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Twenty-sixth Session

SUMMARY RECORD OF THE 642nd MEETING

held at the Palais des Nations, Geneva,  
on Tuesday, 21 September 1976, at 9:40 a.m.

Chairman: Mrs. COCKCROFT (United Kingdom)  
later: Mrs. GONZALEZ DE CUADROS (Colombia)

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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/NGO/259) (continued)

Article 10 (continued)

Paragraph (f) of the Belgian amendment (E/CN.6/591/Add.1)

1. The CHAIRMAN invited the Commission to consider paragraph (f) of the article 10 proposed by Belgium.
2. Miss TYABJI (India) proposed that paragraph (f) of the Belgian amendment should be replaced by the following: "Nothing in this article shall be deemed to be against such special measures as may be necessary, including providing special educational institutions, scholarships, etc., designed to bridge the gap between the education of girls and boys and to reduce the school dropout rate among girls".
3. Mrs. DEVAUD (France) said she was not opposed to the Indian proposal but thought that the paragraph (f) proposed by Belgium had an entirely different objective: it sought to ensure that girls had the same length of schooling as boys. Indeed, in countries like France, and particularly in rural areas, girls often had to leave school if their mother died in order to bring up their brothers and sisters. In large families, the eldest girl was often obliged to discontinue her studies at an early age in order to help her mother at home. It was never the boy but always the girl, and in most cases the eldest girl, who was sacrificed in that way. It was therefore essential to ensure a greater degree of equality between boys and girls with regard to the duration of their studies.
4. Mrs. ZAHARAN (United Nations Educational Scientific and Cultural Organization) said that the school dropout rate among girls was one of UNESCO's main concerns, and that a reference to the matter should appear in the draft convention.
5. Mrs. GUEYE (Senegal) said she supported the Belgian proposal for the reason given by the representative of France. In her country too, particularly in the rural areas, girls left school at an earlier age than boys to help their mothers at home, or to get married. She proposed the addition in the Belgian amendment of the following phrase, which was based on paragraph 67 of the World Plan of Action: "and programmes for girls who have left school too early".
6. Mrs. MAKHA (Guinea) supported the Senegalese proposal. Throughout her country, the Government had set up centres for the advancement of women to provide training for girls who had left school early.
7. Miss TYABJI (India) said she shared the views of the French representative, but thought that it was essential precisely for those reasons to set up special institutions where girls who had left school early could receive useful training.
8. Miss GONZALEZ MARTINEZ (Mexico) supported the Indian proposal. She was opposed to an unduly detailed convention, which would be difficult to ratify, but thought it necessary to indicate the measures necessary to reduce the school dropout rate among girls and to bridge the gap between the educational level of men and women.

9. The CHAIRMAN suggested that the Commission should adopt separately, in the form of two individual paragraphs, the Belgian text modified by the Senegalese amendment and the Indian text up to the words "the education of girls and boys".
10. Mrs. SALYO (Indonesia) supported that proposal.
11. Mrs. NIKOLAEVA (Union of Soviet Socialist Republics) said she saw no difference in substance between the Belgian proposal and that of India; the former stated a principle while the latter indicated how it should be applied. She therefore thought that the two texts should be combined so as not to increase the number of paragraphs.
12. Mrs. FOUCART-FLOOR (Belgium) thought that the Indian text could indeed be added to the text proposed by her delegation, since the two texts had an identical objective and were complementary.
13. Mrs. HIRLEMANN (France) said that she also supported the idea of combining the Belgian and Indian texts in a single paragraph. However, a choice had to be made between the Senegalese and Indian amendments as they were similar. For her part, she preferred the Senegalese text, since it was obvious that nothing in article 10 could be contrary to measures intended to reduce the gap between the education of girls and boys.
14. Miss TYABJI (India) pointed out that article 10 stressed the need to ensure that women had opportunities equal to those of men. Paragraph (f) should therefore place emphasis on the need to take special measures in favour of women in order to reduce the gap between them and men.
15. Mrs. HUSSEIN (Egypt) said that, thanks to the Indian representative's explanations, she was now in a position to support her amendment.
16. Ms. ATHANASAKOS (United States of America) said that she understood the need to do something about the school dropout rate among girls. However, she pointed out that paragraph (e) of the Belgian text, which the Commission had already adopted, provided for programmes of continuing education for women who had dropped out of school. In her view, therefore, the Indian amendment would duplicate paragraph (e).
17. Mrs. GUEYE (Senegal) said paragraph (e) dealt solely with the question of continuing education and adult literacy programmes, whereas paragraph (f) was concerned with girls.
18. Mrs. PEÑALVER de LEPAGE (Venezuela) proposed the following text: "Measures to reduce the school dropout rate among girls, including the creation of special establishments offering courses designed to bridge the gap that exists in practice between the sexes in educational matters".
19. Mrs. NIKOLAEVA (Union of Soviet Socialist Republics) said that she was unable to accept the wording proposed by Venezuela, which completely changed the text submitted by Belgium.
20. Ms. IAMINA (Madagascar) said that she shared the view of the representative of the Soviet Union and supported the Senegalese amendment.
21. Mrs. PEÑALVER de LEPAGE (Venezuela) withdrew her amendment.

22. The CHAIRMAN said that if there was no objection, she would take it that the Commission approved paragraph (f) proposed by Belgium (E/CN.6/591/Add.1), as amended by Senegal, and decided to defer consideration of the Indian proposal.

23. It was so decided.

Paragraph (a)

24. The CHAIRMAN announced that the representatives of Belgium and France had drafted a text for article 10 (a).

25. Mrs. COENE (Belgium) proposed, on behalf of the Belgian and French delegations, the following text for paragraph (a): "Equal conditions of career guidance, access to studies and earning of degrees should be ensured in educational establishments of all categories, in rural as well as in urban areas. Such equality should be ensured in pre-school, general, technical, vocational and higher institutions, as well as in any other type of professional training."

26. Ms. ATHANASAKOS (United States of America) said she would appreciate clarification of the purpose of the amendment, as the new text seemed to depart from the concept expressed in the original paragraph, which concerned access to educational institutions.

27. Mrs. DEVAUD (France) stressed that it was not the intention of the sponsors of the amendment to change the spirit of the paragraph, and that they had merely sought to make it clearer and more precise. As vocational training was provided both in educational institutions and in enterprises, the sponsors had felt that they should add the phrase "as well as in any other type of vocational training" at the end of the paragraph. Any break between school and work should be avoided, and education should include vocational training, since the acquisition of qualifications made it easier for women to obtain employment.

28. Miss TYABJI (India) thought that in the English version of the amendment, the words "vocational training" should be used instead of "professional training".

29. Mrs. NIKOLAEVA (Union of Soviet Socialist Republics) noted that unlike the original text, the new text made a distinction between the level of technical and higher education.

30. Mrs. DEVAUD (France) said that it was precisely in order to take account of higher-level technical education that the sponsors of the amendment had used the term "higher" rather than "university", since in some countries technical education in the strict sense of the word, at that level, was not given at the university but in specialized establishments.

31. Mrs. NIKOLAEVA (Union of Soviet Socialist Republics) said that, in view of existing discrimination as regards access to higher technical training, care must be taken to avoid any ambiguity on that point.

32. Mrs. DEVAUD (France) suggested the replacement of the word "higher" in the amendment by the words "university and higher technical".

33. Mr. HUSSEIN (Egypt) thought that the amendment before the Commission was a substantial improvement over the original text, but suggested the deletion of the word "other" in the last sentence, because pre-school education could not be covered by vocational training. Furthermore, to meet the point made by the USSR representative, that phrase might be replaced by "as well as in all types of technical and vocational training".

34. Mrs. NIKOLAEVA (Union of Soviet Socialist Republics) suggested the replacement of the end of the amendment by the words "as well as in education and higher vocational training".
35. The CHAIRMAN suggested that the last phrase should be replaced by the words "as well as in all types of higher technical and vocational training"; she pointed out that in English the term "higher" in that phrase must be understood to relate solely to "technical training".
36. Mrs. NIKOLAEVA (Union of Soviet Socialist Republics) repeated that it was essential to mention clearly the two levels of technical education: ordinary vocational training, which was narrowly specialized, and higher-level technical education, which provided access to many different professions. The convention should promote equality between the sexes in higher and other technical education so that women could have access to important jobs in industry and government.
37. The CHAIRMAN suggested the following wording for the last part of the paragraph: "as well as in technical and vocational training at all levels".
38. Miss TYABJI (India) thought that the second sentence of the amendment could be drafted to read: "Such equality should be ensured from pre-school education to all levels of general, technical and vocational education, including all types of vocational training".
39. Mrs. DEVAUD (France) suggested the following text: "Such equality should be ensured in pre-school, general, technical, vocational and higher education, including higher technical education, as well as for any type of vocational training".
40. Mrs. NIKOLAEVA (Union of Soviet Socialist Republics) supported the text that the representative of France had just read out.
41. Miss ZAHARAN (United Nations Educational Scientific and Cultural Organization) said that the paragraph, as amended, was in line with UNESCO's thinking.
42. The CHAIRMAN said that if there was no objection, she would take it that the Commission approved by consensus the amendment submitted by the Belgian and French delegations to paragraph (a) of article 10, together with the amendments just read out by the representative of France.
43. It was so decided.

Sub-paragraphs (e) of the initial text and (g) of the Belgian amendment

44. Mrs. MOLIER (Denmark) felt that the expression "psycho-sexual education" was not very clear and should be replaced by the term "sexual education". She also felt that it would be insufficient to facilitate access solely to "information" on family planning and accordingly proposed the insertion after that word of the phrase ", advice and services".
45. Mrs. SALYO (Indonesia) said that her Government favoured the initial text, since the idea of psycho-sexual education would not be acceptable in her country.

46. Mrs. NIKOLAEVA (Union of Soviet Socialist Republics) shared the view that the term "psycho-sexual education" was not clear. There was also a risk that the idea of family planning services would not gain general support, and she recalled in that connexion that in the Working Group the USSR delegation had called for a convention which would be as universal as possible. Accordingly, she felt it would be better to keep to the original text.
47. Begum FARIDI (Pakistan) associated herself with the comments of the representative of Indonesia. With regard to family planning, she said that population education and planning existed in Pakistan and that the importance of family planning for many developing countries should be recognized.
48. Mrs. GONZALEZ DE CUADROS (Colombia) said that, in her country, it was for the couple to decide on the number and spacing of their children. Consequently, the idea of family planning services was unacceptable to her delegation.
49. Mrs. HUSSEIN (Egypt) pointed out that numerous world conferences had considered that family planning was a human right and that, in order to be able to exercise that right to decide freely on the number and spacing of their children, couples required information, advice and certain services. Emphasis had been placed on that point at the Mexico City conference in relation to the question of the emancipation of women. Moreover, family planning was an urgent requirement in over-populated countries.
50. Mrs. SIPIIA (Assistant Secretary General for Social Development and Humanitarian Affairs) recalled that the Declaration on Social Progress and Development (General Assembly resolution 2542 (XXIV)) contained provisions concerning the knowledge and means with which Governments were requested to provide families to enable them to exercise their right to determine freely and responsibly the number and spacing of their children. It had been felt that, now that more was known about what the idea of family planning implied, the time had come to speak of it in the draft convention.
51. Mrs. GONZALEZ DE CUADROS (Colombia) was unable to accept the Danish amendment, but supported the original text of sub-paragraph (e) since there was education concerning matters affecting the family in Colombia.
52. Mrs. LEVAUD (France) said that she had some doubts about the use of the term "psycho-sexual education". Since there had been some difficulty in establishing sexual education in the western countries, there was a risk that a global convention containing over-explicit provisions in that respect might not be adopted by as many countries as was desirable. In addition, her delegation felt that the expression "access to [...] information" was not the most felicitous. She proposed that the sub-paragraph should be reworded to read: "Access to specific training to help in ensuring the health and well-being of families and to information on family planning".
53. Mrs. COENE (Belgium) said that the concept of psycho-sexual education was not a new one, since paragraph 132 of the World Plan of Action for the Implementation of the Objectives of the International Women's Year stated that "programmes of education for personal relationships, marriage and family life, health, including psycho-sexual development, should be integrated into all school curricula ...".
54. The CHAIRMAN pointed out that a convention was a legal document which differed fundamentally from a declaration or a plan of action.

55. Mrs. ATHANASAKOS (United States of America) suggested that, since some delegations felt it would be unwise to include the notion of family planning "services" in the sub-paragraph under discussion, it should be reserved for another article and reference made only to "information" and "advice" in that sphere.
56. Mrs. PEÑALVER de LEPAGE (Venezuela) said that her delegation attached great importance to the retention in the sub-paragraph of the provisions concerning sexual education and family planning, since her Government had undertaken a programme in that respect.
57. Mrs. CADIEUX (Canada) said that, while she found the original text acceptable, she would prefer sub-paragraph (e) to read: "Provision of educational information to help in ensuring the health and well-being of families and of educational information in the field of birth planning".
58. The CHAIRMAN remarked that the "family planning" was now a commonly accepted term and would thus be more appropriate than "birth planning".
59. Mrs. CADIEUX (Canada) accepted the amendment suggested by the Chairman.
60. Mrs. STABILE de MACHINANDIARENA (Observer for Argentina), speaking at the invitation of the Chairman, stressed that the future Convention must be such as to encourage the greatest possible number of States to accede to and ratify it. It must not be a mere theoretical enumeration of the rights to which women aspired, but must also reflect some of the conclusions of the World Plan of Action adopted at Mexico City, for the initial draft convention had been circulated to Governments prior to the Mexico City Conference and hence prior to the approval of the World Plan of Action. However, the inclusion in the Convention of provisions concerning advice and services in respect of family planning could prevent its approval and subsequent ratification by many countries which would otherwise be able to accept its contents in their entirety.
61. In view of the reservations expressed at the Mexico City Conference, Argentina hoped that the provisions of sub-paragraph (e) would, so far as possible, be drafted in a way which would not prevent it from acceding to and ratifying the Convention.
62. Mrs. NIKOLAEVA (Union of Soviet Socialist Republics) said that she preferred the initial text to the amendments which had been proposed, which she feared would be unacceptable to a large number of countries.
63. Miss BRASDEFER (Mexico) suggested that sub-paragraph (e) should be amended to read: "Access to educational information and guidance concerning nutrition and family planning and to sexual education to help in ensuring the health and well-being of families".
64. Mrs. NIKOLAEVA (Union of Soviet Socialist Republics) considered that the scope of sub-paragraph (e) would be substantially limited by the Mexican amendment. She proposed that the Commission should adopt the original text, which had won the greatest measure of support.
65. The CHAIRMAN pointed out that the notions of health and well-being included that of nutrition and that the second part of the Mexican amendment was already covered by the Belgian amendment.

66. Mrs. HIRLEMANN (France) stated that the amendments proposed by her delegation were amendments of form rather than of substance.
67. Mrs. DAHLERUP (Denmark) withdrew the part of her amendment which concerned the provision of family planning "services".
68. Ms. SANDLUND (Sweden) supported the Danish amendment.
69. The CHAIRMAN invited the Commission to vote on the Danish proposal that the words "and advice" should be inserted between the words "information" and "on family planning".
70. The Danish amendment was adopted by 24 votes to 1, with 3 abstentions.
71. Following an exchange of views in which Mrs. HIRLEMANN (France), Mrs. HUSSEIN (Egypt) and Miss TYABJI (India) took part, the CHAIRMAN suggested that sub-paragraph (e) should read: "Access to specific educational information to help in ensuring the health and well-being of families, this to include information and advice on family planning". If there was no objection, she would take it that the Commission adopted that text by consensus.
72. It was so decided.
73. Princess Prem PURACHATRA (Thailand) suggested the addition to article 10 of a new sub-paragraph reading along the following lines: "The educational curricula for boys and girls should be so designed as to make them duly aware of their social and economic rights and of their duties and responsibilities in the family and society".
74. The CHAIRMAN pointed out that, in some countries at least, choice of the content of educational curricula did not lie with the Government. The proposal of the representative of Thailand could be taken up, if appropriate, in connexion with another article.
75. She drew the Commission's attention to the amendment proposed by the representative of India.
76. Ms. BOKOR-SZEGO (Hungary) supported the substance of the Indian amendment, but pointed out that the time had come to take a decision concerning article 4. The Commission had two choices open to it: either to list in each section on the various rights the special measures which could be taken in favour of women, without being considered discriminatory, with a view to ensuring de facto equality between the sexes, or to include in the general provisions a carefully drafted article 4 which would itself enumerate those measures. In her view, the second solution was the better.
77. Ms. SANDLUND (Sweden) supported the Indian proposal, which could help to reduce the gap between girls and boys in the sphere of education.
78. Mrs. ESFANDIARI (Iran) supported the Indian proposal, which she felt should either be accepted by consensus or put to a vote.



79. Mrs. HUSSEIN (Egypt) said she found the Indian proposal very judicious... Article 4, which remained to be studied, might contain the following text: "The taking of temporary measures designed to establish de facto equality shall not be considered as a discriminatory act".

80. Miss TYABJI (India) agreed with the representative of Hungary that it would be better to include in article 4 the idea on which the Indian proposal was based.

81. The CHAIRMAN said that, if there was no objection, she would take it that the Commission wished the content of the Indian proposal to be reflected in article 4.

82. It was so decided.

83. The CHAIRMAN invited the Commission to vote on article 10 as a whole, as amended.

84. Article 10, as amended, was adopted unanimously.

85. Mrs. Gonzalez de Quadros (Colombia) resumed the Chair.

#### Article 2 (E/CN.6/605)

86. Ms. BOKOR-SZIEGO (Hungary), referring to draft article 2 prepared by the Working Group (E/CN.6/605), said that following a lengthy discussion, the Group had reached a consensus on that article, with the exception of paragraph (f), regarding which the United States delegation had entered certain reservations. The word "juridique" in paragraph (c) of the French text should be replaced by the word "juridictionnelle".

87. Ms. LAMINA (Madagascar) said it was her understanding that the Working Group had agreed to replace the words "s'engage à" in paragraph (g) of the French text by the words "s'efforce de". The Government of a State could not undertake to promote organizations whose political options might be at variance with its own.

88. Ms. BOKOR-SZIEGO (Hungary) confirmed that the Working Group had decided to replace "s'engage à" by "s'efforce de".

89. Ms. SANDLUND (Sweden) pointed out that her delegation had not joined in the consensus on draft article 2 (c), as adopted by the Working Group. It would have preferred the words "legal protection" to be replaced by the words "full protection". In addition, it would have liked the expression "public authorities and public institutions" in paragraph (d) to be replaced by the words "governmental authorities and governmental institutions". Other delegations had shared the view of the Swedish delegation.

90. Miss GONZALEZ MARTINEZ (Mexico), referring to draft paragraph 2 (c), said that it was entirely appropriate to refer to "legal protection", since paragraph 2 (a) already stated that legal protection for equal rights of men and women was to be assured by the constitution of each country. The import of paragraph 2 (c) was that States parties undertook to establish the bodies needed to ensure that legal rules were applied. In the Working Group, her delegation had not joined in the consensus on draft article 2 as a whole; would explain why when the draft convention as a whole was put to the vote.

91. Ms. ESFANDIARI (Iran) said that, in principle, she could accept the text of draft article 2. However, as Iran was not a secular State, some of the provisions of the new text were not consistent with certain Iranian laws dealing with religion. Were those provisions to be applied, it would first be necessary to amend Iran's civil legislation.
92. Begum FARIDI (Pakistan) recalled that her Government had expressed its preference for the alternative text of article 2. Her delegation's vote on the draft convention as a whole would take into account the Constitution of the Islamic Republic of Pakistan.
93. Ms. HERRAN (Colombia) endorsed the text of draft article 2 as formulated by the Working Group; the Group had adopted that text by consensus, although some delegations had entered reservations.
94. The CHAIRMAN asked whether, in view of the reservations of the United States, Iran, Mexico, Pakistan and Sweden, the Commission wished to adopt the new text of article 2.
95. Ms. SANDLUND (Sweden) said that her delegation favoured a broader approach to the elimination of discrimination based on sex: what was needed was not simply the elimination of discrimination against women but also the establishment of true equality between men and women. Such equality could not be introduced by means of measures dealing exclusively with women. Some measures must also relate to men, bring about changes in their traditional role, and enable them to assume greater responsibility in the home and for their children. Had draft article 2 been put to the vote, her delegation would have abstained.
96. The CHAIRMAN said that, if there was no objection, she would take it that the Commission wished to adopt the new text of article 2 (E/CN.6/605), taking into account the observations and reservations made by some delegations.
97. Draft article 2, as formulated by the Working Group, was adopted.

#### Article 11

98. Ms. ATHANASAKOS (United States of America) said that her delegation preferred the alternative text and intended to circulate a draft amendment.
99. Ms. CARLSSON (Sweden) said that, subject to a few changes, the alternative text, which judiciously summarized the main elements in the original version of articles 11 to 14, was to be preferred. The ILO Conventions needed to be taken into account, and the alternative text would strike a better balance between the draft convention and the ILO Conventions.
100. Mrs. NIKOLAEVA (Union of Soviet Socialist Republics) said that, in her view, the alternative text was not fully comprehensive with regard to economic rights: it lagged behind the Declaration on the Elimination of Discrimination against Women and the International Covenant on Economic, Social and Cultural Rights. The original text was therefore preferable.
101. Mrs. FOUCART-FLOOR (Belgium) said that Belgium's draft amendment to article 11 had been prompted by a concern for clarity and precision and by the desire that its text should be modelled on that of existing international instruments. Its proposed amendment reflected the wishes expressed by several delegations and took into account the need to recognize both the social function of motherhood and parental responsibility.

102. Ms. HAHN (Food and Agriculture Organization of the United Nations) drew attention to FAO's observation, noted in paragraph 20 of document E/CN.6/591, that the Convention dealt primarily with the rights and obligations of urban women, and that most of the articles made no reference to the political, social, legal and economic rights and responsibilities of rural women. Article 11 was concerned mainly with women who were employed in an urban setting and who were receiving a cash income or were wage-earners; yet FAO estimated that about one billion women were employed in rural areas in subsistence agriculture. There were several points in article 11 which could hardly apply to women employed in agriculture. The Commission should give greater consideration to rural women by including in article 11 provisions relating to the expansion of social services in rural areas, particularly for women engaged in agricultural work. That addition would be in line with various provisions of the World Plan of Action and with resolution 21 of the World Conference of the International Women's Year. It would also be in line with General Assembly resolutions 3523 (XXX) and 3522 (XXX). Lastly, it would meet the recommendations made in resolutions II and VIII adopted by the World Food Conference in 1974.

103. Mrs. SALYO (Indonesia) noted that Indonesia's position was set out in annex II to document E/CN.6/591; it preferred the alternative text, subject to the amendments indicated in annex II. She thanked the FAO representative for her useful comments.

104. Mrs. ROMANOVICH (Byelorussian Soviet Socialist Republic) said she preferred the original text of article 11, which was based on article 10 of the Declaration on the Elimination of Discrimination against Women and article 6 of the International Covenant on Economic, Social and Cultural Rights.

105. Mrs. DAHLERUP (Denmark) said she preferred the alternative text, subject to certain modifications.

106. Miss TYABJI (India) said that her delegation preferred the alternative text, but was not opposed to the original. She thanked the FAO representative for her statement.

107. Begum FARIDI (Pakistan) endorsed the comments made by the FAO representative and said that she, too, preferred the alternative text of article 11.

108. Mrs. HUSSEIN (Egypt) thanked the FAO representative for her statement. Both texts had their merits, and it might be desirable to consider a compromise between the two.

The meeting rose at 1 p.m.