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UNITED NATIONS DECADE FOR WOMEN: EQUALITY, DEVELOPMENT AND PEACE

Report of the Working Group of the Whole on the
Drafting of the Convention on the Elimination
of Discrimination against Women

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I. INTRODUCTION

1. The Working Group of the Whole on the Drafting of the Convention on the Elimination of Discrimination against Women was established by the decision of the Third Committee of the General Assembly at its twenty-third meeting on 19 October 1977, with the purpose of considering and finalizing the draft Convention on the Elimination of Discrimination against Women, completed by the Commission on the Status of Women at its resumed twenty-sixth session. In so doing, the Third Committee of the General Assembly had in mind the Economic and Social Council resolution 2058 (LXII). In paragraph 4 of this resolution, the Council recommended that the General Assembly should take up consideration of the draft Convention as a matter of urgency at the outset of its thirty-second session, with a view to the adoption of the draft Convention at that session.

ORGANIZATION OF THE WORK OF THE WORKING GROUP

Duration of the work

2. The Working Group met at the United Nations Headquarters from 21 October to 2 December 1977, and held 12 meetings.

Attendance

3. The meetings were attended by representatives of States Members of the Third Committee of the General Assembly at its thirty-second session and by representatives of the United Nations specialized agencies as observers.

Election of officers

4. The Third Committee unanimously elected the following officers of the Working Group:

Chairperson:	Mrs. Luvsandanzangyn Ider (Mongolia)
Rapporteur:	Mr. Eigil Pedersen (Denmark)

Agenda

5. At its 1st meeting on 21 October 1977, the Working Group decided to devote its meetings to the consideration and redrafting, if necessary, of the title, preamble and articles of the draft Convention on the Elimination of Discrimination against Women.

Procedures of work

6. At its 1st meeting, the Working Group decided to use the rule of silence, that is, only those delegations which opposed a particular phraseology should speak. It was agreed, however, that arguments in favour of an article or a provision could be presented too.

7. At the same meeting, the Working Group decided that wherever possible all amendments should be presented in written form and at least one day before the meeting at which they would be considered. The Working Group decided that amendments proposed by the United Nations specialized agencies would be considered only if they were submitted by Governments. The Working Group also decided not to vote on particular articles. The results of the Working Group's deliberations are presented below. Where the Working Group did not reach a consensus and alternative texts were proposed or objections or reservations expressed, these have been reflected in connexion with the relevant articles.

II. CONSIDERATION OF THE DRAFT CONVENTION ON THE
ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Title

8. The Working Group considered the title of the draft Convention at its 2nd meeting.

9. Amendments to the title of the draft Convention were presented by Austria and a common amendment by the Philippines, Romania and Rwanda (A/C.3/32/WG.1/CRP.2).

10. Austria proposed the following title of the draft Convention:

"Draft Convention on the Elimination of Discrimination against Women and the Promotion of Equality between Men and Women"

11. Philippines, Romania and Rwanda suggested that the title of the draft Convention should read as follows:

"Draft Convention on the Elimination of All Forms of Discrimination against Women"

12. During the discussion which followed, the representative of the Secretary-General drew to the attention of the Working Group the decision taken by the Commission on the Status of Women concerning the title contained in the Commission's report (E/CN.6/608, para. 12).

13. Consequently, the representative of Austria withdrew her amendment.

14. At its 12th meeting the Working Group decided to send to the Third Committee the original title of the draft Convention together with the amendment proposed by the Philippines, Romania and Rwanda. The title of the draft Convention reads as follows:

"Draft Convention on the Elimination of Discrimination against Women"

Amendment by the Philippines, Romania and Rwanda

Replace the title by the following:

"Draft Convention on the Elimination of All Forms of Discrimination against Women".

Preamble

15. The Working Group considered paragraph 1 of the preamble at its 2nd meeting.

16. The Working Group adopted by consensus paragraph 1 of the preamble as contained in the draft Convention, which reads as follows:

"The States Parties to the present Convention,

Noting that the Charter of the United Nations reaffirmed faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women ...".

17. The Working Group considered paragraph 2 of the preamble at its 2nd and 4th meetings.

18. The representative of the Byelorussian SSR presented an oral amendment, to delete the words "set forth therein".

19. During the discussion which followed a number of delegations objected to this amendment, preferring the original version.

20. At the 4th meeting, the representative of the Byelorussian SSR withdrew his amendment. Afterwards, paragraph 2 was adopted by consensus without change and it reads as follows:

"Noting that the Universal Declaration of Human Rights affirms the principle of the inadmissibility of discrimination and proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, including distinction, based on sex."

21. The Working Group considered paragraph 3 of the preamble at its 2nd and 4th meetings.

22. An amendment was presented by Ecuador (E/C.3/32/WG.1/CRP.2), to replace the words "under the international covenants on human rights, States have the obligation" with the words "the international covenants on human rights indicate to States the obligation".

23. The representative of the USSR proposed that the full title of the covenants should be given.

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24. During the discussion which followed the representative of Italy presented an oral amendment to reword the beginning of the paragraph in the following way:

"Noting that the international covenants on human rights include provisions aimed at securing the equal right ...".

The representative of the USSR submitted an oral amendment, to add the word "Parties" after the word "States".

25. Austria submitted an oral subamendment to the USSR amendment, to add after the words "States Parties" the words "to the Covenants".

26. At its 7th meeting, on 11 November 1977, a new formulation of paragraph 3 of the preamble was drafted by interested delegations, which was then adopted by consensus at the same meeting of the Working Group. It reads as follows:

"Noting that under the International Covenants on Human Rights States Parties have the obligation to secure the equal right of men and women to enjoy all economic, social, cultural, civil and political rights,".

27. Paragraph 4 of the preamble was considered by the Working Group at its 2nd meeting.

28. Oral amendments were presented by the representatives of the USSR and the Byelorussian SSR.

29. The representative of the USSR proposed to include the word "international" before the word "conventions".

30. The representative of the Byelorussian SSR proposed to eliminate the words "and the resolutions, declarations and recommendations adopted by them" from that preambular paragraph and to include these words into another paragraph.

31. Preambular paragraph 4 as orally amended by the USSR and the Byelorussian SSR was adopted by consensus by the Working Group at its 2nd meeting and reads as follows:

"Considering the international conventions concluded under the auspices of the United Nations and the specialized agencies promoting equality of rights of women and men,".

32. A new preambular paragraph 5 was orally submitted by Denmark. The Working Group adopted it by consensus at its 2nd meeting. The text reads as follows:

"Noting also the resolutions, declarations and recommendations adopted by the United Nations and the specialized agencies to promote equality of rights of women and men."

33. The Working Group considered paragraph 6 of the preamble (former para. 5) at its 2nd meeting.

34. After deliberations, the Working Group adopted the text of this paragraph as it is presented in the draft Convention. The text reads as follows:

"Concerned, however, that despite those various instruments, extensive discrimination against women continues to exist ...".

During the discussion of this paragraph representatives of socialist countries stated that they could not agree with such a broad formulation since discrimination against women had been eliminated in their countries.

35. Paragraph 7 (former para. 6) of the preamble was considered by the Working Group at its 3rd meeting. No amendments were submitted to this paragraph. The Working Group adopted it by consensus without change. The text reads as follows:

"Recalling that discrimination against women violates the principles of equality of rights and respect for human dignity, is an obstacle to the participation of women, on equal terms with men, in the political, social, economic and cultural life of their countries, hampers the growth of the prosperity of society and the family, and makes more difficult the full development of the potentialities of women in the service of their countries and humanity."

36. At the 3rd meeting of the Working Group a new paragraph to the preamble was presented by Bangladesh, Indonesia, Pakistan, Somalia and Singapore (doc. A/C.3/32/WG.1/CRP.2), which reads as follows:

"Concerned also that in situations of abject poverty where basic needs of the majority of the population are not provided for, women have the least access to such basic needs of life as food, education and training for employment."

37. After deliberations, the Working Group adopted by consensus this paragraph with minor oral amendments and the text now reads as follows:

"Concerned that in situations of poverty, women have the least access to food, health, education, training, and opportunities for employment and other needs,"

38. The co-sponsors suggested that this paragraph should precede former paragraph 8.

39. The Working Group left the question of the placement of the paragraph open.

40. Paragraph 8 (former para. 7) of the preamble was considered by the Working Group at its 3rd, 4th and 7th meetings.

41. An amendment was presented by Ecuador (doc. A/C.3/32/WG.1/CRP.2) to delete this paragraph. Some representatives objected to its deletion.

42. At its 7th meeting on 11 November 1977, the Working Group agreed to delete paragraph 8 (former para. 7) of the preamble, on the grounds that its meaning was unclear.

43. The representative of Tunisia expressed reservation with respect to this decision of the Working Group.

44. Paragraph 9 (former para. 8) was considered by the Working Group at its 3rd, 7th, 8th and 11th meetings.

45. The following amendments were under consideration by the Working Group:

Australia (A/C.3/32/WG.1/CRP.2) and the United Kingdom (A/32/218/Add.1)

Delete the paragraph.

Ecuador (A/C.3/32/WG.1/CRP.2)

After the words "in promoting", replace the rest of the paragraph with the words: "human rights, in the achievement of which women should play their full part".

Netherlands (A/C.3/32/WG.1/CRP.4)

Reword the end of the paragraph as follows:

"... in promoting human rights and fundamental freedoms in the achievement of which women should play their full part."

New Zealand and the United Kingdom of Great Britain and Northern Ireland (A/C.3/32/WG.1/CRP.2)

Replace paragraph 9 (former para. 8) by the following:

"Affirming that the strengthening of international peace and security and friendly co-operation among States are vital in promoting the fundamental rights of women and men in the achievement of which they should play their full part."

Mexico (A/C.3/32/WG.1/CRP.2)

Replace the portion of the paragraph after the words "fundamental rights" with the words "of men and women, to the achievement of which both men and women should contribute on a basis of full equality".

Romania, the Philippines and Rwanda (A/C.3/32/WG.1/CRP.2)

Replace the eighth preambular paragraph with the following:

"Affirming that the strengthening of international peace and security, friendly co-operation among States irrespective of their social and economic systems, total and complete disarmament, most importantly, nuclear disarmament, under strict and effective international control, the elimination of colonialism, neo-colonialism, and racism in all their forms including apartheid, elimination of the gap between developing and developed countries, the establishment of a new international economic order, and the right to self-determination are vital in promoting the fundamental rights of women, in the achievement of which they should play their full part."

Union of Soviet Socialist Republics (A/32/218, annex 1)

"After security add relaxation of international tension;

After colonialism add neo-colonialism, foreign domination;

After apartheid add the assertion of principles of justice, equality and mutual benefit in relations between countries."

A number of representatives who had previously submitted amendments to that preambular paragraph agreed on a common version, which they presented to the Working Group at its 3rd meeting and which reads as follows:

"(a) Affirming that the strengthening of international peace and security, relaxation of international tension, mutual co-operation among all States irrespective of their social and economic systems, general and complete disarmament, and in particular nuclear disarmament, under strict and effective international control, the elimination of colonialism, neo-colonialism foreign domination and racism in all their forms, including apartheid, the affirmation of the principles of justice, equality and mutual benefit in relations among countries, and the right to self-determination are of paramount importance in promoting fundamental rights, in the achievement of which women should play their full part,

(b) Convinced that the establishment of a new international economic order new socio-economic order in which women and men participate equally in development and decision-making processes at all levels will contribute to the full realization of equality between men and women,".

At the 3rd meeting of the Working Group the representative of Kenya presented the following amendments (doc. A/C.3/32/WG.1/CRP.7).

Delete original paragraph 8 and replace it with the following new paragraphs:

"Convinced that the establishment of a new international economic order will contribute significantly toward the promotion of equality between women and men, and in particular the elimination of the prevailing inequitable relationship between developed and developing countries which limits the latter's capacity to advance the position of women,

Emphasizing that the eradication of colonialism, all forms of racism, and racial discrimination, and foreign domination is a prerequisite for the elimination of discrimination against women and enjoyment of their right to self-determination,

Affirming that the strengthening of international peace and security, disarmament, friendly co-operation among States irrespective of their social and economic systems are necessary conditions for the promotion of equality between men and women."

46. At the 7th meeting of the Working Group, a text of paragraph 9 (former para. 6), prepared by some interested delegations was submitted to the Working Group. It reads as follows: (doc. A/C.3/32/WG.1/CRP.6/Add.5)

"Convinced that the establishment of a new just and equitable international economic order will contribute significantly toward the promotion of equality between men and women,

Emphasizing that the eradication of apartheid of all forms of racism, racial discrimination, colonialism and foreign domination is essential to the full enjoyment of the rights of men and women,

Affirming that the strengthening of international peace and security, relaxation of international tension, mutual co-operation among all States irrespective of their social and economic systems, general and complete disarmament under strict and effective international control, the affirmation of the principles of justice, equality and mutual benefit in relations among countries, and the right to self-determination are of paramount importance in promoting fundamental rights, in the achievement of which women should play their full part,"

47. At the 8th meeting, Australia proposed a second version of this paragraph, which reads as follows:

"Convinced that the establishment of a new just and equitable international economic order will contribute significantly toward the promotion of equality between men and women,

Emphasizing that the eradication of apartheid, of all forms of racism, racial discrimination, colonialism and foreign domination is of paramount importance to the full enjoyment of the rights of men and women,

Affirming that women and men should play an equal part in the strengthening of international peace and security, relaxation of international tension, mutual co-operation among all States irrespective of their social and economic systems, general and complete disarmament under strict and effective international control, the affirmation of the principles of justice, equality and mutual benefit in relations among countries, and the implementation of the right to self-determination."

48. At the 11th meeting, another text was proposed by some interested delegations. It reads as follows:

"Convinced that the establishment of a new, just and equitable international economic order will contribute significantly towards the promotion of equality between men and women,

Emphasizing that the eradication of apartheid, of all forms of racism, racial discrimination, colonialism and foreign domination, is essential to the full enjoyment of the rights of men and women,

Affirming that the strengthening of international peace and security, relaxation of international tension, mutual co-operation among all States irrespective of their social and economic systems, general and complete disarmament under strict and effective international control, the affirmation of the principles of justice, equality and mutual benefit in relations among countries, and the right to self-determination will promote social progress and development and as a consequence will contribute to the attainment of full equality between men and women."

49. At the same meeting, the Working Group adopted this text with the understanding that it will be forwarded to the Third Committee, accompanied by the following amendments:

Preambular paragraph 8 (a):

Yugoslavia

Replace the word "a" by the word "the" after the words "the establishment of".

Delete the words "just and equitable" before the words "international economic order". After these words add the words "based on equity and justice".

Syrian Arab Republic

Add "the" before "new".

Preambular paragraph 8 (b):

The Philippines, Romania and Rwanda

Add the words "neo-colonialism" after the word "colonialism".

Syrian Arab Republic

After the words "foreign domination" add the words "foreign occupation".

Preambular paragraph 8 (c):

Morocco

After the words "the right to self-determination" add the words "as well as".

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The Philippines, Romania and Rwanda

After the words "general and complete disarmament" add the words "and in particular nuclear disarmament".

Syrian Arab Republic

Retain the words about fundamental rights, contained in the previous compromise text.

50. During the discussion of paragraph (a), the representative of Morocco stated that she was not happy with its wording since in her opinion, discrimination against women existed in industrialized countries as well.

51. Paragraph 10 (former para. 9) of the preamble was considered at the 3rd meeting of the Working Group. It was adopted by consensus as it is contained in the draft Convention. The text reads as follows:

"Convinced that the full and complete development of a country, the welfare of the world and the cause of peace require the maximum participation of women on equal terms with men in all fields."

Paragraph 11 (former para. 10) of the preamble was considered by the Working Group at its 3rd meeting.

52. It was adopted by consensus, as it exists in the draft Convention with an oral amendment by Ireland to add the word "both" before the word "parents". The text now reads as follows:

"Bearing in mind the great contribution of women to the development of society, so far not fully recognized, the social significance of maternity and of the role of both parents in the family and in the rearing of children,"

53. At the 7th meeting, the Working Group decided to present to the Third Committee an amendment to the tenth preambular paragraph, prepared by Mexico (doc. A/C.3/32/WG.1/CRP.2), which reads as follows:

"... and aware that the role of women in procreation should not be a basis for discrimination but that, instead, the rearing of children requires a sharing of responsibility between men and women and society as a whole,"

54. At the 4th meeting of the Working Group, the representative of Sweden presented a new paragraph to the preamble (doc. A/32/218/Add.1, para. 16) which reads as follows:

"Aware that the position of women cannot be changed without changing also the role of men in society and in the family."

55. During the discussion which followed, the representative of Sweden accepted certain minor changes in his amendment which would read as follows:

"Aware that the position of women cannot be changed without also a change in the traditional role of men in society and in the family,"

56. The representative of the Byelorussian SSR submitted another amendment to that paragraph to delete the end of the paragraph after the word "without" and to put instead of it the following words:

"ensuring equality between men and women in the society and the family".

57. Among those representatives who expressed their point of view, most preferred the amendment submitted by Sweden. However, the Working Group was unable to reach a consensus on that paragraph, and it decided to present to the Third Committee two alternative versions of the paragraph. They read as follows:

"Aware that the position of women cannot be changed without also a change in the traditional role of men in society and in the family." [Sweden]

"Aware that the position of women cannot be changed without ensuring equality between men and women in society and in the family." [Byelorussian SSR]

58. Former paragraph 11 of the preamble was discussed by the Working Group at its 4th meeting.

59. During the discussion, the representative of the USSR presented an oral amendment to put instead of the words "de facto or de jure" the following words: "in all its forms and manifestations". The paragraph was adopted by consensus, as orally amended by the USSR, and reads as follows:

"Determined to implement the principles set forth in the Declaration on the Elimination of Discrimination against Women and, for that purpose, to adopt the measures required for the elimination of such discrimination in all its forms and manifestations,

Have agreed on the following:".

60. At the 7th meeting, the representative of Mexico presented three new amendments to the preamble (doc. A/C.3/32/WG.1/CRP.2) which read as follows:

"Affirming that equality between men and women mean equality in their dignity and value as human beings, as well as equality of rights, opportunities and responsibilities, including those in family and society,"

"Recognizing that women throughout the world, no matter what differences may exist among them, share the tragic experience of receiving or having received unequal treatment,"

"Emphasizing that under-development subjects women to a twofold burden of exploitation and that the full implementation of national development policies aimed at removing that burden is seriously hampered by the existing unjust system of international economic relations,"

61. During the discussion which followed, several representatives noted that

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the ideas contained in those draft preambular paragraphs, had been reflected in the paragraphs of the preamble already adopted. In the course of discussion, the representative of Mexico withdrew its amendments.

I. General provisions

Article 1

62. Article 1 was considered by the Working Group at its 5th meeting on 3 November 1977. The following amendments were submitted to it (doc. A/C.3/32/WG.1/CRP.8):

Netherlands

Replace "on the basis of equality with men" by "on the basis of equality of men and women".

Mexico

After the word "cultural" amend the following text to read "or in any other".

Austria

Alternative text which would read as follows:

"The term 'discrimination against women' shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or the purpose of impairing or denying the recognition, enjoyment or exercise by women, regardless of their civil status, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field, on a basis of equality with men; the term 'promotion of equality between men and women' shall mean legislative and other measures designed to enhance equal opportunities for and participation of women in the political, economic, social and cultural life at all levels."

63. The amendment of the Netherlands was accepted by the Working Group and article 1 was adopted by consensus as amended by the Netherlands. The text reads as follows:

"For the purpose of the present Convention the term 'discrimination against women' shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect of or the purpose of impairing or nullifying the recognition, enjoyment or exercise by women, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life."

Article 2

64. The introductory sentence of article 2 was discussed by the Working Group at its fifth meeting. The following amendments were submitted to it (doc. A/C.3/32/WG.1/CRP.8/Add.1).

Union of Soviet Socialist Republics

Add "in all its forms, denying or limiting their equality with men" after "eliminating discrimination against women".

Byelorussian Soviet Socialist Republic

Reword the paragraph as follows:

"The States Parties condemn discrimination against women in all its forms denying or limiting as it does their equality of rights with men ..."

65. During the discussion which followed, the representative of the Byelorussian SSR submitted an oral subamendment to its amendment, to delete the words "as it does"

66. No consensus was reached on the introductory phrase of article 2. The Working Group decided that two versions will appear in the report to be submitted to the Third Committee: the text of the introductory sentence contained in the draft Convention and that of the Byelorussian SSR.

Introductory sentence contained in the draft Convention

"The States Parties condemn discrimination against women and undertake to pursue, by all appropriate means and without delay, a policy of eliminating discrimination against women and, to this end:"

Text proposed by the Byelorussian SSR

"The States Parties condemn discrimination against women in all its forms denying or limiting their equality of rights with men and undertake to pursue, by all appropriate means and without delay, a policy of eliminating discrimination against women and, to this end:"

67. Paragraph (a) of article 2 was discussed by the Working Group at its 5th meeting. Two amendments were submitted to that paragraph (doc. A/C.3/32/WG.1/CRP.8/Add.1).

Austria

Replace the word "practical" by the word "de facto"

Australia, Denmark, Finland, Netherlands, Norway and Sweden

Add after the word "Constitution" the word "or other appropriate legislation".

68. The representative of the USSR orally amended the amendment of Australia, Denmark, Finland, Netherlands, Norway and Sweden by proposing to substitute the word "or" for the word "and".

69. The Working Group adopted by consensus paragraph (a) of article 2, as amended by Australia, Denmark, Finland, the Netherlands, Norway, Sweden and orally subamended by the USSR. The text reads as follows:

"(a) Each State Party undertakes to embody the principle of the equality of men and women in its national Constitution or other appropriate legislation if not yet incorporated therein, and to ensure, through law and other appropriate means, the practical realization of this principle."

70. Paragraph (b) of article 2 was adopted by consensus by the Working Group at its 6th meeting as it was drafted by a small drafting group and reads as follows:

"(b) Each State Party undertakes to adopt appropriate legislative and other measures, including sanctions, where appropriate, prohibiting all discrimination against women."

71. Paragraph (c) of article 2 was considered by the Working Group at its 6th, 7th and 11th meetings.

72. An amendment to paragraph (c) was submitted by the German Democratic Republic (doc. A/C.3/32/WG.1/CRP.8/Add.1) to replace the phrase "... equal rights of men and women" by "the rights of women on equal terms with men".

Indonesia, Kenya and Mexico proposed to delete this paragraph.

73. During the discussion, which followed the German Democratic Republic withdrew its amendment.

74. Paragraph (c) of article 2 was adopted by consensus by the Working Group at its 11th meeting, as proposed by the small negotiating group and orally amended by the representative of the United States. The text reads as follows:

"Each State Party undertakes to establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination."

75. Paragraph (d) of article 2 was discussed by the Working Group at its 6th and 7th meetings.

76. The version of paragraph (d) presented by the small drafting group was adopted by consensus by the Working Group at its 7th meeting and reads as follows:

"Each State Party undertakes not to engage in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation."

77. Paragraph (e) of article 2 was discussed by the Working Group at its 6th, 7th and 11th meetings. The small drafting group presented the following version of paragraph (e):

"Each State Party shall take all appropriate preventive measures to eliminate discrimination against women by any person, organization or enterprise."

78. The following oral amendments were submitted to that paragraph. The representative of Mali proposed to delete the word "person" and to put after the word "enterprise" the following words:

"irrespective of fundamental values".

79. The representative of Morocco proposed the deletion of the word "preventive" and to replace the word "eliminate" by the word "prevent".

80. At the 7th meeting, the representative of Mali withdrew her first oral amendment to delete the word "person".

81. Paragraph (e) of article 2 was adopted by consensus by the Working Group at its 11th meeting as orally amended by the representative of Morocco. The text reads as follows:

"Each State Party shall take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise."

82. Paragraph (f) of article 2 was considered by the Working Group at its 6th meeting.

83. Three amendments had been submitted to the text of that paragraph.

84. Kenya proposed to delete the paragraph.

85. The United States proposed to substitute paragraph (f) by the following:

"Each State Party shall take all appropriate measures, including legislation, with a view to achieving the elimination of discrimination against women, whether based upon law, regulation, custom or practice"
(doc. A/C.3/32/WG.1/CRP.2)

86. An oral amendment was submitted by the representative of Mali to reword the paragraph as follows:

"Each State Party shall take within the framework of its policies for economic, social and cultural advancement, all appropriate measures including legislation, to modify or abolish existing laws and regulations which are discriminatory to women."

87. An oral subamendment to this amendment was submitted by the representative of Morocco to include the word "customs" after the words "laws and regulations".

88. The Working Group did not reach a consensus on this paragraph and at its 6th meeting decided to submit paragraph (f) of article 2 as it is presented in the draft Convention together with amendments to it, for the consideration of the Third Committee.

89. Paragraph (g) of article 2 was considered by the Working Group at its 6th meeting. It was adopted by consensus as presented in the draft Convention and as orally amended by the representative of the Syrian Arab Republic. The text reads as follows:

"(g) Each State Party shall endeavour to promote national organizations and movements whose purpose is to advance the status of women and eliminate discrimination against them."

The French text of the paragraph reads as follows:

"Chaque Etat partie s'efforce de favoriser les organisations et mouvements nationaux ayant pour objet la promotion de la femme et l'élimination de la discrimination à son égard."

Article 3

90. Article 3 was considered by the Working Group at its 5th meeting. There were no amendments to this article.

91. It was adopted by consensus as it appears in the draft Convention and reads as follows:

"The States Parties shall undertake in all fields, in particular the political, social, economic and cultural, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men."

Article 4

92. The discussion of this article took place at the 5th, 6th and 11th meetings of the Working Group.

93. The following amendments had been submitted: (doc. A/C.3/32/WG.1/CRP.8/Add.1)

Paragraph 1

Kenya

Delete "and shall be discontinued when the objectives of equality of opportunity and treatment have been achieved".

Canada

Substitute paragraph 1 by the following:

"States Parties may adopt temporary special measures on behalf of women aimed at accelerating de facto equality, but these shall in no way entail as a consequence the indefinite maintenance of unequal or separate standards and shall be discontinued when the objectives of equality of opportunity and treatment have been achieved."

94. At its 8th meeting, on 15 November 1977, a compromise text of paragraph 1 was submitted by a group of interested delegations which reads as follows:

"Adoption by States of temporary special measures aimed at accelerating de facto equality of women with men shall not be considered discrimination as defined in this Convention, but shall in no way entail, as a consequence, the maintenance of unequal or separate standards and shall be discontinued when the objectives of equality of opportunity and treatment have been achieved."

95. The Working Group adopted by consensus that text without changes at its 11th meeting.

96. The representative of Morocco objected to the word "annulée" in the French text, but accepted the word "discontinued" of the English text. The representative of the United Kingdom stated that she found the wording and substance of this paragraph unsatisfactory.

Paragraph 2 of article 4

97. The following amendments had been presented (doc. A/C.3/32/WG.1/CRP.8/Add.1):

German Democratic Republic

After "protecting maternity" include "and women at certain branches of work due to the physical nature of women".

Sweden

Delete the paragraph.

98. At the 8th meeting of the Working Group, the representative of the German Democratic Republic withdrew his amendment to paragraph 2, article 4, with the understanding that he might raise that question again in connexion with article 13. Afterwards the Working Group adopted by consensus paragraph 2 of article 4 as it stands in the draft Convention which reads as follows:

"Adoption by States of special measures, including those measures contained in the present Convention, aimed at protecting maternity, shall not be considered discriminatory."

Article 5

99. Paragraph 1 of article 5 was discussed by the Working Group at its 8th meeting, on 15 November 1977. There were no amendments to this paragraph. It was adopted by consensus, as it is presented in the draft and reads as follows:

"The States Parties shall take all appropriate measures:

1. to modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women;"

100. Paragraph 2 of article 5 was discussed by the Working Group at its 8th and 11th meetings.

101. Amendments to that paragraph had been submitted by Austria, Kenya and Sweden (doc. A/C.3/32/WG.1/CRP.8/Add.2). They read as follows:

Kenya

Replace the word "motherhood" by "parenthood".

Sweden

The word "motherhood" should be replaced by either "parenthood" or "maternity".

Austria

Substitute the paragraph by the following:

"The States Parties shall take all appropriate measures with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of the sexes."

102. During the discussion, which followed the representative of the United Kingdom proposed to start the paragraph with the following words:

"The States Parties shall take all appropriate measures to ensure that ..."

103. The representative of the United States subamended the oral amendment of the United Kingdom by proposing to begin the paragraph as follows:

"The States Parties shall take all appropriate measures to ensure that the education of men and women include a proper ...".

104. The Working Group agreed by consensus at its 8th meeting to change the word "motherhood" to "maternity".

105. At its 8th meeting, on 15 November 1977, a group of interested delegations presented the following version of paragraph 2 of article 5, which was adopted by consensus at the 11th meeting of the Working Group and which should be read in conjunction with the introductory phrase to paragraph 1:

"2. To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of both men and women in the upbringing and development of their children."

106. The representative of Morocco objected to the use of the word "function" in the context of this paragraph. She stated that maternity was not a social function.

Article 6

107. Article 6 was discussed by the Working Group at its 8th meeting. Two amendments had been submitted to that article (doc. A/C.3/32/WG.1/CRP.2) by Argentina and the United Kingdom.

Argentina

To replace "national penal codes" by "all national legislation".

United Kingdom

To change the word "repeal" by the word "review".

108. The representative of the United Kingdom pointed out that his amendment had been withdrawn.

109. The Working Group, with the exception of Argentina, adopted the article as it appears in the draft Convention. The representative of Argentina suggested that her amendment mentioned above should be submitted to the Third Committee

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together with the text of article 6. The Working Group accepted this suggestion. The text as adopted reads as follows:

"Each State Party agrees to repeal all provisions of national penal codes which constitute discrimination against women."

110. After the Working Group had taken this decision, the representatives of Morocco and Mexico stated that they would have preferred the deletion of article 6.

Article 7

111. Article 7 was discussed by the Working Group at its 8th and 9th meetings.

112. Two amendments had been submitted to that article (doc. A/C.3/32/WG.1/CRP.8/Add.2):

Argentina

Replace "Each State Party agrees to take all appropriate measures" by "States Parties undertake to adopt all appropriate measures ...".

Netherlands

Replace the words "exploitation of prostitution of women" by the words "exploitation of women, in particular through prostitution".

During the discussion, the representative of Argentina subamended its amendment to read:

"The States Parties shall take all appropriate measures, including legislation to suppress all forms of traffic in women and exploitation of prostitution of women."

113. The representative of the Netherlands withdrew her amendment. However, the representative of Romania in his statement underlined the importance of the amendment presented by the Netherlands feeling that broader aspects of exploitation of women (for example, by the media) should also be taken into account. That point of view was shared by other delegations.

114. Finally, at the same meeting the Working Group adopted by consensus the version of that article, presented by Argentina, which reads as follows:

"The States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women."

115. The representative of the Secretary-General reminded the Working Group that article 7 of the draft Convention was based upon article 8 of the United Nations Declaration on the Elimination of Discrimination against Women.

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116. At the 9th meeting of the Working Group, at the request of the representative of the Federal Republic of Germany, the legal officer gave explanations on the relationship between article 7 of the draft and the relevant articles of the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others.

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II. Political rights

Article 8

117. Introductory sentence was considered by the Working Group at its 9th meeting.

118. The Working Group had before it an amendment to the introductory sentence, presented by the United Kingdom (A/C.3/32/WG.1/CRP.6/Add.3) which reads as follows:

"Each State Party shall take all appropriate measures to eliminate discrimination against women whether married or unmarried."

119. During the discussion which followed, most representatives objected to the use of the words "married or unmarried", noting that this terminology did not cover all categories of women, such as widows, and divorced or separated women.

120. As a result of the deliberations, the Working Group adopted by consensus the text of the introductory article as presented by the representative of the United Kingdom and orally subamended by Australia and the USSR. The text reads as follows:

"Each State Party shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country, and in particular shall ensure on equal terms with men, the right:"

121. Paragraph (a) of article 8 was adopted by the Working Group by consensus as it exists in the draft Convention and orally amended by Denmark and the Syrian Arab Republic. It reads as follows:

"To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies."

122. Paragraph (b) of article 8 was discussed by the Working Group at its 9th and 11th meetings.

123. Three amendments had been presented to this article (A/C.3/32/WG.1/CRP.8/Add.2):

Austria

After the word "national" insert the word "regional".

Byelorussian Soviet Socialist Republic

Insert the word "international," before the word "national".

Union of Soviet Socialist Republics

After the words "functions at" add the word "international".

124. During the discussion which followed the representative of the USSR suggested the formulation of a separate paragraph in article 8 about women's participation in international decision-making. The representative of Morocco felt that it would be better to formulate a separate article on that subject.

125. This paragraph was adopted by the Working Group at its 11th meeting by consensus as orally amended by Australia and the USSR. The text reads as follows:

"To participate in the formulation of government policy and the administration thereof and to hold public office and perform all public functions at all levels of Government."

126. Paragraph (c) of article 8 was deleted by consensus by the Working Group at its 9th meeting, taking into account the fact that its content had been included in paragraph (a) of the same article.

127. Paragraph (d) of article 8 was discussed by the Working Group at its 9th meeting. No amendments had been presented to that paragraph. It was adopted by consensus as it is formulated in the draft Convention and reads as follows:

"(d) To participate in non-governmental organizations and associations concerned with the public and political life of the country."

128. A new article dealing with the participation of women at the international level was discussed by the Working Group at its 11th meeting.

129. The new versions of this article were presented by Morocco, the United States, the USSR and the Ukrainian SSR. Their respective versions read as follows:

Morocco

"The States Parties undertake to encourage women to hold posts in international and regional organizations."

United States

"States Parties shall take all appropriate measures to ensure that women have an opportunity equal to men to participate in all positions in international organizations."

USSR

"To represent their governments and participate in the policy-making at the regional and international levels."

130. The representative of the Ukrainian SSR suggested a version which in his view would incorporate these three versions. The text reads as follows:

"Each State Party shall undertake all appropriate measures to ensure to women on equal terms with men and without any discrimination to represent their governments and participate in the work of international organizations and in policy-making in regional and international levels."

131. At its 12th meeting, the Working Group took as the basis for consideration of the new article, the version presented by the Ukrainian SSR.

132. The following oral amendments to it were submitted by the USSR, the United States and the United Kingdom:

The USSR

To delete the words: "... and in policy-making in regional and international levels."

The United States

To add after the word "discrimination" the words "the opportunity".

The United Kingdom

To add after the word "governments" the words "at the international level".

133. The version of the new article as presented by the Ukrainian SSR and orally amended by the USSR, the United States and the United Kingdom was adopted by consensus by the Working Group at its 12th meeting and reads as follows:

"Each State Party shall undertake all appropriate measures to ensure to women on equal terms with men and without any discrimination the opportunity to represent their governments at the international level and to participate in the work of international organizations."

Article 9

134. Former article 9 was discussed by the Working Group at its 10th meeting on 18 November 1977.

135. As far as paragraph 1 of article 9 is concerned, an amendment to it had been submitted by Kenya (A/C.3/32/WG.1/CRP.8/Add.2) which reads as follows:

Replace paragraph 1 by the following: "The States Parties shall grant spouses equal rights to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien, dissolution of such marriage nor change of nationality of either spouse shall automatically change the other spouse's nationality or render him or her stateless."

136. The representative of the USSR orally subamended the amendment presented by Kenya to read as follows:

"The States Parties shall grant women equal rights to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien, nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless or force upon her the nationality of the husband."

137. The representative of Kenya did not support the USSR subamendment.
138. The representative of the United States supported Kenya's amendment.
139. No decision was taken on that paragraph at the 10th meeting.
140. At its 12th meeting, the Working Group decided to present to the Third Committee two alternative versions (Kenya and the USSR) of paragraph 1 of article 9, which reads as follows:

Kenya

"The States Parties shall grant spouses equal rights to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien, dissolution of such marriage nor change of nationality of either spouse shall automatically change the other spouse's nationality or render him or her stateless."

The USSR

"The States Parties shall grant women equal rights to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless or force upon her the nationality of the husband."

141. The representative of Morocco expressed reservation with respect to the amendment, submitted by Kenya.
142. Paragraph 2 of article 9 was discussed by the Working Group at its 10th meeting.
143. An amendment to paragraph 2 had been submitted by Austria (document A/C.3/32/WG.1/CRP.8/Add.2) which reads as follows:
- Replace the word "provisions" with the word "sanctions".
144. The representative of Hungary considered that in elaborating the wording of this paragraph article 3, paragraph 1, of the Convention on the Nationality of Married Women, 1957, should be taken into account.
145. Byelorussian SSR and Canada proposed the deletion of this paragraph on the ground that the Convention should deal with elimination of discrimination against women and not with the questions of citizenship as a whole.
146. Some delegations, however, preferred to maintain this paragraph.
147. At its 12th meeting, most delegations objected to this paragraph, finding that it was incompatible with their national legislations and that its adoption

could jeopardize the ratification of the Convention. An opinion was also expressed that the provisions, contained in it had been already included in the Convention on the Nationality of Married Women.

148. In the light of the above-mentioned the Working Group decided to delete paragraph 2 of article 9.

149. Japan and Sweden expressed reservation with respect to the deletion of this paragraph.

150. Paragraph 3 of article 9 was discussed by the Working Group at its 10th meeting.

151. The representative of Argentina proposed the deletion of this paragraph. The United Kingdom noted that if paragraph 2 was to be deleted, paragraph 3 should be deleted as well.

152. The representative of the United Kingdom proposed that if the paragraph were retained the word "both" should be added before the words "the alien husband".

153. The representative of Mexico remarked that the Spanish translation of that paragraph was not clear.

154. The representative of Australia presented an oral amendment to add at the end of the paragraph the following words: "provided it is not of a discriminatory nature".

155. At its 12th meeting, the Working Group decided to delete that paragraph.

156. The representative of Sweden and the USSR expressed their reservations with respect to the deletion of this paragraph.

157. Paragraph 4 of article 9 was discussed by the Working Group at its 10th meeting.

158. The representatives of Mali and Syrian Arab Republic proposed the deletion of the paragraph because of its incompatibility with their national legislation.

159. Other delegations also objected to the paragraph observing that its application might bring about an increase in the number of people with dual nationality. Moreover, its application was impossible in countries that practice jus soli. Some delegations however preferred to retain the paragraph. The representative of Argentina noted that if the paragraph was to be retained, it was necessary to reword it completely. The representative of the Netherlands expressed her firm conviction to retain the paragraph subject to some changes and presented an oral amendment to it to replace the words "to transmit their nationality to their children" with "with respect to the nationality of their children".

160. The representative of Argentina presented an oral amendment, to add the words "where it applies" after the words "The States Parties".

161. During the discussion of article 9 the legal advisor answered questions from delegates concerning this article.

162. At its 12th meeting, the Working Group decided to present to the Third Committee the original text of paragraph 4 of article 9 together with amendments, submitted to it. These texts read as follows:

Article 9, paragraph 4 of the draft Convention:

"The States Parties agree to grant women equal rights with men to transmit their nationality to their children."

Amendment by the Netherlands

Replace the words "to transmit their nationality to their children" with the words "with respect to the nationality of their children".

Amendment presented by Argentina

After the words "The States Parties" add the words "where it applies".

ANNEX I

Decisions taken by the Working Group of the Whole on the Drafting of the Convention on the Elimination of Discrimination against Women, during its 12 meetings (21 October-2 December 1977).

Title

Original text as it appears in the draft Convention:

"Draft Convention on the Elimination of Discrimination against Women"

Amendment by the Philippines, Romania, and Rwanda

Replace the title by the following:

"Draft Convention on the Elimination of All Forms of Discrimination against Women".

Preamble

"The States Parties to the present Convention

"Noting that the Charter of the United Nations reaffirmed faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women".

"Noting that the Universal Declaration of Human Rights affirms the principle of the inadmissibility of discrimination and proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind including distinction based on sex".

"Noting that under the International Covenants on Human Rights States Parties have the obligation to secure the equal rights of men and women to enjoy all economic, social, cultural, civil and political rights".

"Considering the international conventions concluded under the auspices of the United Nations and the specialized agencies promoting equality of rights of women and men".

"Noting also the resolutions, declarations and recommendations adopted by the United Nations and the specialized agencies to promote equality of rights of women and men". 1/

1/ New paragraph, orally presented by Denmark.

"Concerned, however, that despite those various instruments, extensive discrimination against women continues to exist".

"Recalling that discrimination against women violates the principles of equality of rights and respect for human dignity, is an obstacle to the participation of women, on equal terms with men, in the political, social, economic and cultural life of their countries, hampers the growth of the prosperity of society and the family, and makes more difficult the full development of the potentialities of women in the service of their countries and humanity".

"Concerned that in situations of poverty women have the least access to food, health, education, training, and opportunities for employment and other needs". 1/

"Convinced that the establishment of a new, just and equitable international economic order will contribute significantly towards the promotion of equality between men and women".

"Emphasizing that the eradication of apartheid, of all forms of racism, racial discrimination, colonialism and foreign domination, is essential to the full enjoyment of the rights of men and women".

"Affirming that the strengthening of international peace and security, relaxation of international tension, mutual co-operation among all States irrespective of their social and economic systems, general and complete disarmament under strict and effective international control, the affirmation of the principles of justice, equality and mutual benefit in relations among countries, and the right to self-determination will promote social progress and development and as a consequence will contribute to the attainment of full equality between men and women".

Amendments

Preambular paragraph 8 (a)

Yugoslavia

Replace the word "a" by the word "the" before the words "new international economic order". Delete the words "just and equitable" before the words "international economic order". After these words add the words "based on equity and justice".

1/ New paragraph, presented by Bangladesh, Indonesia, Pakistan, Singapore, and Somalia (A/C.3/32/WG.1/CRP.2). Although some delegations stated that they would like to see this paragraph precede former preambular paragraph 8, the Working Group did not take a decision on the place of the paragraph.

Syrian Arab Republic

Add the word "the" before the words "new international economic order".

Preambular paragraph 8 (b)

The Philippines, Romania and Rwanda

Add the words "neo-colonialism" after the word "colonialism".

Syrian Arab Republic

After the words "foreign domination" add the words "foreign occupation".

Preambular paragraph 8 (c)

Morocco

After the words "the right to self-determination" add the words "as well as".

The Philippines, Romania and Rwanda

After the words "general and complete disarmament" add the words "and in particular nuclear disarmament".

Syrian Arab Republic

Retain the words "about fundamental rights" contained in the previous compromise text.

"Convinced that the full and complete development of a country, the welfare of the world, and the cause of peace requires the maximum participation of women on equal terms with men in all fields".

"Bearing in mind the great contribution of women to the development of society, so far not fully recognized, the social significance of maternity and of the role of both parents in the family and in the rearing of children".

Amendment by Mexico

Add at the end of the paragraph the following:

"... and aware that the role of women in procreation should not be a basis for discrimination but that, instead, the rearing of children requires a sharing of responsibility between men and women and society as a whole".

Alternative versions for the following paragraph:

Byelorussian SSR

"Aware that the position of women cannot be changed without ensuring equality between men and women in society and in the family".

Sweden

"Aware that the position of women cannot be changed without also a change in the traditional role of men in society and in the family".

"Determined to implement the principles set forth in the Declaration on the Elimination of Discrimination against Women and, for that purpose, to adopt the measures required for the elimination of such discrimination in all its forms and manifestations".

Have agreed on the following:

I. General Provisions

Article 1

"For the purpose of the present Convention the term 'discrimination against women' shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect of or the purpose of impairing or nullifying the recognition, enjoyment or exercise by women, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life".

Article 2

Alternative versions

Introductory sentence contained in the draft Convention

"The States Parties condemn discrimination against women and undertake to pursue, by all appropriate means and without delay, a policy of eliminating discrimination against women and, to this end:"

Alternative text proposed by the Byelorussian SSR for the introductory sentence:

"The States Parties condemn discrimination against women in all its forms denying or limiting their equality of rights with men and undertake to pursue, by all appropriate means and without delay, a policy of eliminating discrimination against women and, to this end:"

Paragraph (a)

"Each State Party undertakes to embody the principle of the equality of men and women in its national Constitution or other appropriate legislation if not yet incorporated therein, and to ensure, through law and other appropriate means, the practical realization of this principle".

Paragraph (b)

"Each State Party undertakes to adopt appropriate legislative and other measures including sanctions where appropriate, prohibiting all discrimination against women".

Paragraph (c)

"Each State Party undertakes to establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination".

Paragraph (d)

"Each State Party undertakes not to engage in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation".

Paragraph (e)

"Each State Party shall take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise".

Paragraph (f)

"Each State Party shall take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which are discriminatory to women".

The amendments are as follows:

Kenya

Proposed to delete the paragraph on the grounds that it is a repetition of paragraph (b) of the same article.

The United States

Substitute paragraph (f) by the following:

"Each State Party shall take all appropriate measures, including legislation, with a view to achieving the elimination of discrimination against women, whether based upon law, regulation, custom or practice". (doc. A/C.3/32/WG.1/CRP.2)

Mali

An oral amendment: reword the paragraph as follows:

"Each State Party shall take within the framework of its policies for economic, social and cultural advancement, all appropriate measures including legislation, to modify or abolish existing laws and regulations which are discriminatory to women".

An oral subamendment to this amendment was submitted by the representative of Morocco, i.e. to include the word "customs" after the words "laws and regulations".

Paragraph (g)

"Each State Party shall endeavour to promote national organizations and movements whose purpose is to advance the status of women and eliminate discrimination against them". 1/

Article 3

"The States Parties shall undertake in all fields, in particular the political, social, economic and cultural, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men".

Article 4

Paragraph 1

"Adoption by States of temporary special measures aimed at accelerating de facto equality of women with men shall not be considered discrimination as defined in this Convention, but shall in no way entail, as a consequence, the maintenance of unequal or separate standards and shall be discontinued when the objectives of equality of opportunity and treatment have been achieved".

1/ The French text of this paragraph is contained in para. 89 above.

Paragraph 2

"Adoption by States of special measures, including these measures contained in the present Convention, aimed at protecting maternity, shall not be considered discriminatory".

Article 5

The States Parties shall take all appropriate measures to:

Paragraph 1

"1. To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women".

Paragraph 2

"2. To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of both men and women in the upbringing and development of their children".

Article 6

"Each State Party agrees to repeal all provisions of national penal codes which constitute discrimination against women".

Amendment suggested by Argentina

Replace "national penal codes" by "all national legislation".

Article 7

"The States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women".

Article 8

Introductory phrase:

"Each State Party shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and in particular shall ensure on equal terms with men, the right:"

Paragraph (a)

"To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies".

Paragraph (b)

"To participate in the formulation of government policy and the administration thereof and to hold public office and perform all public functions at all levels of government".

Paragraph (c)

"To participate in non-governmental organizations and associations concerned with the public and political life of the country".

Article 9 1/

"Each State Party shall undertake all appropriate measures to ensure to women on equal terms with men and without any discrimination the opportunity to represent their Governments at the international level and to participate in the work of international organizations".

Article 10 2/

Paragraph 1

Two alternative versions.

(1) Amendment of Kenya 3/

Replace paragraph 1 by the following: "The States Parties shall grant spouses equal rights to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien, dissolution of such marriage nor change of nationality of either spouse shall automatically change the other spouse's nationality or render him or her stateless".

(2) Subamendment of the Union of Soviet Socialist Republics to the amendment of Kenya 4/

"The States Parties shall grant women equal rights to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien, nor change of nationality by the husband during marriage, shall automatically change the nationality of the wife, render her stateless or force upon her the nationality of the husband".

1/ New article proposed by the Ukrainian SSR and orally amended by the USSR, the United States and the United Kingdom.

2/ Former article 9.

3/ A/C.3/32/WG.1/CRP.8/Add.2.

4/ A/C.3/32/WG.1/CRP/9.

Paragraph 2 (former 4)

Text as it appears in the draft Convention:

"The States Parties agree to grant women equal rights with men to transmit their nationality to their children".

Amendment by the Netherlands

Replace the words "to transmit their nationality to their children" with the words "with respect to the nationality of their children".

Amendment by Argentina

After the words "The States Parties" add the words "where it applies".

ANNEX II

UNITED NATIONS DECADE FOR WOMEN: EQUALITY,
DEVELOPMENT AND PEACE

Draft Convention on the Elimination of Discrimination against Women

LIST OF DOCUMENTS

<u>Document number</u>	<u>Title or description</u>
A/32/218	Report of the Secretary-General: Draft Convention on the Elimination of Discrimination against women
A/32/218/Add.1 and 2	
A/C.3/32/WG.1/CRP.1	List of amendments and new versions proposed with respect to the preamble and articles of the draft Convention, contained in the Secretary-General's report A/32/218 and Add.1-2
A/C.3/32/WG.1/CRP.2	Amendments submitted by: Austria Ecuador Bangladesh, Indonesia, Pakistan, Singapore, Somalia Mexico Romania, the Philippines and Rwanda Canada German Democratic Republic United States of America Australia Denmark, Finland, Netherlands, Norway and Sweden New Zealand and the United Kingdom
A/C.3/32/WG.1/CRP.3	Confirmation of amendments in A/32/218 (partial): New Zealand Union of Soviet Socialist Republics Ukrainian Soviet Socialist Republic Byelorussian Soviet Socialist Republic Japan - retains comments and amendments
A/C.3/32/WG.1/CRP.3/Add.1	Confirmation by the Netherlands of amendments in the Secretary-General's report (A/32/218)
A/C.3/32/WG.1/CRP.3/Add.2	Confirmation by: Belgium - observations on articles 10, 11 and 13 Portugal - all amendments in A/32/218

<u>Document number</u>	<u>Title or description</u>
A/C.3/32/WG.1/CRP.3/Add.3	Confirmation of amendments in A/32/218/Add.1 by: Argentina Ukrainian Soviet Socialist Republic
A/C.3/32/WG.1/CRP.3/Add.4	Confirmation by the Union of Soviet Socialist Republics of all its amendments contained in the Secretary-General's report (A/32/218)
A/C.3/32/WG.1/CRP.4	Amendments submitted by the Netherlands re preambular paragraph 8 and articles 7 and 11
A/C.3/32/WG.1/CRP.5	Texts adopted by the Working Group on the Draft Convention on the Elimination of Discrimination against Women at its 2nd meeting held on 25 October 1977
A/C.3/32/WG.1/CRP.5/Corr.1	Corrigendum: deletion of the reference to preambular paragraph 7
A/C.3/32/WG.1/CRP.6	Amendments submitted by Kenya and Madagascar; compromise text - new preambular paragraph 9 (former preambular paragraph 8)
A/C.3/32/WG.1/CRP.6/Add.1	Amendments submitted by Belgium on articles 10, 11 and 13
A/C.3/32/WG.1/CRP.6/Add.2	Amendments submitted by: Kenya - articles 5, 9, 10, 11, 12 and 19 plus an additional article proposed to be placed between articles 21 and 22 Union of Soviet Socialist Republics - article 11, add subparagraph (d) to paragraph 2
A/C.3/32/WG.1/CRP.6/Add.3	Amendments submitted by the United Kingdom on articles 8, 10, 11, 15 and 16
A/C.3/32/WG.1/CRP.6/Add.4	Amendments submitted by Bangladesh regarding article 12
A/C.3/32/WG.1/CRP.6/Add.5	Compromise text proposed by some interested delegations on the eighth (8th) preambular paragraph
A/C.3/32/WG.1/CRP.6/Add.6	Compromise text submitted by negotiating group: Canada, Kenya, Union of Soviet Socialist Republics, United States of America and Denmark on article 4 (); Mali, Syrian Arab Republic, United States of America and the Union of Soviet Socialist Republics on article 5

<u>Document number</u>	<u>Title or description</u>
A/C.3/32/WG.1/CRP.6/Add.7	Proposed versions by Morocco, United States of America, Union of Soviet Socialist Republics, and the Ukrainian Soviet Socialist Republic, on a new article following article 8, discussed by the Working Group at its 11th meeting held on 29 November 1977
A/C.3/32/WG.1/CRP.7	Texts adopted by the Working Group on the Draft Convention on the Elimination of Discrimination against Women at its 3rd meeting held on 27 October 1977
A/C.3/32/WG.1/CRP.7/Add.1	Texts adopted by the Working Group on the Draft Convention on the Elimination of Discrimination against Women at its 4th meeting held on 28 October 1977
A/C.3/32/WG.1/CRP.7/Add.2	Texts adopted by the Working Group on the Draft Convention on the Elimination of Discrimination against Women at its 5th meeting held on 3 November 1977
A/C.3/32/WG.1/CRP.7/Add.2/ Corr.1	Corrigendum on article 2, paragraph (a)
A/C.3/32/WG.1/CRP.7/Add.2/ Corr.2	Corrigendum on article 1
A/C.3/32/WG.1/CRP.7/Add.3	Texts adopted by the Working Group on the Draft Convention on the Elimination of Discrimination against Women at its 6th meeting held on 4 November 1977
A/C.3/32/WG.1/CRP.7/Add.4	Texts adopted by the Working Group on the Draft Convention on the Elimination of Discrimination against Women at its 7th meeting held on 11 November 1977
A/C.3/32/WG.1/CRP.7/Add.4/ Corr.1	Corrigendum on preambular paragraph 10
A/C.3/32/WG.1/CRP.7/Add.5	Texts adopted by the Working Group on the Draft Convention on the Elimination of Discrimination against Women at its 8th meeting held on 15 November 1977

<u>Document number</u>	<u>Title or description</u>
A/C.3/32/WG.1/CRP.7/Add.6	Texts adopted by the Working Group on the Draft Convention on the Elimination of Discrimination against Women at its 9th meeting held on 17 November 1977
A/C.3/32/WG.1/CRP.7/Add.7	Texts adopted by the Working Group on the Draft Convention on the Elimination of Discrimination against Women at its 11th meeting held on 29 November 1977
A/C.3/32/WG.1/CRP.7/Add.8	Texts adopted by the Working Group on the Draft Convention on the Elimination of Discrimination against Women at its 12th meeting held on 2 December 1977
A/C.3/32/WG.1/CRP.8	Chart of amendments and revisions submitted by Governments contained in the report of the Secretary-General (A/32/218 and Add.1) and A/C.3/32/WG.1/CRP.2 and 4, regarding article 1
A/C.3/32/WG.1/CRP.8/Add.1	Chart of amendments, revisions and new paragraphs submitted by Governments contained in the report of the Secretary-General (A/32/218 and Add.1) and A/C.3/32/WG.1/CRP.2, 4, and 6, regarding articles 2, 3, and 4
A/C.3/32/WG.1/CRP.8/Add.2	Chart of amendments, revisions and new paragraphs submitted by Governments contained in the report of the Secretary-General (A/32/218 and Add.1-2) and A/C.3/32/WG.1/CRP.2, 4, 6 and 6/Add.1 and 2, regarding articles 5, 6, 7, 8 and 9
A/C.3/32/WG.1/CRP.8/Add.3	Chart of amendments and revisions submitted by Governments contained in the report of the Secretary-General (A/32/218, annex I and Add.1 and 2) and A/C.3/32/WG.1/CRP.2, 4, 6, and 6/Add.1 and 2, regarding article 10
A/C.3/32/WG.1/CRP.8/Add.4	Chart of amendments/reservations, revisions and new paragraphs submitted by Governments contained in the report of the Secretary-General (A/32/218, annex I and Add.1 and 2) and A/C.3/32/WG.1/CRP.2, 4, 6, and 6/Add.1, 2, and regarding articles 11 and 12
A/C.3/32/WG.1/CRP.9	Decisions taken by the Working Group on the Draft Convention on the Elimination of Discrimination against Women up to and including its 10th meeting (21 October-18 November 1977)