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WORKING GROUP ON A NEW INSTRUMENT OR
INSTRUMENTS OF INTERNATIONAL LAW
TO ELIMINATE DISCRIMINATION
AGAINST WOMEN
Item 4 of the agenda

DRAFT CONVENTION ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN
WORKING PAPER SUBMITTED BY THE PHILIPPINES AND USSR

SOCIAL AND ECONOMIC RIGHTS

Article 11

1. Each State Party agrees to take all appropriate measures to ensure women, married or unmarried, equal rights with men in the field of education, which education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms.

Each State Party undertakes to take appropriate measures toward the attainment of the foregoing, in particular:

(a) Equal conditions of access to, and study in educational institutions of all types, including universities and vocational, technical and professional schools;

(b) The same choice of curricula, the same examinations, teaching staff with qualifications of the same standard, and school premises and equipment of the same quality, whether the institutions are co-educational or not,

(c) Equal opportunities to benefit from scholarships and other study grants;

(d) Equal opportunity for access to programmes of continuing education, including adult literary programmes;

(e) Access to educational information to help in ensuring the health and well-being of families in relation to family planning.

Article 12

The States Parties shall adopt all necessary measures to ensure to women, married or unmarried, the same rights and opportunities as men in the field of employment and other social and economic activity, and in particular:

(a) The right to work, which includes the right of every person to an opportunity to earn his livelihood by work which he freely chooses or to which he freely consents and the right to be employed in his field of specialization in accordance with his level of qualification;

(b) The right to take employment and to continue their activity in the labour force and in professions whether or not they marry and whether or not the husband's consent is obtained;

(c) The right to equal remuneration with men for equal work;

(d) The right, without discrimination on grounds of sex, to receive equal vocational training and advanced training in the event of changes in the conditions of production or technical advances and, where necessary, free retraining and restoration of levels of qualification after an enforced interruption resulting from the fulfilment by women of their maternal obligations;

(e) An equal right to paid annual leave and to material security in case of unemployment, sickness, disability, old age or other incapacity to work; an equal right to old-age pension coverage, a lower pensionable age and a shorter period of employment for the award of a pension being established in the case of women;

(f) The right to receive family allowance on equal terms with men.

(g) /The retention by women who are employed for an incomplete working day or an incomplete working week, and who receive payment in proportion to the time worked or on the basis of output, of all rights, privileges and benefits established for those employed for a full working day./

Article 13

States Parties undertake to progressively adopt all necessary measures to ensure protection for women workers, and in particular:

(a) To restrict the employment of women workers in heavy labour and under working conditions that are physically harmful to women;

(b) To provide appropriate working conditions for pregnant women and nursing mothers, including, where necessary, their transfer to lighter work with retention of the earnings received in their previous employment;

(c) To grant adequate maternity leave with pay equivalent to their earnings and without loss of the job held;

/...

- (d) To prohibit the dismissal of women who are taking maternity leave and the dismissal of women because they are pregnant or are nursing a child
- (e) To grant nursing mothers additional paid work breaks to nurse their infants;
- (f) To make provision for granting mothers paid leave to care for sick children,
- (g) To grant women free medical care during pregnancy, confinement and the postnatal period;
- (h) Special assistance to mothers with large families and unwed mothers.

Article 14

The States Parties shall adopt all necessary measures to enable women to combine the fulfilment of family and maternal obligations with activity in the labour force, in professions and in public life and shall for that purpose promote the establishment of special institutions, particularly, institutions for the care of working mothers (crèches, kindergartens, extended day groups for school children, extra-scholastic institutions and the like), either free or subject to a moderate charge for the care of the children.

Article 15

The provisions of Articles 11, 12, 13 and 14 shall apply to all women, without exception, who are gainfully employed in State, co-operative, public and private institutions, industrial and non-industrial enterprises and other organizations in agriculture and on plantations, and also to women who perform for any organizations or individuals remunerated work at home or who are gainfully employed in domestic work.
