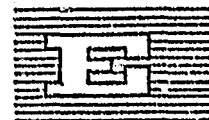


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COMMISSION ON THE STATUS OF WOMEN

Twenty-sixth Session

SUMMARY RECORD OF THE 636th MEETING

held at the Palais des Nations, Geneva,
on Thursday, 16 September 1976, at 10.45 a.m.

Chairman: Mrs. GONZALEZ de CUADROS (Colombia)

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INTERNATIONAL INSTRUMENTS RELATING TO THE STATUS OF WOMEN:

(a) DRAFT CONVENTION ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN
(E/CN.6/574, 591 and Add.1; E/CN.6/NGO/259) (agenda item 3) (continued)

Article 2

1. Mrs. BOKOR (Hungary), speaking on behalf of the Working Group, said that the Group had reached a consensus on the introductory lines to article 2 and on paragraph (a).

Article 5

2. Mrs. GONZALEZ MARTINEZ (Mexico) said that she preferred the alternative text to the original text but that in any case it would be difficult for her to accept the phrase "to educate public opinion"; she therefore proposed the following text for article 5 as a whole: "States Parties shall take all appropriate measures 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". The purpose of the amendment was to bring the text of the draft convention into line with the text of the World Plan of Action and Declaration of Mexico.

3. Mrs. NIKOLAEVA (Union of Soviet Socialist Republics) asked what was to be done about the part of the text relating to the protection of motherhood.

4. Mrs. GONZALEZ MARTINEZ (Mexico) recalled that at its last meeting but one, the Commission had decided to postpone consideration of article 4, which also dealt with the protection of motherhood; the question could therefore be taken up when article 4 was considered. In any case, she had no objection to including a reference to motherhood in article 5.

5. Mrs. CARLSSON (Sweden) said that she fully supported the Mexican representative's proposal because it reflected the spirit of the World Plan of Action and the Declaration.

6. Mrs. ROMANOVICH (Byelorussian Soviet Socialist Republic) said that her delegation supported the original text. In the interest of society as a whole, it was essential to refer to the protection of motherhood.

7. Miss TYABJI (India) said that she unreservedly supported the Mexican representative's proposal; the idea of the protection of motherhood should be examined at a later date.

8. BEGUM FARIDI (Pakistan), supported by Mrs. SALYO (Indonesia), said that she preferred the alternative text.

9. Mrs. VELIS DIAZ de VILLALVILLA (Cuba) supported the text proposed by the Mexican representative, but felt that it was also important to refer to the question of motherhood, which must not serve as a pretext for discrimination and must be looked upon as a social function.

10. Mrs. OSCHINSKY (Belgium) said that she favoured the alternative text but could support the Mexican proposal. She was not opposed to the idea of the protection of motherhood but considered that the question was out of place in article 5 and should be dealt with under article 4.

11. Mrs. HUSSEIN (Egypt) agreed with the Belgian representative; she considered that the importance attached to the protection of motherhood and the choice of the appropriate article for a provision on that subject were two entirely separate questions. So far as she was concerned, the protection of motherhood was important but was not connected with the question dealt with in article 5. Her delegation considered that the Mexican proposal was an improvement on the alternative text but it had no definite position on the question.
12. Mrs. ROMANOVICH (Byelorussian Soviet Socialist Republic) said that she failed to understand why the Commission was trying to defer consideration of such an important question as the role of women as mothers and urged that it should be considered at once.
13. Miss QUINTERO (Colombia) considered that, in view of the importance of the protection of motherhood, it should form the subject of a separate article. Her delegation had no objection to the Mexican proposal; she asked the Mexican representative whether Mexico had already made provision for the necessary modifications in its national educational plans or programmes.
14. Miss GONZALEZ MARTINEZ (Mexico) said that each State could try to recognize the advantage accruing to the community from the protection of motherhood according to its own governmental methods, either in educational plans or, as was the case with Mexico, in the country's general development plan. Whatever the method used, Governments should try to show that the protection of motherhood was a common obligation of society.
15. Miss TYABJI (India) considered that the question of the protection of motherhood came under article 4, or under provisions concerning economic and social rights, rather than under article 5.
16. The CHAIRMAN suggested that the Commission should consider the question of the protection of motherhood under article 4, i.e., when it took up the chapter on economic and social rights.
17. Mrs. VELIS DIAZ de VILLALVILLA (Cuba) considered that the question of motherhood should be approached from the point of view of education, since it was a problem affecting society and the couple. She proposed, therefore, that a sentence should be added to the Mexican proposal reading, "Suitable family education, which would include a proper understanding of motherhood as a social interest, should figure prominently in plans drawn up for this purpose".
18. Mrs. COCKCROFT (United Kingdom) supported the alternative text and the Mexican proposal. She wondered whether the Cuban proposal was intended to ensure respect for, or just a better understanding of, motherhood. In English it seemed trivial to speak of the "social interest" of motherhood. She would give favourable consideration to the preparation of a separate article on motherhood.
19. Mrs. ATHANASAKOS (United States of America) supported the alternative text but considered that the phrase following the words "all other practices" should be amended to read. "which are based on the idea of the inferiority of women or the superiority of either of the sexes or on stereotyped roles of men or women". Her delegation could, however, also accept the Mexican proposal. The idea of the protection of motherhood must be very carefully examined and any article on the subject would have to be prepared with great care. Family responsibilities should be shared by the mother and father; accordingly, education in that field should include the whole family. She suggested that consideration of the question should be deferred.

20. Mrs. DEVAUD (France) said that she preferred the alternative text but could support the Mexican proposal. To meet the concerns of the representative of Cuba and the Byelorussian Soviet Socialist Republic, she proposed that a sentence should be added to the Mexican text reading, "The same attention should be given to the family education of the couple".
21. Miss TYABJI (India) proposed the addition, in the text proposed by Cuba, after the words "social interest", of the phrase "and recognition of the complementary roles of men and women in the responsibility for children, should figure prominently in plans drawn up for this purpose".
22. Mrs. HUSSEIN (Egypt) considered that members had strayed somewhat from the original idea of the protection of motherhood and that the problem had assumed an ideological character in that it was being asked whether the parental function should be viewed in its strictly private aspect or as a social function. Her delegation could not yet take a position on that issue.
23. Mrs. MOLLER (Denmark) said that she had originally been in favour of the alternative text but that she supported the amendments suggested by the representatives of the United States, Mexico and India.
24. Mrs. CARLSSON (Sweden) supported the French and Mexican proposals.
25. Mrs. SALYO (Indonesia) considered that the social function of motherhood must be recognized not only in education but also in legislation, particularly in legislation on employment and social security.
26. Begum FARIDI (Pakistan) emphasized that States could not, by legislative measures, modify cultural patterns overnight and that reference should be made to the educational role non-governmental organizations could play in changing outlooks.
27. Mrs. HUSSEIN (Egypt) suggested, in order to meet the concern of the representative of Pakistan that the beginning of article 5 should be changed to read either "States Parties shall take all appropriate educational measures to modify" or "States Parties shall take all appropriate measures, notably educational, to modify".
28. Mrs. OSCHINSKY (Belgium) said that she could accept the various proposals but it seemed superfluous to speak at the same time of the inferiority of women and the superiority of men, since one necessarily implied the other.
29. Begum FARIDI (Pakistan) supported the Egyptian representative's suggestion.
30. Mrs. COCKCROFT (United Kingdom) thought that the Egyptian amendment made the text clearer. She was not very satisfied with the end of the text of article 5: the idea of the inferiority or the superiority of either sex seemed to her unnecessary and rather demeaning.
31. Miss GONZALEZ MARTINEZ (Mexico) said that she could accept the Egyptian amendment. With regard to the doubts expressed by the United Kingdom representative, she pointed out that if the concept of the inferiority of women had not existed in society for a long time, it would not be necessary for the Commission to draw up a convention on the elimination of discrimination against women.

32. Mrs. ROMANOVICH (Byelorussian Soviet Socialist Republic) said that the expression "social and cultural patterns" was not clear in Russian.
33. Mrs. CADIEUX (Canada) said that the amendment proposed by the Egyptian delegation would create difficulties for Canada, where education came under the responsibility of the provincial authorities. Furthermore, that amendment did not seem necessary, since the expression "all appropriate measures" also included educational measures.
34. Mrs. NIKOLAEVA (Union of Soviet Socialist Republics) supported the comments of the representative of Byelorussia, and stressed that the text should be understandable in all languages.
35. She too thought that the terms of inferiority and superiority had no place in a legal instrument such as that which the Commission was drafting.
36. Lastly, she did not see why the States Parties could not adopt legislative measures prohibiting discrimination based on sex in the same way as they adopted measures in other fields. For example, the Soviet Union had a law prohibiting any war propaganda. Moreover, the International Convention on the Elimination of all Forms of Racial Discrimination provided, in article 4 (b), that any incitement to racial discrimination was punishable by law.
37. Mrs. PEÑALVER DE LEPAGE (Venezuela) proposed the deletion of paragraph 2 of article 5, which seemed to be entirely superfluous.
38. Mrs. COCKCROFT (United Kingdom) shared the view expressed by the Canadian representative regarding the amendment submitted by the Egyptian delegation, since in the United Kingdom education was primarily the responsibility of the counties. She suggested that the Commission should adopt the text proposed by Mexico for article 5 and thus conclude its consideration of that article.
39. The CHAIRMAN said that there seemed to be a consensus concerning the text proposed by the Mexican delegation and amended by the United States delegation, but that objections had been raised regarding the amendment of the Egyptian delegation.
40. Mrs. HUSSEIN (Egypt) said that she had proposed the amendment in order to take account of the concern expressed by another delegation, but that she was prepared to withdraw it. She was not opposed to the Mexican text but believed it her duty to stress that that wording did not contain the idea that the States Parties should take all appropriate measures "to direct national aspirations towards the eradication of prejudices ..." and thus departed from one of the important articles of the Declaration on the Elimination of Discrimination against Women.
41. The CHAIRMAN said that if there was no objection, she would take it that the first part of article 5 (text proposed by the Mexican delegation) was approved by consensus.
42. It was so decided.
43. The CHAIRMAN drew the Commission's attention to the amendments proposed by the Cuban delegation and by the French delegation.
44. Mrs. COCKCROFT (United Kingdom) suggested the replacement in the Cuban text, of the words "as a social interest" by the words "as a social function".

45. Mrs. VELIS DIAZ DE VILLALVILLA (Cuba) accepted that amendment.
46. Mrs. SANDLUND (Sweden) thought that the French proposal was a good one, since it reflected the important principle that the responsibility for the children should be divided equally between both parents.
47. Mrs. ATHANASAKOS (United States of America) said that she too thought that the responsibility of the family should be shared by the father. Indeed, the problems which arose resulted less from a lack of respect for motherhood than from a lack of acceptance by the father of his responsibilities in the family. Furthermore, it must be borne in mind that motherhood was only one of the choices which women could make.
48. Mrs. CARLSSON (Sweden) proposed the replacement in the Cuban amendment of the word "motherhood" by "parenthood", since the responsibility to rear the children was shared by the parents.
49. Miss ST. CLAIR (Secretary of the Commission) read out the text proposed by Cuba, as amended by India, the United Kingdom and Sweden: "Suitable family education, which should include a proper understanding of parenthood as a social function and the recognition of the complementary roles of men and women in bearing responsibility for children, should figure prominently in plans drawn up for this purpose."
50. Mrs. OSCHINSKY (Belgium) suggested that the text proposed by France would be more comprehensive if it was preceded by the phrase "In view of the importance of motherhood, a social function," and followed by the phrase "with a view to ensuring the equitable sharing of all tasks between the parents". That would take account of the Swedish proposal.
51. Mrs. VELIS DIAZ DE VILLALVILLA (Cuba) accepted the amendments made to her proposal by the United Kingdom and India.
52. Mrs. CARLSSON (Sweden) thought that the Belgian proposal offered a possibility for compromise.
53. Mrs. DEVAUD (France) thought that the Cuban proposal was not very satisfactory, since it dealt with the complementary roles of men and women, which had often been used in the past as an argument for maintaining women in a situation of inferiority. However, the draft convention should not be less progressive than the texts adopted by the ILO in July 1976. It would be preferable to consider the possibility of combining the Belgian and French proposals.
54. Miss TYABJI (India) proposed that the words "complementary roles" should be replaced by "common role".
55. Mrs. ATHANASAKOS (United States of America) observed that the Commission had departed from the original text, and that that would create difficulties for certain countries. She would prefer a clear text and proposed the wording: "In the determination of roles, it should be recognized that both motherhood and fatherhood are responsible social functions".
56. Mrs. OSCHINSKY (Belgium) said that she wished, for the sake of clarity, to read out the text resulting from the merger of the Belgian and French proposals: "In view of the importance of motherhood, a social function, the same attention should be given to the family education of the couple with a view to ensuring the equitable sharing of all tasks between the parents."

57. Mrs. ATHANASAKOS (United States of America) thought that a phrase such as "equitable sharing of all tasks between the parents" might give rise to trivial interpretations. It was therefore preferable to avoid a statement of that kind.
58. Mrs. DAHLERUP (Denmark) said that she supported the Cuban text, as amended by India and the United Kingdom.
59. Mrs. BOKOR (Hungary) thought that the wording of the original text, namely "the protection of motherhood is a common interest of the entire society which should bear responsibilities for it", was the best and that it was most in keeping with the Commission's mandate from the General Assembly.
60. Mrs. SANDLUND (Sweden) endorsed the text proposed by the United States, since it stressed the responsibility of the father and of the mother and because its general nature made it easier to adapt to the social conditions in different countries.
61. Mrs. GUEYE (Senegal) said that the text proposed by the United States was unacceptable. She thought that the original wording of article 5 was good and supported the comments of Hungary. In a spirit of compromise, however, she could accept the text proposed by Cuba or a draft combining the texts proposed by Cuba and Belgium.
62. Mrs. ATHANASAKOS (United States of America) observed that the text which she had proposed took account of the fact that the responsibility for the children should be assumed not only by the mother but also by the father.
63. Mrs. NIKOLAEVA (Union of Soviet Socialist Republics) thought that members were departing from the original concept of the article under consideration. She supported the comments of the Senegalese delegation. Although she preferred the original text, she could accept the text proposed by Cuba, as amended by India and the United Kingdom.
64. Mrs. GONZALEZ MARTINEZ (Mexico) observed that the objective of the second part of article 5 was not so much to protect motherhood or to stress the role of the father and the mother as to recognize the social function of motherhood, which implied responsibilities for society. It would therefore be preferable to adopt the text proposed by Cuba, as modified by India and Sweden.
65. Miss TYABJI (India) drew the attention of the representatives of Hungary and Senegal to the fact that article 5 was concerned with the education of public opinion. In her view, it was certainly that desire which had prompted the United States proposal.
66. Mrs. TALLAWY (Egypt) said that she considered it her duty to remind members that the elaboration of the draft convention was supposed to have been concluded by the end of the current session. Constant reformulation of the draft articles might cause their original goal to be lost from sight. That was why some of the texts proposed were rather far from the original texts, which concerned the protection of motherhood and the responsibilities of society. The Commission should confine itself to improving the texts already before it or to reconciling the original and the alternative texts.

67. Mrs. CARLSSON (Sweden) said she wished to make it clear that she supported the United States proposal because in the case of unwed mothers, the fathers should share the financial responsibilities involved in rearing the children.
68. Mrs. MAKA (Guinea) said that she endorsed the comments of the Senegalese delegation; she supported the text proposed by Cuba and amended by India.
69. Mrs. BOKOR (Hungary) and Mrs. ROMANOVICH (Byelorussian Soviet Socialist Republic) asked whether the written text of the draft amendments proposed respectively by Cuba, by the United States and by Belgium and France could be circulated to the Commission.
70. Miss St. CLAIR (Secretary of the Commission) announced that those draft amendments would be circulated at the first meeting on the following day.

The meeting rose at 1.05 p.m.