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COMMISSION ON THE STATUS OF WOMEN

Twenty-sixth session

SUMMARY RECORD OF THE 647TH MEETING

held at the Palais des Nations, Geneva,
on Thursday, 23 September 1976, at 2.40 p.m.

Chairman:

Mrs. GUEYE

(Senegal)

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INTERNATIONAL INSTRUMENTS RELATING TO THE STATUS OF WOMEN (agenda item 3) (continued)

(a) DRAFT CONVENTION ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN
(E/CN.6/574, 591 and Add.1; E/CN.6/L.680; E/CN.6/NGO/2,9) (continued)

Article 11 (continued)

1. The CHAIRMAN recalled that, at the previous meeting, the United States representative had suggested that amendment 1, (b) proposed by her delegation in document E/CN.6/L.680 might be included in paragraph 2 of the alternative text (g) set out in document E/CN.6/591.
2. Miss TYABJI (India), supported by Mrs. DEVAUD (France), remarked that the proper place for the amendment would be in paragraph 1 of the alternative text, which the Commission had already adopted.
3. Ms. ATHANASAKOS (United States of America) agreed, and wondered whether the drafting committee could be instructed to make the appropriate adjustment in paragraph 1 of the alternative text as adopted.
4. Mrs. NIKOLAEVA (Union of Soviet Socialist Republics) said that going back on a **text** already adopted would create an undesirable precedent. The United States amendment was, in principle, acceptable to her delegation, but she was strongly opposed to re-opening the discussion on paragraph 1 of the alternative text.
5. The CHAIRMAN suggested that the United States amendment could be adopted as a separate paragraph of article 11.
6. It was so agreed.
7. Ms. ATHANASAKOS (United States of America) introduced a further amendment to the alternative text of article 11, namely, amendment 1 (c) in document E/CN.6/L.680. Existing laws on health and safety, though originally designed for the protection of women, in practice often prevented women from getting better or higher paid jobs. The amendment was intended to correct that situation and to ensure equal employment opportunities for women.
8. Mrs. NIKOLAEVA (Union of Soviet Socialist Republics) remarked that the draft convention was aimed at the elimination of all forms of discrimination against women. References to men, who - so far as she was aware - were not particularly disadvantaged in the matter of employment, were therefore out of place. She would be prepared to accept the amendment in a shorter form which women throughout the world could understand, reading roughly as follows: "To adopt all necessary measures to ensure protection of the work and health of women".
9. Ms. ATHANASAKOS (United States of America) said that she fully appreciated that the draft convention was specifically concerned with women. However, in the present case, failure to equalize the position of women and men would have a detrimental effect on women's employment opportunities. For example, legislation stipulating that women could not work more than eight hours a day or 40 hours a week could be used

to exclude women from supervisory posts entailing longer hours. What was harmful to women was, generally speaking, also harmful to men. Conversely, there were many stronger-than-average women who could work long hours, lift heavy weights, and so forth.

10. Ms. CARLSSON (Sweden) said she agreed with the United States amendment, and, in support of it, quoted article 9 of the ILO Declaration of 1975 on Equality of Opportunity and Treatment for Women Workers.
11. Mrs. DEVAUD (France) associated herself with the Swedish representative's remarks.
12. Ms. ATHANASAKOS (United States) said she could not agree to the text proposed by the Soviet delegate; indeed, if that text were included in the draft convention, her Government would probably be unable to ratify it. Trade unions in the United States had come to recognize that special protective legislation for women in employment in fact operated against women's interests, and should be extended to men as well; the equal rights amendment to the United States Constitution had received trade union support for that very reason. A similar point had been made by the ILO representative at an earlier meeting. She appealed to members of the Commission to give favourable consideration to her amendment.
13. Mrs. DAHLERUP (Denmark) was fully in favour of the United States amendment, but wondered whether the difference between the United States and Soviet views on the matter was really fundamental. In her opinion, the difficulty could be overcome by deleting the reference to male workers and referring to "all workers" throughout the text of the amendment.
14. Mrs. CADIEUX (Canada) endorsed the United States amendment, which corresponded to proposals for new legislation now under consideration in her country. She could not accept the text proposed by the Soviet delegate.
15. Mrs. ROMANOVICH (Byelorussian Soviet Socialist Republic) said her delegation was in favour of the amendment proposed by the Soviet representative, which was consistent with the ILO Declaration of 1975. Women required special protection in employment because of their physiological nature and of the social function of maternity, to which the Declaration also referred. The draft declaration on which the Commission was working should on no account represent a step backward from existing provisions.
16. Mrs. HUSSEIN (Egypt) said that while she personally understood the United States representative's point of view, the wording of the amendment did not make it sufficiently clear. In her opinion, the proposal should be redrafted and possibly inserted in the draft convention as a separate article. It should not be included in Article 11, where it was out of place.
17. Mrs. COENE (Belgium) said that her delegation supported the United States amendment.

18. Mrs. COCKCROFT (United Kingdom) remarked that the point which the United States amendment was trying to make was rather too sophisticated to be immediately acceptable to the less developed nations at the present stage in history. That being so, agreement on the issue did not seem possible at present, and she appealed to the United States representative to withdraw her amendment. As a member of the working group which had drafted the alternative texts, she felt sure that alternative text (g) went as far as possible in expressing a common position on which a consensus could be achieved.

19. Mrs. FERRER GOMEZ (Cuba) said she supported the Soviet proposal and was unable to accept the United States amendment. Women needed special protection in employment precisely because they were mothers or potential mothers.

20. Miss TYABJI (India) associated herself with the United Kingdom representative's remark, appealed to the United States representative to accept alternative text (g) as it stood and said that, unless the United States amendment were withdrawn, she would move the closure of the debate.

21. Ms. CARLSSON (Sweden) pointed out that all the countries represented on the Commission had also been present at the ILO Conference of 1975 which had adopted the Declaration on Equality of Opportunity and Treatment for Women Workers. Although she personally had no difficulty in supporting the United States amendment, she wondered whether it could not be replaced by the wording of article 9 of the ILO Declaration.

22. Ms. ATHANASAKOS (United States of America) strongly disagreed with the view that the United States amendment was out of place in article 11 of the draft convention. She would support a motion for the closure of the debate.

23. Mrs. JANJIC (International Labour Organisation) said that the two opposing points of view that had emerged had also been apparent at the ILO Conference of 1975, which had nevertheless adopted the Declaration on Equality of Opportunity and Treatment for Women Workers. As a specific example of the kind of problem involved, she mentioned the fact that the ILO had in the past adopted certain conventions prohibiting night work for women in industry. Some years later the ILO Governing Body had been asked to revise those conventions because the stipulation prohibiting night work had been found detrimental to women workers in the free choice of profession and in the matter of overtime pay. The ILO studied the matter thoroughly and had found that night work was just as harmful to men as it was to women. If special protective measures for women were to be retained at all, they should be restricted to a small number of activities. The standards providing special protection for women had been adopted a long time ago when working conditions and equipment had been very different from what they were now.

24. Mrs. HUSSEIN (Egypt) reiterated the view that the United States amendment as it stood was not sufficiently clear.

25. Mrs. COCKCROFT (United Kingdom) moved the closure of the debate.

26. Ms. CARLSSON (Sweden) and Mrs. NIKOLAEVA (Union of Soviet Socialist Republics) opposed the motion.

27. The motion was rejected by 10 votes to 5, with 8 abstentions.

28. Mrs. NIKOLAEVA (Union of Soviet Socialist Republics) wondered whether, in the interests of achieving a compromise solution, the relevant provisions of article 10 of the Declaration on the Elimination of Discrimination against Women could not be reproduced as a new article 12 of the draft convention.
29. Ms. CARLSSON (Sweden) suggested that the Commission would be able to reach a compromise solution by adopting the wording of article 9, paragraph 4, of the ILO Declaration (E/CN.6/605, annex).
30. Ms. ATHANASAKOS (United States of America) said that, as a compromise solution, her delegation could agree that, in the new sub-paragraph (d) proposed by her delegation (document E/CN.6/L.680), the words "shall either eliminate those laws which have had the effect of limiting opportunities for women or, if necessary," should be added between the words "hazardous conditions of employment" and the words "shall undertake progressively...". The rest of the new sub-paragraph (d) would remain unchanged.
31. Mrs. NIKOLAEVA (Union of Soviet Socialist Republics) said that, in her delegation's opinion, the solution suggested by the representative of the United States was unacceptable because the convention should provide for a differentiated approach to the conditions of employment of men and women.
32. Mrs. SALYO (Indonesia) said that the solution suggested by the representative of the United States was also unacceptable to her delegation.
33. Mrs. FOUCART-FLOOR (Belgium) said that her delegation supported the compromise solution suggested by the representative of Sweden to use the wording of article 9, paragraph 4, of the ILO Declaration, with the addition of the words "and of the new dangers arising from developments in chemistry and nuclear technology".
34. Mrs. COCKCROFT (United Kingdom) said that, in view of the very different philosophies on which the positions of the delegations of the United States and the Soviet Union were based, the only solution would be for those two delegations to meet and discuss the text of article 11, paragraph 1. Her own delegation could, however, support the idea of using the wording of article 9, paragraph 4, of the ILO Declaration, with the addition of the words suggested by the representative of Belgium.
35. Miss TYABJI (India) said that her delegation supported the compromise solution suggested by the representative of Sweden.
36. Mr. ESHASSI (Iran) and Mrs. DEVAUD (France) agreed that the Commission should give the delegations of the United States and the Soviet Union time to work out an acceptable compromise solution.
37. The CHAIRMAN accordingly suggested that the delegations of the United States and the Soviet Union should meet to discuss the text of article 11, paragraph 1, and to find a solution which could be acceptable to all members of the Commission; they might report on the results of their discussions at the following meeting.
38. It was so decided.
39. Miss ST. CLAIRE (Secretary of the Commission) read out the alternative text of article 11, paragraph 2, and the alternative text of paragraph 2 (a).

40. Ms. ATHANASAKOS (United States of America) suggested that, in accordance with the amendment to paragraph 2 (a) contained in document E/CN.6/L.680, the subparagraph should be amended to read: "To make unlawful dismissal merely based on marriage or maternity of a woman".
41. Mrs. COENE (Belgium) suggested that the words "To prevent" in paragraph 2 (a) should be replaced by the words "To prohibit".
42. Miss TYABJI (India) said that her delegation supported the United States amendment.
43. Mrs. ROMANOVICH (Byelorussian Soviet Socialist Republic) proposed that, in order to make paragraph 2 (a) more affirmative, it should be amended to read: "To make unlawful the dismissal of women who are on leave on account of marriage, pregnancy or maternity leave".
44. Ms. BOKOR-SZEGO (Hungary) said her delegation supported that proposal because it was necessary to make it unlawful for a woman to be dismissed from her job while she was on maternity leave.
45. Mrs. SALYO (Indonesia) and Mrs. PENALVER de LEPAGE (Venezuela) also supported the Byelorussian representative's proposal.
46. Mrs. COCKCROFT (United Kingdom) said it was important for the words "maternity leave" to be included in paragraph 2 (a) in order to prevent women from receiving notice that their employment had been terminated while they were on maternity leave after having given birth to a child.
47. Mrs. DEVAUD (France) suggested that paragraph 2 (a) should be amended to read: "To prohibit - subject to the imposition of penalties - dismissal on grounds of marriage, pregnancy or maternity leave" in order to protect women from being dismissed from their employment in the early stages of pregnancy or while they were on maternity leave.
48. Ms. ESFANDIARI (Iran) said she supported the amendment suggested by the French representative.
49. The CHAIRMAN said that, if she heard no objection, she would take it that the Commission agreed to approve the text of paragraph 2 (a) suggested by the representative of France.
50. It was so agreed.
51. Miss ST. CLAIRE (Secretary of the Commission) read out the alternative text of article 11, paragraph 2 (b).
52. Ms. BOKOR-SZEGO (Hungary) said that the word "encourage" in paragraph 2 (b) was illogical in view of the wording just adopted for article 2 (a). She therefore proposed that the wording of paragraph 2 (b) should be based on that of article 4, paragraph 4, of ILO Convention No. 103, and that it should be amended to read: "To grant paid maternity leave, the benefits of which shall be provided either by means of compulsory special insurance or by means of public funds, with the guarantee of returning to former employment".

53. Mrs. DEVAUD (France) proposed that the text of paragraph 2 (b) should be based on the wording of article 11, paragraph 2 (b) proposed by Belgium in document E/CN.6/591/Add.1, and should therefore be amended to read: "To grant paid leave for pregnancy and maternity, without loss of the job held and without loss of social allowances and benefits, the periods of leave being treated as equivalent to periods of work actually performed". The following wording should then be added to the end of that paragraph: "The costs of such protection would be borne by social security or other public funds or by means of collective arrangements" so as to ensure that there would be no discrimination against women in the hiring policies of employers who might not be willing to bear the costs of paid leave for pregnancy and maternity.
54. Ms. CARLSSON (Sweden) suggested that paragraph 2 (b) might be more acceptable to all delegations if it also provided for the granting of "parental leave".
55. Ms. BOKOR-SZEGO (Hungary) said that she could support the French representative's proposal, but thought that the word "pregnancy" in the first sentence should be deleted because the words "maternity leave" covered the period of pregnancy. With regard to the suggestion made by the representative of Sweden, she thought it was too early to expect the idea of "parental leave" to be accepted in all countries.
56. Miss TYABJI (India) said that, although she did not object to the French representative's proposal, she thought that the word "encourage" had been used deliberately at the beginning of the original text of paragraph 2 (b) in order to take account of the situation in countries like her own, where private employers did not grant paid maternity leave and where public funds were insufficient to cover the cost of such leave.
57. Ms. ATHANASAKOS (United States of America) said she agreed with the representative of India that the use of the word "encourage" was very important because not all countries were in a position to require employers, whether private or public, to grant paid maternity leave. She was therefore of the opinion that the Commission should approve the original text of paragraph 2 (b) so that each country might adopt the kind of measures it deemed appropriate.
58. Mrs. SALYO (Indonesia) said that she fully agreed with the representative of India that any sophisticated system under which the cost of maternity leave was covered out of public funds was irrelevant to countries such as her own.
59. Ms. BOKOR-SZEGO (Hungary), referring to the concern expressed by the representatives of India and Indonesia, drew attention to article 8, paragraph 3, of the ILO Declaration on Equality of Opportunity and Treatment for Women Workers, which provided that, in accordance with the minimum standards set forth in ILO Conventions No. 103 and No. 95, the costs of maternity protection should be borne by social security or other public funds or by means of collective arrangements. The convention being drawn up by the Commission had to embody provisions which were in keeping with international standards already adopted. It would, however, be possible for States to make reservations to provisions of the convention which were not acceptable to them.

60. Ms. ESFANDIARI (Iran) said she shared the reservations expressed by the representatives of India and Indonesia. Referring to the points made by the representatives of Sweden and Hungary, she noted that the inclusion of unduly detailed provisions would greatly delay the ratification of the convention.
61. Ms. ATHANASAKOS (United States of America) pointed out that the French amendment did not allow employers the alternative of paying maternity benefits out of private funds, so that employers in her country would find the provision restrictive. Her delegation preferred the original text which did not stipulate the source of the funds.
62. Mrs. DEVAUD (France) said that her delegation had simply used the text of the ILO Convention as a basis. It was essential to liberate women vis-à-vis their employers by means of a collective system. If employers were philanthropically inclined, no one would object to their paying allowances to their staff. But since such employers were rare, it was only just that the cost of protecting women should be borne by means of collective arrangements.
63. Ms. ATHANASAKOS (United States of America) said that her delegation would be able to accept the proposed text if the words "or by any other means" were inserted after the words "from public funds".
64. Mrs. COCKCROFT (United Kingdom) said that her delegation could agree to the wording suggested by the United States or the original text, which was simple and concise.
65. Mrs. DAHLERUP (Denmark) observed that the words "with the guarantee of returning to former employment" in the text proposed by the Hungarian representative might constitute an obstacle, especially for younger women. Her delegation did not oppose the French amendment, but it would have preferred wording such as "ensuring all possible assistance on returning to the labour market".
66. Ms. BOKOR-SZEGO (Hungary) pointed out, for the sake of clarification, that article 4, paragraph 8 of ILO Convention No. 103 stated that in no case should the employer be individually liable for the cost of maternity benefits due to women employed by him. That provision already constituted a strong guarantee. Article 6 of that Convention guaranteed the right of women to return to their former employment.
67. Mrs. NIKOLAEVA (Union of Soviet Socialist Republics) said it would be a retrograde step to include provisions which did not go as far as similar provisions in the ILO Convention, the wording of which must be maintained in order to protect women who took maternity leave.
68. If the amendment suggested by the representative of Denmark was adopted women would run the risk of having to accept work that was less well paid when jobs were scarce. That amendment was therefore not in the interests of working mothers, who should be guaranteed the right to return to their former employment.
69. Mrs. COCKCROFT (United Kingdom) felt that the Commission should avoid using wording taken from other conventions which a number of countries had been unable to ratify; it would indeed be regrettable if its use were to prevent those countries from ratifying the convention eventually agreed on by the Commission.

70. As to the particular point at issue, she considered that the wording of the alternative text was perfectly adequate.
71. Ms. BOKOR-SZEGO (Hungary) observed that the Commission should not retreat from earlier instruments in drafting a new universal convention. Countries could in any case express reservations about particular provisions at the time of ratification.
72. Mrs. JANJIC (International Labour Organisation) said that, if a convention was to be fully acceptable to all States, its text would have to be practically meaningless. The texts of conventions should serve as a model and example for all countries. If, in the United States, maternity benefits were not at present payable from public funds, the adoption of a convention providing for the payment of such benefits by the community might provide women in that country with an argument in favour of the introduction of that practice.
73. Mrs. DEVAUD (France) recalled that her delegation's reservations concerning the need for the convention under discussion reflected a belief that existing regulations on the subject should be implemented before a convention aimed at leading mankind forward was drafted. However, as the majority of members had been in favour of drafting a new convention, her delegation had gone along with their wishes. However, the Commission should not take as a basis provisions already contained in other conventions; nor should it simply enunciate repetitive and oversimplified principles. In order to ensure more favourable conditions for women in the future, the draft convention should draw attention to the need for specific changes in legislation and behaviour.
74. Miss TYABJI (India) disagreed with the representative of the ILO; most of the conventions which had so far been adopted had proved acceptable to a large number of States. She agreed with the representative of France that a convention should lead mankind forward, but the point was that it should lead not only those people who already enjoyed favourable conditions but also those who were lagging. If the words "encourage the granting" were used, States would be able to do something; if only the word "granting" were used, some States might simply opt out and do nothing.
75. Ms. BOKOR-SZEGO (Hungary) suggested that the Commission might wish to replace the word "granting" by the words "the progressive granting of" so as to take into account the views of third world countries.
76. Miss TYABJI (India) said that, whereas the words "progressive granting" had no clear meaning, the word "encourage" was perfectly clear.
77. Mrs. HIRLEMANN (France) considered that the word "encourage" was meaningless because there were no practical means of encouraging a State. The word was not specific and did nothing for the developing countries.
78. Mrs. JANJIC (International Labour Organisation) pointed out that the words "or by any other means" mentioned by the United States representative deprived the French amendment of all meaning. That phrase would permit the payment of allowances by employers - a procedure which the French amendment was intended to prevent.

79. Miss BRASDEFER (Mexico) said that the more general that international instruments were, the more likely it was that countries would be able to implement them. Her delegation supported the Belgian text contained in document E/CN.6/591/Add.1 without amendment.
80. Ms. ATHANASAKOS (United States of America) said that her delegation could endorse only the text contained in document E/CN.6/591, and agreed with the observations of the delegations of the United Kingdom, India and Iran.
81. Miss TYABJI (India) proposed that the words "granting paid leave for maternity" should be replaced by the words "progressively introducing paid maternity leave".
82. Ms. CARLSSON (Sweden) agreed with the view expressed by the United Kingdom representative. If the provision became too detailed, she would be obliged to press for the inclusion of her delegation's amendment.
83. Mrs. MAKA (Guinea), noting that in her country maternity leave was financed by the funds of the Party-State, appealed to members to find common ground so as to ensure that the draft convention under consideration was brought to a successful conclusion. She agreed with the observations made by the representatives of the United Kingdom and India.
84. Mrs. DEVAUD (France) said that the Indian amendment was acceptable to her delegation.
85. The CHAIRMAN said that, in view of the dissenting views expressed, it would be necessary to vote on the text for the subparagraph.
86. The text of subparagraph 2 (b) contained in document E/CN.6/591/Add.1, as amended by the French and Indian representatives, was adopted by 14 votes to 1, with 9 abstentions.
87. Mrs. NIKOLAEVA (Union of Soviet Socialist Republics) proposed that the words "including the possibility of child-care services" should be added at the end of the text of subparagraph 2 (c) contained in document E/CN.6/591.
88. Miss TYABJI (India) supported the USSR representative's amendment.
89. Mrs. MAKA (Guinea) also supported the USSR amendment, but suggested that the words "medical care for the mother and child during pregnancy, confinement and the post-natal period" should be incorporated in the subparagraph.
90. Mrs. COENE (Belgium) said it would be inappropriate to refer to child-care services in the subparagraph which dealt with pregnant women; provisions relating to children were included in later articles.
91. Begum FARIDI (Pakistan) considered that there would be no harm in referring to "day-care services", as social services were already mentioned.
92. Ms. ATHANASAKOS (United States of America) supported the original wording, as amended by the USSR and Pakistani representatives.

93. Ms. BOKOR-SZEGO (Hungary) supported the Guinean amendment, which embodied an elementary right of women.
94. Mrs. HIRLEMANN (France) said that, although she had no objection to the USSR amendment, the question was dealt with in article 13.
95. Mrs. SALYO (Indonesia) supported the Guinean amendment.
96. Begum FARIDI (Pakistan), noting that many delegations had expressed the view that that article 11 should be of a comprehensive nature, said that reference should be made to the "ante-natal and post-natal care of the child".
97. Mrs. COCKCROFT (United Kingdom) felt that day-care services and free medical care should be mentioned. The Commission might add a clause incorporating those concepts and thus eliminate the need to include the additional article referred to on page 118 of document E/CN.6/591. The Commission should bear in mind the agreement reached by the working group that the alternative text for article 11 at present under discussion should replace the original articles 11-14.
98. Mrs. FERRER GOMEZ (Cuba) said it was her understanding that the alternative version of article 11 would replace articles 12, 13 and 14 of the original text, and agreed that article 11 should be much more comprehensive.
99. Mrs. HIRLEMANN (France) felt that the Commission must decide on the desirability of retaining articles 12, 13 and 14 before it went any further. If it decided to delete articles 12 and 13, her delegation could perhaps accept the Soviet representative's proposal concerning article 11.
100. Mrs. COENE (Belgium) supported the United Kingdom and French proposal and drew attention to the proposal by Belgium to retain articles 12 and 13 and to place article 14 before article 13.
101. Mrs. LAMINA (Madagascar) felt that the Commission should delete articles 12, 13 and 14 in order to expedite its work.
102. Mrs. DEVAUD (France) took the view that the Commission should consider the Belgian proposals relating to articles 12, 13 and 14. Articles 12 and 13 had been incorporated into article 13 of the Belgian proposal in a much more concise way, and article 14, which should on no account be deleted since it indicated the scope of the Convention, would become article 12.
103. Ms. BOKOR-SZEGO (Hungary) associated herself with the views expressed by the French representative.
104. Mrs. GONZALEZ de CUADROS (Colombia), supported by Mrs. ROMANOVICH (Byelorussian Soviet Socialist Republic), felt that articles 12, 13 and 14 contained extremely important provisions and that all of them, particularly article 12 relating to the mother and child, should be studied carefully before the Commission took a decision to delete them.

105. Mrs. DAHLERUP (Denmark) recalled that the Commission had already voted on whether alternative article 11 should replace articles 11, 12, 13 and 14. She found it difficult to believe that, having taken a decision in the matter, the Commission now wished to revert to it.
106. Mrs. NIKOLAEVA (Union of Soviet Socialist Republics) said she was gratified that delegations appreciated the importance of the considerations reflected in articles 12, 13 and 14. Her delegation might make a number of amendments and additions to article 11 so as to retain some of the important ideas embodied in those three articles.
107. Mrs. HUSSEIN (Egypt) said that her delegation had already expressed the view that the alternative text did not adequately incorporate the substance of articles 12, 13 and 14, it also felt that the alternative text (2) (c) could be expanded to include the substance of article 13 by the following amendment: "To encourage the provision of the necessary supportive social services to enable women to combine the fulfilment of family and maternal obligations with activities in the labour fields". The entire paragraph could perhaps be placed under the heading of supportive services.
108. Mrs. HIRLEMANN (France) felt that article 12 could be deleted as its substance was already reflected in the alternative text of article 11. To meet the wishes of the Soviet representative, certain parts of article 13 could be incorporated in the new article 11. However, her delegation urged the retention of article 14.
109. Begum FARIDI (Pakistan) said that her delegation still believed that the alternative text of article 11 covered articles 12, 13 and 14 quite adequately.
110. Ms. BOKOR-SZEGO (Hungary) said that paragraphs (e), (f) and (h) of article 12 did not appear to be covered in article 11. Article 13 was covered by the Soviet proposal. There remained the question of article 14. She felt that the Commission should decide whether the provisions of that article should be transferred to article 11 or not.
111. Mrs. COCKCROFT (United Kingdom) also felt that paragraphs (e), (f) and (h) of article 12 could be incorporated into article 11. Some of the ideas in article 13 could also be covered by article 12. Article 14 must be retained, however, because it had a definite bearing on the preceding article or articles.
112. Mrs. DEVAUD (France) said it might be preferable for the Commission to consider the text proposed by the Belgian delegation in document E/CN.6/591/Add.1 for articles 12 and 13, and possibly elaborate on certain aspects.
113. Mrs. COENE (Belgium) explained that her delegation had included in its proposed article 12 everything relating to the physical aspects of maternity and pregnancy contained in the former articles 11 and 12. It considered that the original article 14 was indispensable and that it should become the new article 12. Moreover, it had preferred the alternative text of article 13 because it felt that the responsibility of both parents should be stressed and that the enhancement of the status of parenthood was in the interests of society as a whole and should therefore be supported by the State.

114. Mrs. NIKOLAEVA (Union of Soviet Socialist Republics) considered that the Commission had to take a decision of principle on articles 12, 13 and 14. Personally she would like the first paragraph of article 11, which the Commission had already considered, to become article 11 of the draft convention. The second paragraph of article 11 should become article 12, and the Commission could then go on to consider the following articles one by one.
115. Mrs. GONZALEZ de CUADROS (Colombia), referring to the question raised by the Danish representative said that the vote the previous day had been in favour of the alternative text. No decision, however, had been taken to incorporate the text of articles 12, 13 and 14 into the alternative text.
116. Ms. CARLSSON (Sweden) suggested that the Commission might take a vote on the deletion of articles 12, 13 and 14.
117. Ms. BOKOR-SZEGO (Hungary) reminded the Commission that no decision had yet been taken on the last paragraph of article 11; in the circumstance it would be difficult to move on to other articles.
118. The CHAIRMAN asked whether the delegations concerned wished to maintain their amendments to article 11.
119. Mrs. JANJIC (International Labour Organisation) felt it would be difficult for the sponsors of amendments to state whether they wished to maintain or withdraw their amendments until a decision had been taken on articles 12, 13 and 14. The ILO preferred the alternative text of article 11 because it was shorter, enunciated certain principles, and was intended to replace articles 12, 13 and 14. She therefore felt that it would be inconsistent for the Commission, having voted in favour of the alternative and, consequently, of suspending discussion on articles 12, 13 and 14, to reverse its decision.
120. The CHAIRMAN pointed out that the Colombian representative, who had been in the Chair when the vote had been taken, had explained that it had never been specified that articles 12, 13 and 14 should be deleted.
121. Mrs. NIKOLAEVA (Union of Soviet Socialist Republics) said that her delegation did not intend withdrawing its amendment to article 11 and reserved its right to make further amendments at a later stage.
122. Mrs. HIRLEMANN (France) felt it would be difficult to take a decision on sub-paragraph (c) until it was known whether the Commission would retain articles 12, 13 and 14, on each of which a separate vote should be taken. She recalled that the ILO representative had previously pointed out that, if the alternative text of article 11 was adopted, article 14 should be retained.
123. The CHAIRMAN said that the Commission would take a decision on articles 11, 12, 13 and 14 at its next meeting.

The meeting rose at 6.10 p.m.