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DRAFT CONVENTION ON THE ELIMINATION OF DISCRIMINATION
AGAINST WOMEN

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

Addendum

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* This addendum is a continuation of the consideration of the draft Convention contained in A/C.3/33/L.47, paras. 9-127. The conclusion of the consideration of the draft Convention and the annexes will be issued as A/C.3/33/L.47/Add.2.

Article 14

128. Former article 12 was considered by the Working Group at its 12th, 13th, 14th and 15th meetings on 8, 9, 10 and 14 November 1978 respectively. The following amendments were submitted to the introductory sentence of this article:

Bangladesh (A/C.3/33/WG.1/CRP.1/Add.2, p. 8)

Add after "The States Parties" the words "shall take into account the significant roles women play in the economic survival of their families in the rural areas by working in the non-sensitized sectors of the economy and"

United Kingdom (A/C.3/33/WG.1/CRP.5/Add.9)

"Each State Party shall take all appropriate measures to eliminate discrimination against women in rural areas in order to guarantee them equality as participants in and beneficiaries of agricultural and rural development and in particular, on a basis of equality of men and women, the right:"

Denmark (A/C.3/33/WG.1/CRP.8)

"Each State Party shall take into account the significant roles rural women play in the economic survival of their families, including their work in the non-sensitized sectors of the economy, and shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, participation in and benefits from rural development and in particular the right:"

129. At the 12th meeting some representatives expressed the view that the idea contained in the amendment of Bangladesh should be included in the preamble of the Convention. Others expressed the view that it could be included in both places. The majority supported the idea of having a separate paragraph dealing with the specific problems of rural women.

130. At the same meeting the representative of Denmark introduced her amendment. She explained that she had incorporated in it the United Kingdom and Bangladesh amendments to the introductory phrase of this article.

131. At the 13th meeting the Working Group adopted the Danish text (A/C.3/33/WG.1/CRP.8), which reads as follows:

"Each State Party shall take into account the significant roles rural women play in the economic survival of their families, including their work in the non-sensitized sectors of the economy, and shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, participation in and benefits from rural development and, in particular, the right:"

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132. In further discussion of article 12 as a whole, several representatives felt that certain subparagraphs were repetitions of previous provisions in the Convention. Others, however, stressed their importance within the context of rural women.

133. The representative of Cuba proposed that an introductory phrase be drafted guaranteeing rural women the rights recognized in all the provisions of the Convention, and specifying in the subparagraphs those the Working Group wanted to emphasize.

134. At the 14th meeting the representative of New Zealand, on behalf of Bangladesh, Ghana, Guyana, India, Kenya, Sweden, the United Kingdom and her own delegation, introduced a revised structure for article 12 (Rural women) (A/C.3/33/WG.1/CRP.10), which took into account all the existing amendments to that article. The Bangladesh amendment became paragraph 1 according to the revised structure, and the former introductory phrase, paragraph 2. The Working Group decided to use this text as a basis for further discussion.

135. At its 15th meeting the Working Group adopted paragraph 1 of article 12. The final adopted text reads as follows:

1. Each State Party shall take into account the particular problems faced by rural women and the significant roles they play in the economic survival of their families, including their work in the non-monetized sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of this Convention to women in rural areas.

136. Paragraph 2 of this article was adopted by the Working Group at its 14th meeting. The text reads as follows:

2. Each State Party shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, participation in and benefits from rural development and, in particular, the right:

137. Subparagraph 2 (a) was considered by the Working Group at its 14th meeting. An amendment had been submitted to this subparagraph by the United Kingdom (A/C.3/33/WG.1/CRP.5/Add.9) consequential to the adoption of paragraph 2. It read as follows:

- (a) To participate _____ in the formation and implementation of development planning at all levels;

138. The Working Group discussed the meaning of the words "from the local to the national levels" appearing in the version of the subparagraph adopted by the Commission on the Status of Women. Some representatives felt that specific mention should be made in this subparagraph of the local, regional and national levels. Others felt that the phrase "all levels" was comprehensive.

139. At its 14th meeting the Working Group adopted subparagraph 2 (a) and decided to place it first of the subparagraphs. The text reads as follows:

- (a) To participate fully in the formulation and implementation of development planning at all levels;

140. The representative of Algeria reserved the right of her delegation to raise the question of the specific mention of the three levels with the Third Committee.

141. Subparagraph 2 (b) was considered by the Working Group at its 13th and 14th meetings. The following amendments had been submitted to it:

New Zealand (A/C.3/33/WG.1/CRP.1/Add.2, p. 9)

After the word "services" insert the words "of an equal standard to those available to men"

India (A/C.3/33/WG.1/CRP.5/Add.6)

Replace "Receive adequate medical and health facilities, including family planning advice and services," by "Having access to adequate health care facilities, including information, counselling and services in family planning"

United Kingdom (A/C.3/33/WG.1/CRP.5/Add.9)

- (b) To receive adequate medical and health facilities, including family planning advice and services _____;

The last was a consequential amendment to the adoption of paragraph 2, as adopted.

142. At the 13th meeting the representative of New Zealand withdrew her amendment to this subparagraph.

143. The Working Group extensively discussed the concepts of "family planning advice and services" and "personal rights to social security". Some representatives had objections concerning the first and/or were not clear as to the meaning of the second.

144. The representative of Canada stated that the term "personal rights to social security" referred to a problem universal to women since they are treated as dependants. The representative of New Zealand explained that the expression had come from the Commission on the Status of Women and it attempted to confer this right on the woman herself, rather than on the family.

145. Several representatives felt very strongly that this article should provide that women working in the non-monetized section of the economy should have access to social security in their own right and not as dependants, since the vast majority of countries which provide social security do so to workers in the monetized sectors of the economy.

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146. The representative of Canada orally proposed to use the phrase "as well as social security in their own right" instead of "as well as personal rights to social security". This formulation was supported by some delegations and opposed by others.
147. The representative of the Syrian Arab Republic orally proposed to delete the words "including information, counselling and services in family planning, as well as personal rights to social security".
148. The representative of India proposed to replace the words "receive facilities" by the words "have access to facilities". The representative of Spain proposed to use the words "direct access to social security" to avoid repetition of the word "rights". Accepting the suggestion of several delegations that this idea should constitute a separate paragraph, the representative of Iran proposed to add a new subparagraph (c) stating "to benefit directly from rights to social security".
149. At the 13th meeting of the Working Group some representatives requested clarification on the meaning of "access to adequate health care facilities". The Director of the Branch for the Advancement of Women stated that this provision had originated within the Commission on the Status of Women. She further stated that research carried out by the Secretary-General showed that a great part of the health expenditures intended for the most needy, especially for rural women, did not reach them and remained at the middle levels.
150. At its 14th meeting the Working Group decided to adopt the first part of the subparagraph. At its 15th meeting it decided to number it as subparagraph (b). It reads as follows:
- "To have access to adequate health care facilities, including information, counselling and services in family planning."
151. A new subparagraph 2 (b) had been proposed by Bangladesh (A/C.3/33/WG.1/CRP.1/Add.2, p. 9) which would have read as follows:
- "To receive adequate nutrition during pregnancy and lactation".
152. The Working Group considered this amendment at its 13th and 15th meetings. At the 13th meeting all representatives who spoke supported the content of this amendment. Some stated that the subparagraph should not be included in this article since this right should not be limited to rural women. Others stated that it was inaccurate to consider pregnancy and lactation as sickness. Some suggested to include it on article 12 dealing with health.
153. At its 15th meeting the Working Group adopted this amendment and on the suggestions of the United Kingdom decided to add it at the end of paragraph 1 of the adopted article 12 dealing with health. (See article 12, para. 2. A/C.3/33/L.47, para. 117.)

154. Subparagraph 2 (c) was considered by the Working Group at its 13th and 14th meetings. The following amendments had been submitted to it:

Kenya [A/C.3/33/WG.1/CRP.1/Add.2, p. 9]

After "extension services" add "to improve inter alia the technical efficiency in their work performance"

United Kingdom [A/C.3/33/WG.1/CRP.5/Add.9]

To obtain all types of training and education, formal and non-formal including functional literacy, as well as the benefit of all community and extension services;

155. The Working Group adopted subparagraph (c) at its 14th meeting and at its 15th meeting, decided to renumber it as subparagraph 2 (d). The text reads as follows:

"To obtain all types of training and education, formal and non-formal, including functional literacy, as well as the benefit of all community and extension services, inter alia, to increase their technical proficiency;"

156. A new subparagraph 2 (c) had been proposed at the 15th meeting of the Working Group by New Zealand [A/C.3/33/WG.1/CRP.10/Add.2] to read as follows:

"To benefit directly from social security programmes;"

157. The content of this amendment had been previously discussed by the Working Group at its 13th and 14th meetings in connexion with subparagraph 2 (b). The Working Group adopted this subparagraph at its 15th meeting and decided that it should become subparagraph 2 (c) of this article.

158. Subparagraph 2 (d) was considered by the Working Group at its 14th and 15th meetings. The following amendments had been submitted to it:

Bangladesh [A/C.3/33/WG.1/CRP.1/Add.2, p. 10]

Delete the words "including co-operatives"

United Kingdom

To participate _____ in all community activities including co-operatives;

159. After a discussion of co-operatives, the Working Group adopted the Bangladesh amendment [A/C.3/33/WG.1/CRP.10]. It was adopted at the 15th meeting as subparagraph (f) and reads as follows:

(f) To participate in all community activities.

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160. A new subparagraph 2 (d), which had been proposed by the delegation of Banladesh (A/C.3/33/WG.1/CRP.1/Add.2, p. 9), reads as follows:

"Organize self-help groups and co-operatives in order to obtain equal access to economic opportunities through employment and self-employment".

161. During the discussion of this amendment some representatives stated that the expression "self-help groups" was unclear. The representative of Jordan stated that she understood "self-help groups" to mean a system that is adopted to help rural women and men help themselves. It may consist of training courses and the members of the training group teach others. The representative of Pakistan stated that self-help groups may constitute a transition period towards a co-operative. The Chairman stated that it could be an arrangement of a co-operative kind which is not established as a formal co-operative.

162. The representative of the Union of Soviet Socialist Republics felt that there was no need to specify co-operatives and self-help groups, as well as employment and self-employment. He would prefer a more general formulation such as "different economic opportunities". Others expressed their preference for the proposed Banladesh wording. The representative of the Byelorussian SSR proposed to add the words "for example" before the words "through employment and self-employment", since it was not advisable to limit ways to those suggested in the subparagraph. This was supported by Poland and Jordan.

163. At its 15th meeting the Working Group decided to adopt the subparagraph as orally amended and to renumber it as subparagraph 2 (e). The text read as follows:

"(e) To organize self-help groups and co-operatives in order to obtain equal access to economic opportunities through employment or self-employment;"

164. Subparagraph 2 (e) was considered by the Working Group at its 15th meeting. An amendment had been submitted by the United Kingdom (A/C.3/33/WG.1/CRP.5/Add.9) consequential to the adoption of paragraph 2 of this article. It read as follows:

"(e) To obtain _____ access to credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes".

165. Some representatives questioned whether the words "appropriate technology" or "appropriate technologies" (as in the original text) should be used. The Working Group engaged in a lengthy discussion of this concept.

166. Upon request, the ILO representative explained that the words "appropriate technology" are within the context of technology acquired for development plans in many less developed countries, taking into account human resources, currency available, impact on the labour market, labour-intensive versus capital-intensive technology, and the social consequences that the specific technology brings into a society.

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167. Many representatives urged retention of the reference to appropriate technologies since it meant technology appropriate to the level of development. The Chairman suggested replacing "technologies" by "technology". It was so agreed.

168. The representative of Colombia orally proposed to replace the words "to obtain access" at the beginning of the subparagraph by the words "To have access".

169. At its 15th meeting the Working Group adopted this subparagraph as orally amended and decided to renumber it as subparagraph 2 (g) of this article. The text reads as follows:

"(g) To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes."

170. Subparagraph 2 (d) was proposed by the group of delegations who drafted the revised structure for this article (A/C.3/33/WG.1/CRP.10) and discussed by the Working Group at its 15th meeting.

171. A few representatives stated that they could not see why the content of this subparagraph should apply only to women. The representatives of Ghana and Sweden gave illustrations of specific ways in which women are discriminated against in their right to enjoy these services.

172. At the same meeting the Working Group adopted this subparagraph and decided to number it subparagraph (h). The text reads as follows:

"(h) To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications."

173. The representative of the Netherlands wished to place on record that she would like to see a similar provision included for all women, in the article dealing with other aspects of economic and social life. The Chairman proposed to proceed on the understanding that, if it was intended to guarantee the rights enumerated in the article on rural women to urban women as well, provisions to this effect should be included among the general provisions of the Convention.

174. The representative of Japan wished to place on record that there was no provision in the Convention covering the social security of urban women who were not employed.

175. At its 15th meeting the Working Group adopted this article as a whole and, as stated, decided to renumber it article 14.