern in mind, according to the very individual situation of the woman in question. He assured the Committee that more information would be provided in the next report.

Viet Nam

191. The Committee considered the initial report of the Socialist Republic of Viet Nam (CEDAW/C/5/Add.25) at its 70th, 75th and 76th meetings, on 13, 17 and 18 March 1986 (CEDAW/C/SR.70, 75 and 76) .

1.92. In her introduction, the representative of the Socialist Republic of Viet Nam informed the Committee that during the days of Eudaliem and colonialism, women were a symbol of evil and inferiority, even though they had had a history of patriotic etruqqle aqainat oppreeeors. The revolution of 1945 provided the impetun for the promotion of equality between men and women, and although the course for equal rights had been charted since that time, the adoption of the Convention, and Viet Nam's ratification of it, has provided the basis for continuing efforts to eliminate all forma of discrimination aqainst women.

193. The representative of Viet Nam drew attention to the leqol status of Vietnamese women and pointed out that, under a new penal coda enacted in July 1935, discrimination was a punishable offence end could result in 3 to 12 months' detention.

194. The participation of women in political and public life, the representative continued, was reflected for example in national and provincial elections in which they accounted for 13 out of 23 million voters, and the number of women holding elected offices has been increasing. A third of female involvement in public life was reflected in membership in the Women's Union which has, among other things, been active in collecting 15 million signatures for the promotion of peace and disarmament.

195. With regard to the participation of women in economic life, the representative of Viet ham stated that the role of women in social, economic and political a. ppects of development was officially recognized and, in this context, she pointed out that child-car- facilities were established in 1972 so that Vietnamese women could participate in resieting foreign aggression.

196. The representative 'rew the Committee's attention to the Law on Marriage and the Family of 1985 which reaffirmed the equal rights of men and women in all aspects of family life, including the raising of children and household duties. In view of viet Nam's high birth rate (3 per cent), a National Committee on Population and Family Planning has been eetablished to deal with family planning, which has resulted in a drastic uecrease in the infant mortality rate.

197. The role played by Vietnamese women in the country's development over the years has been recoqnized and their participation in the future development of Viet Nam hae been clearly reflected in Government policies and legislation. However, in a country ravaged by 30 years of war, it was difficult to alloc:e sufficient resources to facilitate the dual role played by women in the home and in society.

198. Although it was clear, the representative concluded, that Vietnamese women have made tremendous strides over the years in their struggle for emancipation and equal rights, a great amount of work is still required to implement fully the goals and objectives of the United Nations Decade for Women and the provisions of the Convention.

199. Many members of the Committee congratulated the representative of **Viet Nam** and expressed appreciation for the information contained in the report, which indicated that remarkable progress had **been** made in spite of the many difficulties, and that the Government was committed to the elimination of discrimination against **women**.

200. Many members were impressed by the fact that labour in the home was considered productive labour, that illiteracy had been eradicated in **two** years and that discriminatory behaviour was a punishable offence. **Members** of the **Committee** considered that the report reflected the Government's **awareness** of the **problems** associated with discriminatory behaviour and the **will** and determination of the Vietnamese people to overcome these problems **were** inspiring.

201. Members of the Committee noted that even when legislation was satisfactory, social attitudes **were** often the main **obstacles** and asked whether this **was** still a problem. Some members requested more information **on** rural women and asked whether problems were similar to those of urban women in terms of, for instance, **access to** land, credit and other **resources**.

202. Some members asked whether **women** were made aware of their rights under the law and whether the principle of equal pay for **equal** work applied. **One** expert **requested more** information **on the cases before the courts related to discriminatory** conduct.

203. **More** statistical information was requested on demographic **data**, the labour force, participation in the political **level**, and **marriage** and divorce **rates**. Several **members** indicated their interest in the number and proportion **of women** holding high-level posts in government and in other **sectors**. It was noted that while **over** 50 per cent **of the electorate** **were** women, their representation as elected officials was low.

204. Some experts wanted more information **on the** Women's union, how it **was** financed, its membership, functions and authority, whether it was **a** non-governmental **organization** or part of the Government, and whether women **could** only **exercise** their **rights through the Union**.

205. Many members noted the difficulties that **must be** encountered with the **effects** of religion and tradition and wondered **what was their impact on social progress**. **Many members expressed interest in** knowing whether **education was compulsory** and how Viet Nam was able to eradicate illiteracy in such a short time of two years.

206. Some experts wanted to know why **Vietnamese** women were not allowed to **work** in certain professions, and why there was a difference in the retirement age for men and women.

207. With regard to marriage and family life, some experts requested **more** information on contractual marriages, consensual unions and children born out **of** wedlock, their rights and their legal **status**. **One** expert asked whether the new law **on marriage** provided for a **minimum age** of marriage and whether it would be **the** same for males and females.

208. Some **members requested more** information on family planning programmes, **how successful** they were and whether **government** goals and objectives in this area were being met, whether contraception **was** free and whether family planning programmes were readily received in the **rural areas**.

209. Several **members** asked whether there **was** any rehabilitation of women following the Viet Nam war, the effect of chemical warfare and other effects on the health and life expectancy of women and children.

210. In replying to questions asked by experts, the representative of the State **party** informed **the** Committee that the total population of the country was 58 million, out of which 51.2 per cent were **women**.

211. She affirmed that special measures or positive discrimination had been used in regard to women **'s** employment. This meant that if out of two candidates equally qualified one was a woman, the **woman** was chosen.

212. Prostitution, drug abuse and **pornography** were social evils left behind by colonialism. In all cases, rehabilitation had taken place through counselling, training and health care **organized** by women's **organizations**. Article 99 of the **Penal Code** punished by imprisonment anyone who distributed or sold pornographic **material**.

213. In regard to article 7 of the Convention, the representative indicated that **there** were 17 ministers and **vice-ministers**: a woman minister of **education**, who had previously been foreign minister during the anti-colonial war, women **vice-ministers** for labour, trade, food, light industry and justice, among others. The vote was guaranteed by the Constitution at 21 years of age. The Union of Vietnamese Women had played an important **role for** many years. It had been founded on **20** October 1930 during the clandestine struggle. It was a mass **organization** with an outreach into **remote** areas and with 9 million members as of 1984. It continued to play a role in the **mobilization** of women and in bringing about awareness of **equal** rights and participation. Through article 86 of the Constitution, the Union **was** able to submit bills to the National Assembly.

214. **Vietnamese** women constituted 18.7 per cent of the total staff in the **diplomatic** service; **17** per cent **were outposted**. There is one woman ambassador, one **chargé d'affaires** and many first and second secretaries. Large **recruitment** of **women** is being undertaken directly **from** the university **into** foreign service. Women **were** also able to join the army as doctors, nurses, **telecommunication** experts and **as cultural promoters**. **Many women had attained officer status as commanders, sergeants and others.**

215. Women, continued the representative, could keep their nationality upon **marriage** with a foreigner unless they decided otherwise.

216. Illiteracy was **eradicated** in North Viet Nam in 1958 with **the** assistance of voluntary brigades. The situation in South Viet **Nam** was different. At the end of the war there had **been 35** million illiterates; however, by January 1978, through voluntary efforts of the general population, illiteracy had been eradicated in south **Viet** Nam as well.

217. In regard to article 10, education was compulsory and **co-educational**. A **major** reform had taken place in 1979 and intensive training had been launched in vocational and other disciplines. Secondary education also included family planning. Special needs of **women** were provided for through cultural efforts by the State publishing house, which translated novels of foreign authors, **biographies** of famous women, and other relevant material.

218. The representative said that women accounted for 41 per cent of the labour force. Women were not employed in heavy labour. The rule of equal pay for equal work was applied without restriction. Working hours were eight hours per day and only women with small children worked one hour less. Research was going on to ease the work-load of rural women.

219. The obstacles in the population policy of the country were certain popular traditions giving preference to male children and the lack of contraceptive devices. Family planning was, however, currently being practised, contraceptive devices were offered free of charge and abortion was acceptable. Thirty per cent of women of child-bearing age used contraceptives, and the birth rate had been brought down over the last 20 years. Campaigns were carried on to have no more than two children. The representative mentioned that the percentage of children born in maternity clinics was still low, particularly in the villages, but that infant mortality had gone down considerably.

220. The representative said that the chemical weapons had had a considerable impact on the health and reproductive functions of women, and the country had appealed to the World Health Organization to combat the long-range effects of these toxic materials.

221. Sixty per cent. of the agricultural labour force were women; rural hygiene had been greatly improved and day-care centres and maternity institutions expanded. Although only 32 per cent of the rural population had access to safe drinking water, the situation had greatly improved over colonial times and it had to be borne in mind that the country was still very poor.

222. After marriage, women could keep their maiden name and children took their father's name. The minimum age for marriage was 18 for girls and 21 for boys, as women matured earlier, whereas the electoral age was 18 for both sexes. The habit of child marriages or marriages of little boys to older women was practically eliminated. As a result of legal and administrative measures, cases of wife-battering were currently quite rare. Divorce, following a process of reconciliation, was a straightforward procedure and the common property was equally shared.

223. Legitimate children had the same rights as children born out of wedlock, free unions were rather rare and unmarried women were not discriminated against.

224. The representative explained that the fact that women played a major role in political life and diplomatic spheres was an achievement of the revolution. In the north, after 40 years of socialist government, traditions were more liberal than in the south, where the liberation took place only 10 years ago. By and large, the problem of discrimination against women had been solved by the revolution. The only major obstacle was the lack of peace. Women could not fully benefit yet from the necessary material conditions. When the political situation returned to normal, Viet Nam could be the best place for the implementation of the Convention.

225. In reply to a further question, the representative stated that the National Union of Women was supported by modest monthly dues of its women members and by contributions in kind.

Ecuador

226. The Committee considered the initial report of Ecuador (CEDAW/C/5/Add.23) at its 72nd, 73rd and 78th meetings, on 14 and 19 March 1986 (CEDAW/C/SR.72, 73 and 78).

227. The representative of Ecuador, in his introduction of the report, informed the committee that Ecuador's Constitution guaranteed equal rights for everyone and that the Government promoted the application of all legal provisions to ensure those rights. He stated that the provisions of the Convention were reflected in the national legal system.

228. He stated that, within Ecuador's national development plan, the subprogramme for women and young people reflected the Government's official recognition of the important role that could be played by women in the development of the country, a recognition that had been further reinforced by the establishment of the National Women's Office to monitor, plan, evaluate and undertake activities relating to the status of women.

229. His Government had stressed the importance of education and had provided equal access to education for all, with priority attention being given to the rural population. The full participation of women in human resource development was recognized as an important aspect of economic and social development.

230. It was pointed out that the majority of voters in the last election had been women and there was an increasing number of women in public office.

231. The right to work, the representative continued, was guaranteed by the Constitution and the Labour Code provided for equal pay. Several institutes were collaborating with the United Nations, particularly the International Research and Training Institute for the Advancement Of Women (INSTRAW), to enhance the integration of women in the development process.

232. He pointed out that many steps had been taken to implement the provisions of the Convention. However, despite all the achievements made in the various sectors, there was still a need for improvement and strengthening of the legislation to eliminate discriminatory practices. It was hoped that the draft Act on the Legal Equality of the Sexes, when adopted, would be another step towards improving the status of women.

233. The members of the Committee expressed appreciation for the representative's introduction, which complemented the information contained in the written report, and expressed regret that some of the statistical information referred to in that report had not been made available. It was clear, they felt, that the report reflected the good will and intentions of the Government, but many members expressed concern about the persistence of prejudices and traditional views with regard to the role of women.

234. Some members requested more information on the National Women's Office in terms of its membership and its authority to introduce policies to the Government. One expert referred to the Office's recourse to the mass media for changing the traditional image of women and asked how that was done. Some experts inquired about the placement of the Office within the Ministry of Social Welfare.

235. One member expressed concern about article 575 of the criminal law on rape and requested clarification. Another requested clarification on the term "white slavery". Questions were also raised on prostitution and whether steps were being taken to abolish it.

236. Some members questioned whether women were well enough informed to take advantage of the application of the Convention, whether legal advice was provided to them on their rights and whether legal remedies had been used for violation of those rights. One expert asked if women had access to legal aid and if such legal aid was free.

237. With regard to education, many members expressed concern that certain activities for girls perpetuated the traditional view of the role of women, which, in turn, had grave implications for future employment opportunities. Some members requested more data on the literacy rate, the level of compulsory education, co-educational facilities and vocational training. It was also noted from the report that female teachers were expected to deal mainly with young children. In this context, one expert objected to the words used to describe female teachers. Some experts asked if there were special educational programmes for indigenous women.

238. More statistics and data were requested regarding the labour force, representation of women in the unskilled and skilled labour force and in the professions, income and wages, taxation and unemployment rates, as well as the restrictions on access to certain jobs. It was noted that many of the provisions of the Labour Code and pension rights were discriminatory.

239. Questions were also asked regarding the importance and character of the rural sector of the economy and the situation of rural women with regard to ownership of land, access to bank loans, etc.

240. One member pointed out that the provisions of the social insurance pension reflected the view that men were the bread-winners and asked whether there was any difference in entitlement for a common-law wife. Some members asked if social insurance was compulsory, if it was deducted from the income or if the employer paid for it, and how many women were involved.

241. With regard to maternity leave, many members asked if employers did in fact comply with the Labour Code, particularly in terms of providing child-care facilities for workers. One member noted that maternity leave was not granted to domestic servants.

242. One expert requested more information on the report being prepared by the Ministry of Public Health, as mentioned in the initial report. Some members noted the high fertility rate and requested information on family-planning programmes and access to contraceptives, as well as statistics on the infant mortality and date on childbirth at home and in the hospital.

243. Some experts noted that the Civil Code had many discriminatory features and many experts asked if the proposed Act on the Legal Equality of the Sexes would ensure the elimination of such discriminatory practices.

244. Some experts requested more information on marriage and divorce rates, the legal status of children (including those born out of wedlock) and property rights upon dissolution of marriage. One expert asked if judicially separated women could

remarry and what was the difference between a "divorced" and a "judicially separated" woman.

245. More information was also requested on the participation of women in promoting peace, the role of the informal sector of the economy and the role of women in that sector, and the sharing of household duties. One member raised the question of the role of the Catholic Church.

246. In view of the many areas requiring urgent attention and to the extent that resources may be limited, one expert asked if the Government of Ecuador had set any priorities for dealing with the elimination of discrimination against women.

247. The representative of Ecuador, in responding to the question raised, explained that women in his country had free access to legal advice and that rural women were provided free of charge with legal defence and interpretation. He said that in his country the bodies dealing with the advancement of women were the National Women's Office, established in 1980, which had also regional offices and training centres around the country, and various other institutes and departments concerned with women and children.

248. Referring to a question about the number of indigenous inhabitants, the representative replied that it was offensive to make such a categorization that did not exist under the law. Ecuador was a melting pot of various indigenous groups. It was a party to all international instruments on human rights and did not tolerate racial discrimination. The majority of the population was bilingual, using Spanish as the main language of education and Quechua as the language for inter-cultural relationships.

249. He said that prostitution was of minor importance in the country and that trading in prostitutes, the "white slave trade", was severely punishable.

250. Concerning the political participation of women, he said that women were active in political parties; they were found in the leading professions and also in the legislature. Voting was obligatory for both sexes.

251. Children of Ecuadorian mothers or fathers born abroad could acquire Ecuadorian nationality. By acquiring another nationality women lost their Ecuadorian nationality.

252. The representative was pleased to state that the struggle against illiteracy had been a major achievement of his country. The national literacy campaign had started in 1944, and presently only 5 to 8 per cent of the population were illiterate. Education was administered without discrimination; it was free of charge at the primary, secondary and higher educational levels, and parents and girls were completely free in their choice of education. Education in fields traditionally considered to be women's fields was also administered to boys. The State allocated 30 per cent of its funds to education. Colleges were mixed or unisex and the general policy fostered co-education.

253. There was no discrimination in labour legislation; the representative then enumerated various types of work that were considered as dangerous and prohibited for women and minors. An additional question was asked about the reasons for certain categories of work being considered dangerous for women and not for men and whether such a measure was not meant to keep women away from certain highly competitive industries. The expert said she would welcome a revision of such protective legislation.

254. The representative stated that both sexes took part in household work and that women were also engaged in technical professions. In his country, 20 per cent of the economically active population were women, but as Ecuador was mainly an agricultural country, more than half of the women lived in rural areas, where they performed domestic tasks without remuneration in their own homes, took care of livestock and family plots and were thus chiefly responsible for the country's economic progress. More and more women could be seen in small-scale industry in the agro-industrial field, but they also held senior positions in professional and technical trades.

255. For nursing mothers, day-care centres and low-cost food was provided. Under the Constitution and the Labour Law women received equal pay with men and were covered by equal social security. Ecuador experienced unemployment and a high rate of under employment among women.

256. As Ecuador was a democratic, free and pluralistic society with 90 per cent of the population Catholic, no demographic measures could be imposed upon the population. But progress in promoting "conscious" parenthood was being made, not through authoritarian measures, but by genuine development activities. Family planning programmes were carried out with full respect for individual concerns. Abortion was prohibited except in case of rape and for therapeutical reasons. In 1977 the State had launched a "mother and child food assistance programme".

257. Both women and men could be landowners. In matrimonial relationships both partners were joint owners of property. With the authorisation of their parents, girls could contract marriage at 12 and boys at 14. Women could adopt the surname of the spouse or retain their maiden names. As both divorce and separation existed, one expert asked whether a couple could get a divorce without going through legal separation. The representative explained that divorce by mutual consent could be obtained immediately. Legal separation existed only in cases where divorce was not wanted because of economic reasons or the children. Specific causes for divorce were provided by law.

258. Efforts were being made to modernize agriculture! however, currently, rural women had insufficient access to technical resources.

259. In reply to one request made to make the annexes referred to in the country report available to the Committee, the representative said that the annexes could be consulted in the secretariat. They had been attached to the report, but they were too voluminous to be translated and distributed.

260. The representative mentioned round tables and seminars held in the country in observance of the International Year of Peace.

261. The representative said that all further concerns of the committee would be considered in the country's subsequent report and further data would be supplied.

262. Members of the Committee thanked the representative of the State party for the replies provided and asked for additional information on the situation of rural women, the incidence of prostitution, divorce and legislation regulating women's work.

263. The representative of the State party replied that trafficking in prostitution had occurred in the past, and informed the Committee that Ecuador had become party to the United Nations Convention for the Suppression of the Traffic in Persons and

of the Exploitation of the Prostitution of Others (General Assembly resolution 317 (IV) of 2 December 1949). He added that Ecuador was an agricultural country. Extensive developmental efforts had to be carried out in order to modernize agriculture. There were rural schools which taught modern skills and work methods. Rural women, however, worked with traditional, simple tools, and he informed the Committee that in general there was no electricity in the rural areas. Divorce could be obtained by mutual consent or through the court. Regarding protective labour legislation, he stated that women and minors were not employed in certain dangerous work such as the manufacture of explosives, glass and paint.

Venezuela

264. The Committee considered the initial report of Venezuela (CEDAW/C/5/Add.24 and Amend.1) at its 74th and 77th meetings, on 17 and 18 March 1986 (CEDAW/C/SR.74 and 77).

265. During the introduction of the country report by the representative of Venezuela, a document in Spanish was circulated, which contained more data. The representative stated that all the activities undertaken to improve the status of women in the country had been centralized in and co-ordinated by the National Women's Office run by the Ministry of Youth. Venezuela was trying to overcome its current economic crisis by means of a new strategy, which integrated women as active participants in its development efforts, and that was in keeping with the aims formulated during the United Nations Decade for Women.

266. The representative stressed that the Women's Office at the Ministry of Youth had created a high degree of national awareness through its important, multi-disciplinary activities. She quoted a message of the President of the Republic of Venezuela in which he underscored the importance of the family in the society and of women as a work force. She also mentioned a workshop organized by the women's Office, which had dealt with women workers and strategies to integrate women in the productive process.

267. The representative further enumerated the planned amendments in the Labour Law, the Penal Code and the Civil Code and the provisions referring to the maltreatment of women. She said that all her expectations and proposals were being reinforced by the Government's support of the social policies. The new strategy to achieve the full integration of women in development consisted in the creation of a power network which was strengthened by the motivation of both women and men to work for the common task of development. With that aim in mind, seven commissions had been created to exchange experience and information in order to achieve an improvement of the status of women in Venezuela in the political, legal and educational participation, in their incorporation in the productive process and in their enjoyment of such common goals as health, nutrition and housing.

268. Members of the Committee thanked the representative of Venezuela for having introduced the report which was referred to by some of them as being very short and not in keeping with the general guidelines established by the Committee for the presentation of States Parties reports under article 18 of the Convention. Most of them expressed regret at the lack of statistical data and of general demographic information and population profiles and deplored that the Spanish document distributed during the meeting had not been available earlier nor supplied in time to be translated into other languages. However, some members of the Committee congratulated Venezuela for its efforts and, in spite of admitting the persistence of discrimination in many areas, acknowledged the progress made by the country.

269. Some experts, while discussing the brief report of Venezuela, made remarks at the lack of data on the active participation of the Venezuelan women in international affairs, which could have been significant in the preparatory work for the International Women's Year and during the United Nations Decade for Women.

270. Some members wanted more information on the effects of the Convention on the general, social, political and legal framework of the country. They wanted to know whether, after the ratification, the country had instituted specific institutions and authorities for the elimination of discrimination against women and whether the provisions of the Convention could be directly invoked before the Courts or the administrative authorities.

272. One member expressed the hope that the Civil Code adopted in 1902 would be sent to members of the Committee; some others asked which laws had been adapted since 1982 to eliminate discrimination. One member asked about the role of the Catholic Church in the country.

272. Some members inquired about the discriminatory practices against women in the country. Others asked what was being done in the country to eliminate prejudices and sex stereotyping and what measures were being taken to make women aware of their rights.

273. Several experts wondered about the role and number of women's organizations in the country and whether they were supported by the Government.

274. Some questions were raised about the situation in the country concerning prostitution and the white slave trade. One expert asked whether rape was considered to be an offence and whether pornography existed.

275. Several experts commented on the fluctuating figures given in the report on the number of women as senators and deputies. They inquired about the number of female senators and deputies, about the percentage of women voters and women eligible to vote and be elected and the percentage of women at the ministerial level. Other questions referred to the participation of women in the executive and the judiciary. Further information was requested on the role and functions of the National Women's Office. One expert wanted to know whether political parties had women's sections and whether women were allowed to participate in trade unions.

276. Further information was sought on the question of nationality of married women.

277. Many members asked questions about the literacy of women, the percentage of female illiterates in the cities and rural areas and whether and up to which level education was free of charge and () which level it was compulsory. Some questions referred to the programmes of education and to their impact on changing attitudes, others to the school drop-out rate of girls. One expert inquired about the results of the study of stereotypes in school textbooks mentioned in the report.

270. Many questions referred to the percentage of unemployed women. More details were asked about the labour legislation reform. Information was sought as to whether the right for equal pay for equal work was ensured in the new draft law. One member considered the prohibition for women to work as discriminatory. Another expert asked for further explanation as to what was meant by heavy, dangerous and unhealthy work. Other members asked whether the different retirement age for women and men was to be considered as positive or negative discrimination and what the minimum ages for retirement were. She also asked why the economic and social value

of domestic work was so important in that society. Another expert expressed interest in the text of the new Labour Law.

279. Several questions referred to the conditions of work, the wage level, social security, pension rights, the length and nature of maternity leave and the availability of nurseries. One member asked whether any efforts were being made to make men assume their responsibilities in fully sharing household work. One expert asked whether women had to undergo a pregnancy test before taking on employment. She also wanted to know whether the figure of 27.3 per cent for the female labour force also included underemployed women, such as domestic servants and street vendors. Another expert wanted to know, since the unemployment rate seemed to be higher for women than for men, whether hidden unemployment existed. It was also asked whether the informal sector was important in size and what was the role of women within that sector. Questions were asked about the percentage of women in higher management, in unskilled and low-skilled labour and on the amount of women working as domestic servants as compared to that of men.

280. One expert asked whether women in domestic service were registered.

261. Some experts sought more information on health services available to women and asked whether pregnant women could benefit from free medical care. Several questions referred to the possibility of legal abortion, to family planning and to the number of deaths per annum as a result of illegal abortion. One expert inquired about the protective measures for pregnant women and asked whether self-employed women could take advantage of the maternity benefits. Another member inquired about maternal and child welfare programmes in the country.

282. Several experts wanted to obtain more information on rural women. They were interested in statistical information) they asked about pension rights and property rights, as well as the rates of illiteracy of rural women and health facilities available to them.

283. One expert inquired about the situation of migrant women as regards both internal and foreign migration.

284. More information was sought on the Civil Code and the status of women. One expert asked whether the rule that both husband and wife required the consent of the other spouse in commercial transactions did not constitute a disadvantage.

285. Several experts asked for information on the right to divorce and on the parental authority in case of divorce. Interest was expressed in learning more about the rules governing property relations. Some experts inquired about the percentage of marriages and of unmarried women living with men and also about the property relations of such unions. Others asked about the responsibilities of fathers vis-à-vis their children and about the rights of children born outside wedlock. Some members asked about the number of households headed by women and the availability of additional protective measures for such women. They inquired about the minimum age for marriage and about the rights of women to choose the family name in case of marriage. One expert inquired about the existence of a Family Code and about inheritance rights of women.

286. As regards domestic violence, information was sought on any steps taken in cases of domestic violence and on the availability of crisis centres.

287. Some experts expressed appreciation for the participation of the country in the struggle for peace and asked about the activities undertaken by the country within the framework of the International Year of Peace.

288. In answering the questions posed by the experts, the representative of Venezuela informed the Committee that a comprehensive reply had been prepared which would be made available to the secretariat for subsequent reference.

289. The representative of the State party explained that institutional support for the advancement of women consisted of a National Commission, a Minister of State and the National Office for the Status of Women. These were in turn supported by the Municipal Council, universities and non-governmental organizations. The National Office for the Status of Women co-ordinated the overall programme, conducted research and provided advice. The Advisory Commissions of this Office were broken down by sectors such as health, legal, education, employment and participation. Strategies, diagnosis and proposals were then given to all women in influential and decision-making positions in the private and public sector, governmental and non-governmental, for comments and action. A review of the Penal Code and of the Labour Law had been recommended by the Office.

290. Women's non-governmental organizations worked indirectly through political parties, religious groups or trade unions, and were also directly involved in the programmes of the National Office. Through the latter these groups had access to international forums such as the Inter-American Commission for Women. No statistics were available on women's participation in international organizations; however, recently, a national of Venezuela had been appointed to a senior post in the United Nations to co-ordinate the status of women in the Secretariat.

291. Political parties such as the Democratic Action Party had established a 15 per cent quota to ensure the full participation of women. This quota had been reached and surpassed, both at the national and municipal level.

292. The representative also stated that the implementation of the Convention was hampered by socio-cultural and traditional attitudes. However, the reform of the Civil Code which dealt with family law had opened the way for further improvements in bringing awareness of women's equality to the population. A change had occurred in her country, since at the present time, at the executive level, there were two women Ministers (10 per cent); at the legislative level (16 per cent); at the municipal level there was only a 6.1 per cent of women in 1975 and in 1985 it had increased to 21.48 per cent. The majority of judges were women, she stated, and a marked increase had been noticed in other professional occupations.

293. The representative also explained that efforts were being made through communication means to eliminate stereotypes, sexism and other still prevalent attitudes. These activities have been further strengthened by preparation carried out at the national level in preparation for the United Nations World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace. Television space had been secured and programmes designed under the Ministry to educate the public. In addition, a multi-disciplinary commission had been established to study the use of women's image by the media. The recommendations of this commission will provide the guidelines for the media and other communication sectors. Venezuela, she stressed, was a pluralistic society where many ideologies, political parties and religions converged; it was through dialogue among all representatives that change would come about.

294. Prostitution existed and had originated because of internal migration patterns and foreign migration. Data had not been collected on time from the Ministry of Social Health and Hygiene but would be included in Venezuela's next report.

295. Concerning nationality, she indicated that Venezuelan women had the same rights as men in this regard.

296. The representative of Venezuela replied to questions raised in regard to article 10 of the Convention. Education was free in her country up to the ninth grade and there were no discriminatory provisions affecting boys or girls. There were also private institutions which charged a fee. Women's registration in universities had surpassed men's in the last 10 years and this trend seemed to continue. Of the 41 per cent women graduates, however, only 13 per cent joined the work force. Resistance to employ women in areas previously considered as men's continued. The Government would be attempting to increase the participation of women from the marginal areas into the educational and cultural formal sector. Vocational training as well as literacy are areas of priority. The representative referred to statistics and additional information material which she would be circulating to the members of the Committee.

297. As she had stated before, flex stereotyping was found also in education and again the Government continued to allocate resources to remedy the anomaly, through teachers' associations which continued to update and evaluate methods within the socio-cultural and economic contexts particular to the specific problems and segments of the population.

298. Only 27.6 per cent out of a labour force of 5 million were women and 51 per cent of them were employed in the service sector. Women constituted 20.5 per cent of the heads of households. There was a 14 per cent unemployment rate at the present time due to the economic crisis. The principle of equal pay for equal work was implemented specially among the professional occupations since they were controlled by different trade unions. The situation, the representative stated, was different in other areas where women were not active in trade union organisations. The Government was trying to correct this and other anomalies with a new labour law, which included also the extension of social security to household workers and articles which brought national legislation into alignment with the Convention.

299. Working women had the same rights to pension and social security benefits as men, and had the same right to establish and carry out business transactions. This was to avoid property disputes in case of subsequent divorce and to eliminate an old practice where husbands sold property without consulting the wife prior to divorce.

300. The National Constitution, through its article 61, forbade any type of discrimination based on race, sex, class or creed. Article 32 of the Labour Law forbade discrimination in employment and Venezuela had ratified International Labour Organisation conventions in this regard, as for example the convention requesting night work for women. Although Venezuelan law attempted not to be overprotective, certain restrictions were applied to women's work, such as labour considered physically arduous, like lifting heavy weights, or considered dangerous or unhealthy. Also women were prevented by the Labour Law from working in enterprises which might prejudice their morality or good manners; the Law did not, however, specify which enterprises.

301. Several questions had been raised in regard to the situation of rural women. The representative stated that only 25 per cent of the population lived in rural areas, of which 12.5 per cent were women. These women did not work in agriculture nor live alone. Rural population was composed of married couples or unmarried couples with children. Only young women migrated to the cities in search of another type of work or life.

302. The representative of Venezuela stated that there were schools in the rural areas and that ongoing literacy campaigns were carried out by the National Institute of Agrarian-Education, Co-operation. The illiteracy rate was 11.5 per cent, of which 4.9 were men and 6.62 women.

303. Women in the rural areas had the right to own property and within the scope of the agrarian reform had the right to receive the title for their lands, as well as to receive credit and other types of technical advice.

304. Mobile medical units had been created which visited remote areas and which had been very successful in monitoring health aspects particular to women and of women's concern, including early cancer detection.

305. In reply to questions raised regarding health facilities provided to women, the representative informed the Committee that the following programmes were in operation: pre-natal and natal care, including the mother and child, and all health-related aspects, including nutrition and preventive medicine such as vaccination, family planning, and gynaecological supervision for early cancer detection, general disease control and prophylaxis.

306. Family planning programmes were in operation since 1962 and since 1974 were an official programme of the Government. One of the main objectives of the programme was to contribute to the reduction of illegal abortions and to diminish maternal and infant mortality, among others. It also sought to promote responsible parenthood and sexual education. Sterilization of both men and women was allowed. For a woman, however, authorization was required from her husband.

307. The representative of the State party submitted quantitative information on the uses, methods and types of birth control used in the country, and provided the Committee with demographic indicators, including maternal and infant mortality rates, as well as data on the national programme of child care.

308. The representative also referred to the Family Code adopted in 1982. This Code stipulated equal rights for husband and wife without distinction or privileges. It regulated property rights, responsibilities in regard to children, and affirmed equal rights in cases where a consensual union and not marriage had been established.

309. The Penal Code, the representative of the State party stated, addressed the anomaly of family violence. It considered that physical abuse was unhealthy and carried a penalty of 1 to 12 months imprisonment. Other articles were more specific and referred to the type, age and sex of the victim, with penalties up to withdrawal of patria potestas. Information campaigns had been launched as a preventive measure and also to elicit public awareness of the problems and damages which this behaviour entailed.

310. Divorce was allowed and equality in treatment had also been established by law. She stated that in the past women had had few grounds for divorce even when the husband was committing adultery.

311. The **representative** thanked the **Committee** for the pertinent **questions asked** and indicated **that** Venezuela's next **report** would contain **more** detailed data as had been **suggested by the experts**.

312, **Many** experts expressed their appreciation for the thorough **reply delivered** by the representative of the State party which had been prepared in 24 **hours**. Her presence as Minister of her country gave **proof** of the **commitment** by the Government of Venezuela to the fulfilment of the **aims of the Convention**. One expert **remarked** that perhaps the law requiring a woman who sought sterilisation to seek permission from her husband would be abolished in due course.

313. The representative of the State party replied that, as stated in her introduction and **replies**, discrimination still **existed** but that there was a noted improvement, Women were working very hard and there were many who were dedicated to reaching the desired goals established by the Convention.

El Salvador

314. The Committee **considered** the initial report of El Salvador (CEDAW/C/5/Add.19) at its 76th, 77th and 80th meetings, on 18 and 20 March 1986 (CEDAW/C/5/SR.76, 77 and 80).

315. The representative of El Salvador, in his **introduction**, said that significant progress in the advancement of **women** had been made in his country owing to the policy **advocated** by **President José Napoleón Duarte**. Currently, there **were six women** Vice-Ministers and decentralised institutions headed by **women**, such as the Institute of Co-operative Progress and the Institute of Urban Housing. **In the Legislative Assembly** there were 10 women deputies elected by popular vote, and they constituted 10 per cent of the legislative members. **Ten governors were women as were 32 mayors**, who administered approximately 10 per cent of the towns of **El Salvador**.

316. Some member8 of the Committee **commented on the frankness** of the **report**, which followed the articles of the Convention and gave a **good picture** of the legislative **situation of the country**. They pointed out, however, that discriminatory **legislation still existed** and they would have welcomed **more** statistical data and a **comprehensive** overall perspective of Salvadorian society. They inquired what measures the **Government** was planning to undertake to remedy the situation. **More information** was requested on the economic profile of the country: what was the per capita income, land ownership and land distribution? More data was also requested on the political aspects and national administration, and membership of women in trade **unions** and the military government organisations as well as political parties. **One expert asked whether women's organisations had been consulted in the preparation of the report** and what steps **would be** taken to inform **women** of the proceedings of the Committee.

317. Some experts asked whether the principle of women's **equality** was **limited** to civil rights or whether it referred also to other rights, **such as political and economic rights**. **Questions** were asked as to whether the **principles** contained in the Convention had the force of law. Women **seemed** to be the victims of cultural and social prejudices and certain penal provisions, **such as those regarding adultery and others** contained in the **Labour Code**, constituted an unacceptable **discrimination**.

318. One expert asked how many cases of sexual discrimination were taken to Court and whether women had access to legal aid. One expert emphasized the need to achieve both de facto and de jure equality; this was not at all clear in the report and indicated a lack of awareness on the subject.

319. Several experts remarked that since the country was in a state of emergency, human rights violations had been reported and had been, the subject of scrutiny by United Nations organs. One expert asked what consequences these violations had had on women regarding imprisonment, torture and disappearance. The same expert asked what legislative acts were adopted that violated human rights.

320. Furthermore, information was requested on a document entitled "Comprehensive population policy".

321. Several experts wondered about the circumstances under which pregnant women could be transferred from their posts; some considered those measures as overprotective. It was asked what was the reason for the provision giving the employer a right to transfer pregnant women when their normal work consisted in dealing with the public.

322. Other experts sought more information on the Women's Office and the functions of, and the number of cases dealt with by, the Attorney for the Poor. One expert asked about the degree of influence of the Roman Catholic Church in the social development of the country. Other@ asked how many children were affected by the practice of voluntary surrender of children for adoption, whether that system was related to the poverty in the country and whether it had social repercussions on the family.

323. Questions were asked concerning the magnitude of the problem of prostitution and if it was permissible below the age of 16.

324. One expert asked whether Salvadorians below the age of 18 were also citizens. Another one thought that the electoral law requiring a minimum age for women of 25 or 21 years constituted discrimination against the female sex. Some experts asked about the existence and programmes of women's organizations and were interested in figures on the participation of women at the decision-making level and in trade unions.

325. Several members inquired about the percentage of women in the foreign service.

326. Members wanted to know the literacy rate for both men and women, whether women were encouraged to participate in the literary campaigns, and what percentage of the population was reached by the educational television system. They also asked for statistical information for both sexes on all levels of education. Some experts wanted to know which sports were qualified as unsuitable for girls.

327. Some experts asked whether sanctions existed in cases of violations of the principle of equal wages for equal work. Several experts noted that certain types of work were prohibited only for women and children but not for men and it was asked on what grounds they were not considered unsuitable also for men. It also seemed that employers were quite free to decide what kind of work could be considered unsuitable for women. One expert wanted to know the length of apprenticeship contracts. Figures on the unemployment rates in the country were sought. One expert asked which occupations were not considered suitable after the fourth month of pregnancy. Another one pointed out that the benefits during

maternity leave should be 100 per cent and not just 75.6 per cent of basic wages. Concern was expressed at the lack of day-care facilities.

328. As regards the benefits accruing to the lifetime companion covered by the social security system, questions were asked as to the required minimum duration of such unions.

329. Some questions concerned the number of beneficiaries in training and retraining programmes. One expert inquired about the rationale behind the existence of three types of maternity benefits; other experts asked for more information on the social security system.

330. Some experts asked whether abortion was legal or illegal, whether sanctions existed against women and/or doctors involved in abortions, and whether family planning was being practised.

331. Several experts remarked that no reasons were given in the report for the lack of child-care facilities and they requested more information on that question. Other experts were worried by the increase of children being given away for adoption and asked what was compelling women to take such drastic measures. Some experts requested statistical data on demographic factors such as mortality rates (infant and maternal), life expectancy and age groups, while others requested information on the percentages of births in maternity clinics and other locations.

332. Information was requested on programmes covering the needs of rural women, on the percentage of rural women and on rural reforms. One expert asked whether the husband or the wife was the landowner and whether rural women had access to bank loans. Another expert asked how the agrarian reform had affected women.

333. One expert wondered why the husband owed protection to his wife, whereas the wife did not have a similar duty. Another expert asked why the legal age for entering into marriage was lower than the legal age to vote. Other experts inquired about the property regime in marriages and wondered about the lack of legislation concerning the name of married women. The obligation of the wife to follow her husband was considered as discriminatory.

334. An expert praised the representative for the courage the country had shown in signing the Convention and for the frankness with which the report had been prepared, in recognizing that discrimination still existed despite the efforts made by the present Government.

335. In replying, the representative of the State party first expressed doubts as to whether the members of the Committee did not go beyond the scope of their competence by some of the questions asked and by raising matters that had already been discussed by the Human Rights Committee in Geneva. He was wondering why not one expert had protested the kidnapping of the President's daughter, which had been financed by other States Members of the United Nations. That kind of blackmailing should not be ignored by the Committee.

336. He then spoke about the new Constitution, which had been put into force in his country in 1983, that established the equality of all persons before the law. All other laws had to be adopted accordingly.

337. In the Constituent Assembly, 18 per cent. of its members were women and, later, the President of the Legislative Assembly was a woman. That showed that women in El Salvador were strongly involved in the political life of the country.

338. The function8 of the former Office of the Attorney for the Poor were currently being executed by the General Prosecutor of the Republic. The Women's Office had been incorporated within that institution since 1983. After the cut of its subsidies from the Organization of American States, it was still financed from the State. As the general policy of El Salvador was aimed at promoting women's rights and women's organizations, the function8 of the Women's Office were not limited to rendering merely social services, they concentrated on promotional and development activities, political participation, housing, education and employment.

339. The representative explained that his Government supported pluralistic political participation and equality of rights, independent of sex, social origin, economic condition8 and political beliefs.

340. He stated that international treaties had legal force in his country and in case of conflict between treaty obligation8 and national laws, the treaties prevailed over existing laws.

341. Women in El Salvador had free use of property. Children born in and out of wedlock and adopted children had the same rights. In marriage, women and men had equal parental authority, women had the right to care for the children and the right to receive child support from the child's father. In marriage, the system of separation of property was valid. If women changed their maiden name8 to their husband's name, they did not become their husband's property.

342. Under labour law, equal opportunities and equal pay existed for both sexes. Women also enjoyed the same social benefits as men. They were protected from dangerous and unhealthy work and enjoyed additional benefits related to maternity. One of the experts referred to such practice as being over-protective and would welcome a revision of that legislation.

343. Also, non-working women could benefit from social security benefits. For women living with men in free unions, the same social security regulation existed. There was no minimum time for cohabitation. All that was necessary was that the man registered the woman he lived with; he could also do that if he was already married to another woman. Failing that, the woman could obtain the inclusion in social insurance by law.

344. Abortion was a crime except for health reasons for the mother or the child and in cases of scandal and rape.

345. Women in civil service were, under sanctions, guaranteed the same entitlements as men to promotion and other benefits.

346. The transferral of pregnant women to more comfortable jobs was not to be considered as a discrimination, but only as a favour, which they could use if they felt more comfortable.

347. Women were active in the country's foreign service. Military service was compulsory only for men, none the less about 10 women were to be found in the military ranks.

348. In El Salvador all public schools were co-educational and women could often be found in leading posts in school administration. Women had access to any type of sports; limitations referred merely to their sex in sports such as boxing.

349. Since their recognition of legal capacity, women could take the same legal steps • e men without any prior authorization and they could be personally notified or summoned and could be witnesses.

350. Since the agricultural reforms of 1981, women could be active • subjectn and beneficiaries, they could own and labour land and be member8 of co-operatives.

351. The representative concluded by saying that he felt sure that the Committee members recognized the country's good intentions and its aspirations for peace.

352. In reply to some further questions, the representative of El Salvador said that the church did not exercise any pressure on the Government and did not try to impede the advancement of women.

353. Some experts were dissatisfied with the replies given and said that some of their questions had not been answered. The representative had been duelling on the legal aspect, but he did not say anything about the de facto situation of women. Experts wanted to get demographic profiles and other statistical data.

354. A discussion was held between the representative of El Salvador and some experts concerning the Committee's competence to ask questions regarding the human rights situation in a reporting State. Some experts expressed their view that women • e well as men were hurt by the political, social and human rights situation in El Salvador. The representative said that it had not been made clear about the extent to which the Committee could discuss political questions. A few experts emphasized that the members of the Committee served as individual8 and not as government representatives. The questions were only asked to learn about the true position of women in El Salvador.

355. Asked about the role of the Committee of Salvadorian Mothers, the representative said that it enjoyed the same rights as other women's organisations to organise strikes and hold public protests. People in his country had also free access to newspapers.

356. Finally, the representative said that the subsequent report would contain sufficient expanded material.

IV. WAYS AND MEANS OF IMPLEMENTING ARTICLE 21 OF THE CONVENTION

357. The Committee considered item 5 of the agenda at its 68th, 71st, 78th to 81st and 82nd meetings, on 12, 13, and 19 to 21 March 1986. The Committee began a general discussion on the purpose of article 21 of the Convention, together with rules 46 and 48 of its rules of procedure.

358. While some experts felt it was time to act, others felt it was premature. Two opposing views also emerged: whether, exclusively, the contents of reports should be used to prepare suggestions or general recommendations, or whether other suggestions or general recommendations could also be made. It was also discussed whether the guidelines for the preparation of national reports could be considered to be such a general recommendation. The Committee discussed several draft general recommendations proposed by members of the Committee. They discussed the nature of such recommendations, how general or specific they should be, the number of general recommendations to be made and when they should be made, and whether they should be addressed to one or a few or all States parties.

354. A representative of the Office of Legal Affairs of the Secretariat was present at the Committee's 68th meeting and at the request of the Chairman made a statement concerning the interpretation of the terms "suggestions and general recommendations" contained in article 21 of the Convention. He referred to the official position of the Office of Legal Affairs regarding the meaning of those terms, which is reflected in Document CEDAW/Background Paper/L.4 and Corr.1. He stated that, since the travaux préparatoires did not provide additional guidance on the interpretation of article 21, it had been necessary to look to the plain and ordinary meaning of the terms used in that article. He referred to the background leading to the adoption of similar wording in article 9, paragraph 2, of the International Convention on the Elimination of All Forms of Racial Discrimination (General Assembly resolution 2106 A (XX)). He stated that in the light of that background, it appeared that the drafters of the earlier Convention had not wished to inhibit the Committee on the Elimination of Racial Discrimination established under that Convention from making suggestions and therefore imposed no qualifications on the type of suggestions that could be made, but they did wish to place some limitation on the competence of the Committee to make recommendations which are more formal and which had to be general in nature and scope. Since the wording of article 21 was similar, the Committee might wish to be guided by the same interpretation, which would leave it flexibility to make suggestions on the basis of reports received from States parties without qualification as to whether they should be addressed to general situations or specific situations and to make recommendations of a general nature addressed to all States parties. He added that, in his view, the provisions of article 46 of the rules of procedure of the Committee were of a technical nature and more limited in scope than the provisions of article 21 of the Convention.

360. In order not to postpone the matter to another session, members of the Committee agreed to draft what they considered suggestions and general recommendations and to discuss it at the end of the session.

361. The Committee decided to form a five-member working group to consolidate the recommendations and to report to the Committee: as Co-ordinator, Mr. E. Ilic, and as members, Mr. Aida González, Ms. Irene Cortes, Ms. Maria Rejent-Lechowicz and Ms. Maria M. da Rego da Costa Salamea.

361. At its 81st meeting, the Committee had before it the proposals of the working group. The Committee discussed one general recommendation and one suggestion submitted by the working group. The co-ordinator of the group informed the Committee that the working group had been guided by article 21. It was understood that a general recommendation could be made as a result of examination of reports by State parties and could be addressed to all States. The Committee adopted the following general recommendation:

"Initial reports submitted under article 18 of the Convention should cover the situation up to the date of submission. Thereafter, reports should be submitted at least every four years after the first report was due and should include obstacles encountered in implementing the Convention fully and the measures adopted to overcome such obstacles."

363. The co-ordinator of the working group explained that the wording for the suggestion had been taken from article 2 (1) of the Convention, as well as paragraph 57 of the Forward-looking Strategies for the Advancement of Women adopted by the World Conference to Review and Appraise the Achievement of the United Nations Decade for Women: Equality, Development and Peace. 1/ One expert stated that it was more in the nature of an observation. The Committee, after further discussion, adopted the following suggestion:

"Where needed, State parties might consider the establishment of public institutions (national machinery) to ensure the effective elimination of discrimination against women, and where established, pursue towards this end."

364. The Co-ordinator of the working group informed the Committee that there had not been enough time to discuss in depth the numerous proposals related to specific sectors and it had been felt that these proposals were more in the nature of observations which, at the Committee's next session, could be examined in depth. She also suggested that these general observations be included in the report of this session. Some experts expressed the opinion that the Committee should recommend to the States parties to consider different reservations which had been made to various articles of the Convention, while other experts strongly opposed that the Committee should make such observation as it was not in accordance with its mandate.

365. The problem of women's unemployment and women in rural areas was debated and discussed. At its 82nd meeting, the Committee decided to reflect in its report the following general observations:

General observations arising from the fifth session of
the Committee

Arising from the consideration of the reports and information received from States parties, many members of the Committee expressed the following opinion:

I. Since a high percentage of world population lives in the rural areas, it is important that States parties include either in their initial reports or subsequent reports the following information:

(a) Status of women in the rural areas to include percentage of total population of the State party;

(b) Changes and developments in their status due to the implementation of the Convention;

(c) Programmes or legislative and administrative measures of general policy adopted in order to comply with article 14 of the Convention, for example:

- (i) Preventive and full-time health services provided;
- (ii) Family planning)
- (iii) Literacy programmes and plans for formal and informal education,
- (iv) Training, self-help programmes and infrastructure building, such as co-operatives¹
- (v) Credit and loan facilities (such as seed monies) extended to women as an independent entity; recognition of her signature and ability to enter into contracts in her own name without requirements of second persona, collaterals, as beneficiary or dependent;
- (vi) Ownership of land;
- (vii) Appropriate technology to facilitate working and living conditions of women.

2. States parties should consider taking measures to involve more women at decision-making levels of management in the Government⁸ and officially sponsored delegations to the United Nations and to other international organisations and agencies dealing with political, economic, social and cultural matters.

3. States parties that have not already done so should consider the introduction of appropriate measures to overcome obstacles to equality arising from prejudices, customs or practices based upon stereotyped roles for men and women and aimed at modifying the social and cultural patterns of conduct. Special reference to any such measures might be made in initial or subsequent reports.

4. Initial reports and subsequent reports should include information about the level of wages and of unemployment of women and men and on measures to combat unemployment and differences in wage levels.

This list is not exhaustive.

V. INTERNATIONAL YEAR OF PEACE

366. The draft statement on the International Year of Peace was discussed by the Committee at its 78th and 79th meetings on 19 March 1986 (CEDAW/C/SR.78 and 79). It was finally adopted as a resolution, which is annexed to the present report (see annex I).

VI. TRIBUTE TO THE MEMORY OF OLOF PALME, PRIME MINISTER OF SWEDEN

367. Ms. Leiou-Antoniou paid a tribute to the memory of Olof Palme, Prime Minister of Sweden, who had recently been assassinated. Recalling that Mr. Palme had been a man of peace and emphasizing that peace was the only means of solving social problems, particularly the question of the equality of women, she proposed that the Committee should adopt and issue a statement to read as follows:

"The members of the Committee on the Elimination of Discrimination against Women, participating in its fifth session in New York,

"Moved by the tragic death of the Prime Minister of Sweden, Olof Palme,

"Express their deep sorrow and horror at such an appalling crime.

"Olof Palme was a visionary of a society of equality and social justice and an untiring fighter for peace. He knew that the great social problem facing the world could not be solved unless world peace were achieved. With Olof Palme's death, the whole world had lost a great statesman and a valiant champion of peace. "

368. The statement was adopted unanimously.

369. On the proposal of the Chairperson, the members of the Committee observed a minute of silence in tribute to the memory of Olof Palme.

VII. ADOPTION OF THE REPORT

370. At its 81st, 82nd and 83rd meetings, on 20 and 21 March 1986, the Committee considered the draft report of the fifth session, which was adopted as amended.

Notes

1/ Report Of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace (A/CONF.116/28 and Corr.1-4), chap. I, sect. A.

Resolution on the International Year of peace

The Committee on the Elimination of Discrimination against Women,

Noting that in resolution **40/3** of 24 October **1985**, the General Assembly invited all organisations of the United Nations **system** to co-operate in achieving the objectives of the International Year of peace,

Recalling that in the preamble of the Convention on the Elimination of All Forms of Discrimination against Women, the States parties express their conviction that "the cause of peace requires the maximum participation of women on equal terms with men in all **fields**",

Recalling also that in the introduction to the report, of the **Committee** submitted to the World Conference to Review and Appraise the Achievements of the United Nations Decade for **Women: Equality, Development and Peace**, held at Nairobi in July 1985, a/ it **is** stated that States parties have made it clear that **the** many factors that will contribute to **the** full attainment of the goals and objectives of the Decade, inter alia, the strengthening of international peace and security, thereby relaxing international **tension**; the achievement of stable global development! the establishment of the new international economic order based on equity and **justice**; the eradication of **colonialism**, neo-colonialism, apartheid, racial discrimination and all forms of racism and **aggression**; the realisation of the rights of peoples under alien and colonial domination and foreign **occupation** to self-determination and independence and respect for national sovereignty and territorial integrity) mutual co-operation between all States irrespective of their social and economic **systems**; and general and complete disarmament, **including** nuclear disarmament, under **strict** and effective international control,

Recognizing the particular long-standing contribution of women in the struggle for world peace,

1. Declares that it wholeheartedly **support**s the objectives as contained in the Proclamation of the International Year of Peace, annexed to General Assembly resolution **40/3**;

2. Calls upon all States parties to the Convention on the Elimination of Discrimination against Women and all States **Members** of the United Nations to show their commitment to peace and to the advancement of women by taking steps to ensure the equal participation of women in all bodies, **committees** and institutions at the national or the international level, which have the power to make decisions concerning peace, war and disarmament ;

3. Appeals to all women and men as well as to all non-governmental **organizations** to accelerate and intensify their activities in promoting world peace in a spirit of equality and mutual co-operation.

State8 parties to the Convention on the Elimination of All Forms
of Discrimination against Women ae at 23 March 1986

<u>States parties to the Convention</u>	<u>Date of receipt of the instrument of ratification or accession</u>	<u>Entry into force of the Convention</u>
Argentina	15 July 1985	14 August 1985
Australia	28 July 1983	27 August 1983
Austria	31 March 1982	30 April 1982
Bangladesh	6 November 1984 a/	6 December 1984
Barbados	16 October 1980	3 September 1981
Belgium	10 July 1985	9 August 1985
Bhutan	31 August 1981	30 September 1981
Brasil	1 February 1984	2 March 1984
Bulgaria	8 February 1982	10 March 1982
Byelorussian Soviet Socialist Republic	4 February 1981	3 September 1981
Canada	10 December 1981	9 January 1982
Cape Verde	5 December 1980 a/	3 September 1981
China	4 November 1980	3 September 1981
Colombia	19 January 1982	18 February 1982
Congo	26 July 1982	25 August 1982
Cuba	17 July 1980	3 September 1981
Cyprus	23 July 1985 a/	22 August 1985
Czechoslovakia	16 February 1982	18 March 1982
Democratic Yemen	30 May 1984 a/	29 June 1984
Denmark	21 April 1983	21 May 1983
Dominica	15 September 1980	3 September 1981
Dominican Republic	2 September 1982	2 October 1982
Ecuador	9 November 1981	9 December 1981
Egypt	18 September 1981	18 October 1981
El Salvador	19 August 1981	18 September 1981
Equatorial Guinea	23 October 1984 a/	22 November 1984
Ethiopia	10 September 1981	10 October 1981
France	14 December 1983	13 January 1984
Gabon	21 January 1983	20 February 1983
German Democratic Republic	9 July 1980	3 September 1981
Germany (Federal Republic of)	10 July 1965	9 August 1985
Ghana	2 January 1986	1 February 1986
Greece	7 June 1983	7 July 1983
Guatemala	12 August 1982	11 September 1982
Guinea	9 August 1982	8 September 1982
Guinea-Bissau	23 August 1985	22 September 1985
Guyana	17 July 1980	3 September 1981
Haiti	20 July 1981	3 September 1981
Honduras	3 March 1983	2 April 1983
Hungary	22 December 1980	3 September 1981
Iceland	18 June 1985	18 July 1985
Indonesia	13 September 1984	13 October 1984
Ireland	23 December 1985 a/	22 January 1986

<u>States parties to the Convention</u>	<u>Date of receipt of the instrument of ratification or accession</u>	<u>Entry into force of the Convention</u>
Italy	10 June 1905	10 July 1985
Jamaica	19 October 1984	18 November 1984
Japan	25 June 1985	25 July 1985
Kenya	9 March 1984 <u>a/</u>	8 April 1984
Lao People's Democratic Republic	14 August 1981	13 September 1981
Liberia	17 July 1964 <u>a/</u>	16 August 1984
Mali	10 September 1985	10 October 1985
Mauritius	9 July 1984 <u>a/</u>	8 August 1984
Mexico	23 March 1981	3 September 1981
Mongolia	20 July 1981	3 September 1981
New Zealand	10 January 1985	9 February 1985
Nicaragua	27 October 1981	26 November 1981
Nigeria	13 June 1985	13 July 1985
Norway	21 May 1981	3 September 1981
Panama	29 October 1981	28 November 1981
Peru	13 September 1982	13 October 1982
Philippines	5 August 1981	4 September 1981
Poland	30 July 1980	3 September 1981
Portugal	30 July 1980	3 September 1981
Republic of Korea	27 December 1984	26 January 1985
Romania	7 January 1982	6 February 1982
Rwanda	2 March 1981	3 September 1981
Saint Christopher and Nevis	25 April 1985 <u>a/</u>	25 May 1985
Saint Lucia	8 October 1982 <u>a/</u>	7 November 1982
Saint Vincent and the Grenadines	4 August 1981 <u>a/</u>	3 September 1981
Senegal	5 February 1985	7 March 1985
Spain	5 January 1984	4 February 1984
Sri Lanka	5 October 1981	4 November 1981
Sweden	2 July 1980	3 September 1981
Thailand	9 August 1985 <u>a/</u>	8 September 1985
Togo	26 September 1983 <u>a/</u>	26 October 1983
Tunisia	20 September 1985	20 October 1985
Turkey	20 December 1985 <u>a/</u>	19 January 1986
Uganda	22 July 1985	21 August 1985
Ukrainian Soviet Socialist Republic	12 March 1981	3 September 1981
Union of Soviet Socialist Republics	23 January 1981	3 September 1981
United Republic of Tanzania	20 August 1965	19 September 1985
Uruguay	9 October 1981	8 November 1981
Venezuela	2 May 1983	1 June 1983
Viet Nam	17 February 1982	19 March 1982
Yugoslavia	26 February 1982	28 March 1982
Zambia	21 June 1985	21 July 1985

a/ Accession.

Submission of reports by States parties under article 18
of the Convention as at 23 March 1986

<u>State8 parties to</u> <u>the Convention</u>	<u>Report</u> (date)	<u>Invitation to</u> <u>submit reports</u> (date)	<u>Reports received</u> (date)
Argentina	14 August 1986	16 August 1985	
Australia	27 August 1984	12 September 1983	
Austria	30 April 1983	23 April 1982	20 October 1983 (Add.17) c/ March 1986
Bangladesh	6 December 1985	2 April 1985	
Barbados	3 September 1982	2 March 1982	
Belgium	9 August 1986	16 August 1985	
Bhutan	30 September 1982	2 March 1982	
Brazil	2 March 1985	2 March 1984	
Bulgaria	10 March 1983	2 March 1982	13 June 1983 (Add.15) c/ A October 1982 (Add.5) a/
Byelorussian Soviet Socialist Republic	3 September 1982	2 March 1982	
Canada	9 January 1983	2 March 1982	15 July 1983 (Add.16) c/
Cape Verde	3 September 1982	2 March 1982	
China	3 September 1982	2 March 1982	25 May 1983 (Add.14) b/
Colombia	18 February 1983	2 March 1982	
Congo	25 August 1983	14 September 1982	
Cuba	3 September 1982	2 March 1982	27 September 1982 (Add.4) a'
Cyprus	22 August 1985	23 August 1985	
Czechoslovakia	18 March 1983	14 September 1982	4 October 1984 (Add.26) d/
Democratic Yemen	29 June 1985	24 August 1984	
Denmark	21 May 1984	7 July 1983	30 July 1984 (Add.22) d/
Dominica	3 September 1982	2 March 1982	
Dominican Republic	2 October 1983	34 September 1982	
Ecuador	9 December 1982	2 March 1982	14 August 1984 (Add.23) d/
Egypt	18 October 1982	2 March 1982	2 February 1983 (Add.10) b/
El Salvador	18 September 1982	2 March 1982	3 November 1983 (Add.19) d/
Equatorial Guinea	22 November 1985	2 April 1985	
Ethiopia	10 October 1982	2 March 1982	
France	13 January 1985	8 February 1984	
Gabon	20 February 1984	28 February 1984	
German Democratic Republic	3 September 1982	2 March 1982	30 August 1982 (Add.1) a/
Germany (Federal Republic of)	9 August 1986	16 August 1985	

States parties to
the convention--

Reports due
(date)

Invitation to
submit reports
(date)

Reports received
(date)

Ghana	1 February 1987		
Greece	7 July 1984	7 July 1983	23 April 1985 (Add.28)
Guatemala	11 September 1983	14 September 1982	
Guinea	8 September 1983	14 September 1982	
Guinea-Bissau	22 September 1986	25 September 1985	
Guyana	3 September 1982	7 March 1982	
Haiti	3 September 1982	2 March 1982	
Honduraa	2 April 1984	13 April 1983	
Hungary	3 September 1982	2 March 1982	20 September 1982 (Add.3) b/
Iceland	18 July 1986	16 August 1985	
Indonesia	13 October 1985	31 October 1984	15 March 1986
Ireland	22 January 1987		
Italy	10 July 1986	11 July 1985	
Jamaica	18 November 1985	31 October 1984	
Japan	25 July 1986	16 August 1985	
Kenya	8 April 1985	16 April 1984	
Lao People's Democratic Republic	13 September 1982	2 March 1982	
Liberia	16 August 1985	24 August 1984	
Mali	10 October 1986	14 October 1985	
Mauritius	8 August 1985	24 August 1984	
Mexico	3 September 1982	2 March 1982	14 September 1982 (Add.1) a/
Mongolia	3 September 1982	2 March 1982	18 November 1983 (Add.20) d/
New Zealand	9 February 1986	2 April 1985	
Nicaragua	26 November 1982	2 March 1982	
Nigeria	13 July 1986	14 July 1985	
Norway	3 September 1982	2 March 1982	18 November 1982 (Add.7) b/
Panama	28 November 1982	2 March 1982	12 December 1982 (Add.9) c/
Peru	12 October 1983	12 October 1982	
Philippines	4 September 1982	2 March 1982	22 October 1982 (Add.6) b/
Poland	3 September 1982	2 March 1982	10 October 1985 (Add.31)
Portugal	3 September 1982	2 March 1982	19 July 1983 (Add.21) d/
Republic of Korea	26 January 1986	2 April 1985	March 1986
Romania	6 February 1983	2 March 1982	
Rwanda	3 September 1982	2 March 1982	24 May 1983 (Add.13) b/
Saint Christopher and Nevis	25 May 1986	24 June 1985	
Saint Lucia	7 November 1983	17 December 1982	
Saint Vincent and the Grenadines	3 September 1982	2 March 1982	
Senegal	7 March 1986	2 April 1985	

<u>State parties to the Convention</u>	<u>Reports (date)</u>	<u>Invitation to submit reports (date)</u>	<u>Reports received (date)</u>
Spain	4 February 1985	8 February 1984	20 August 1985 (Add.30)
Sri Lanka	4 November 1982	2 March 1982	7 July 1985 (Add.29)
Sweden	3 September 1982	2 March 1982	22 October 1982 (Add.8) <u>a/</u>
Thailand	8 September 1986	10 September 1985	
Togo	26 October 1984	9 November 1983	
Tunisia	20 October 1966	22 October 1985	
Turkey	19 January 1987		
Uganda	21 August 1986	23 August 1985	
Ukrainian Soviet Socialist Republic	3 September 1982	2 March 1982	2 March 1993 (Add.11) <u>a/</u>
Union of Soviet Socialist Republics	3 September 1982	2 March 1982	2 March 1983 (Add.12) <u>a/</u>
United Republic of Tanzania	19 September 1986	23 September 1985	
Urss	8 November 1982	2 March 1982	23 November 1984 (Add.27)
Venezuela	1 June 1984	7 July 1983	27 August 1984 (Add.24) <u>d/</u>
Viet Nam	19 March 1983	14 September 1982	2 October 1984 (Add.25) <u>d/</u>
Yugoslavia	28 March 1983	14 September 1982	3 November 1983 (Add.18) <u>c/</u>
Zambia	21 July 1986	16 August 1985	

a/ Considered by the Committee at its second session, held from 1 to 12 August 1983.

b/ Considered by the Committee at its third session, held from 26 March to 6 April 1984.

c/ Considered by the Committee at its fourth session, held from 21 January to 17 February 1985.

d/ To be considered by the Committee at its fifth (present) session.

Membership of the Committee on the Elimination of Discrimination
against Women at its fifth • session

<u>Name of member</u>	<u>Country of nationality</u>
Ms. Farida Abou El-Fetouh*	Egypt
Ms. Desiree P. Bernard**	Guyana
Me. Alekeandra P. Biryukova*	Union of Soviet Socialist Republics
Ms. Mrie Caron**	Canada
Ms. Irene R. Cortes*	Philippines
Me. Elizabeth Evatt**	Australia
Me. Aida Gonzalez Martinez**	Mexico
Me. Luvsandanzangyn Ider*	Mongolia
Ms. Zaqorka Ilic*	Yugoslavia
Ms. Vinitha Jayasinghe*	Sri Lanka
Ms. Chrysanthi Laiou-Antoniou**	Greece
He. Raquel Maci do de Sheppard*	Uruguay
Ms. Guan Mingqian*	China
Ms. Alma Montenegro de Fletcher*+	Panama
Ms. Landrada Mukayiranga*	Rwanda
Ms. Edith Oeser**	German Democratic Republic
Ms. Vesselina Peytcheva*	Bulgaria
Me. Mar la Regent-Lechowicz*	Poland
Ms. Mar is Margarida de Rego de Costa Salena Moura Ribeiro**	Portugal
Ms. Kongit Singegiorgis**	Ethiopia
Mm. Lucy Smith+	Norway
Ma. Esther Veliz Diaz de Villalvilla**	Cuba
Ms. Margareta Wi lstein**	Sweden

* Term of office expires in 1986.

** Term of office expires in 1988.

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