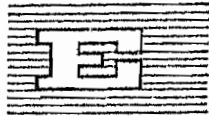


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COMMISSION ON THE STATUS OF WOMEN

Resumed Twenty-sixth Session

SUMMARY RECORD (PARTIAL)* OF THE 679TH MEETING**

held at the Palais des Nations, Geneva,
on Friday, 17 December 1976, at 3 p.m.

Chairman: Mrs. GONZALEZ DE CUADROS (Colombia)

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* The rest of this meeting is not covered in the summary record.

** No summary record was made of the 678th meeting.

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

(a) DRAFT CONVENTION ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN
(E/CN.6/L.699, L.709, L.725 and L.726) (continued)

1. The CHAIRMAN said that the documents before the Commission contained the text of the articles that had adopted at its twenty-sixth and resumed twenty-sixth sessions. She drew attention in particular to document E/CN.6/L.726, which contained the new versions of the preamble and of articles 1-13 proposed by the Style Committee. The Committee had not had time to consider the other articles.

2. Mr. VALLARTA (Mexico) asked how the draft convention was to be adopted. As the various articles had been considered at length and then adopted, it was unnecessary, in his opinion, to revert to each one; it would be preferable if delegations were to make comments of a general nature because they were to adopt the draft as a whole which, in any event, would subsequently be transmitted to the Economic and Social Council.

3. The CHAIRMAN said that, if there was no objection, that procedure could be adopted; she invited delegations wishing to do so to comment on the draft convention.

4. Mr. SATO (Observer for Japan), speaking at the invitation of the Chairman, said that his Government had closely followed the work of the Commission at its twenty-sixth and resumed twenty-sixth sessions, and had taken a keen interest in the elaboration of the draft convention. In his opinion, it was essential that Governments not members of the Commission should be able to examine both the substance and the form of the future convention carefully, and to submit their views on each of its provisions. That was a very important point if the convention was to be ratified and implemented by as many States as possible.

5. It was his impression that a number of countries not members of the Commission shared his Government's view on the matter, and he requested that his delegation's comments should be included in the Commission's report on its current session.

6. The CHAIRMAN said that the Secretariat would comply with the request of the Observer from Japan.

7. Mrs. NIKOLAEVA (Union of Soviet Socialist Republics) and Mr. VALLARTA (Mexico) pointed out that the Commission had very little time to consider the Style Committee's report and would find it difficult to state its views on the subject immediately.

8. Miss TYABJI (India) thought that the Commission should have confidence in the Style Committee which had, moreover, made no substantive changes in the draft. Adoption of the text proposed by the Committee should therefore not give rise to any difficulties.

9. Mrs. COENE (Belgium) said that she was of a slightly different view because, for example, the change that had been made in article 2 (c) was not simply a drafting amendment.
10. Mrs. BRUCE (Deputy Director, Centre for Social Development and Humanitarian Affairs) said that although the Commission had adopted each article of the draft, it should now formally adopt the text as a whole. If delegations considered that they were unable at present to adopt the report of the Style Committee, they could nevertheless state their views on the texts contained in documents E/CN.6/L.699, L.709 and L.725; the Style Committee's report would be included in the report of the Commission. If the Commission so wished, the Secretariat could make certain drafting changes in the articles which the Style Committee had not had time to examine; that procedure might facilitate the Commission's subsequent work.
11. Begum FARIDI (Pakistan) said she was in favour of that procedure; the Commission could adopt the draft convention in principle at the present stage, and defer consideration of questions of drafting.
12. Mrs. DEVAUD (France) thought it would be difficult for the Commission to express its views on a text it had not examined in detail; it could, on the other hand, adopt the text of documents E/CN.6/L.699, L.709 and L.725 in broad outline.
13. Mrs. NIKOLAEVA (Union of Soviet Socialist Republics) recalled the decision taken at a previous meeting that the substance of the articles adopted could not be amended; the Style Committee, in which the Commission had complete confidence, had therefore made no substantive changes and had dealt solely with matters of drafting and punctuation. The Commission could accordingly adopt the text proposed without considering it word by word, particularly as further drafting changes would probably be made by the Economic and Social Council.
14. Mrs. HIRLEMANN (France) supported that view; as the Style Committee was unable to make any substantive changes, there was no need for the Commission to revert to what it had already adopted. It could therefore proceed to vote on the draft convention as a whole.
15. Mrs. COCKCROFT (United Kingdom) said that her delegation supported the Mexican representative's suggestion, as clarified by the Deputy Director and supported by several delegations. However, she would prefer a consensus to a vote; that would be a fitting conclusion to the lengthy and detailed work begun in 1974. The comments of delegations would, of course, be taken into consideration.
16. On the basis of the above statements, the CHAIRMAN suggested that the Commission should adopt by consensus the draft Convention as a whole, in the form in which it had been approved article by article, on the understanding that the Secretariat would make the necessary drafting changes.
17. The draft convention on the elimination of all forms of discrimination against women as a whole, as already approved article by article, was adopted.
18. Mrs. COCKCROFT (United Kingdom) welcomed the fact that the elaboration of the draft convention, on which the Commission had been working since 1974, had been successfully concluded. The consensus reached on that extremely important document was most gratifying. That success was due above all to the Chairman, who had guided the Commission's debates in a superb fashion. Thanks were also due to the Style Committee, for its submission of a carefully prepared document.

19. However, the text was the result of a compromise, and was not perfect. While many aspects met the concern of the United Kingdom Government, a few fell somewhat short of its wishes.
20. Mr. VALLARTA (Mexico) said that it had been a pleasure for him, as a member of the opposite sex, to be able to participate in the elaboration of the draft convention. Like any document prepared by a committee or commission, the text was not perfect, however; when the time came to ratify that instrument - and he hoped that Mexico would be in a position to do so - his Government might have to clarify a few points. For example, with regard to the first paragraph of article 10, which dealt with the question of ensuring equal rights in vocational and university education, he pointed out that a Government could not necessarily ensure equal levels in all areas. The section on civil and family rights should be amended somewhat at a subsequent session in the light of any legal advice which might be provided on the subject. Mexico would enter certain reservations that would not be contrary to the objectives and aims of the convention. For the time being, he wished to enter a general reservation just as the United Kingdom representative had done.
21. His delegation was in particular gratified by the fact that the Convention had been adopted under the chairmanship of a woman from Latin America whose outstanding qualities were obvious.
22. Mrs. DEVAUD (France) thought that the Commission's work, although difficult, had been directed with dispatch and authority. It was to be hoped that the convention would help to improve the status of women throughout the world. She feared, however, that Governments might hesitate to ratify certain provisions which were worded in unduly complicated terms: she would have preferred a convention that was easier to implement. Her delegation had nevertheless participated in the consensus, subject to the reservations she had already explained.
23. Mrs. COENE (Belgium) stressed that the text just adopted was important not only as a legal document: it had several social implications as well, and she hoped that it would have an immediate impact. The consensus reached had been clear; the Economic and Social Council would now examine the text submitted to it and the views expressed on the subject. She thanked all the delegations which had supported the Belgian amendments and congratulated the Chairman, the officers of the Commission, the Deputy Director and the Secretariat.
24. Mrs. NIKOLAEVA (Union of Soviet Socialist Republics) recalled that her delegation had been among those which had supported the candidature of the Chairman from the outset; the choice had been fully justified, as the Chairman had been able to guide the discussions with objectivity and at the same time to create a favourable climate. A vast amount of work had been done on the draft convention, and she hoped that the text would be adopted by the General Assembly and serve as a basis in the struggle to be waged to improve the status of women. She expressed her thanks to the Deputy Director and to the Secretariat.
25. Mrs. HUPAR (United States of America) said that she too wished to congratulate the Chairman for her skilful guidance of the discussions, the officers of the Commission, the Deputy Director and the Secretariat. She noted with satisfaction that there had been broad areas of agreement, and was convinced that such agreement would make a positive contribution to the elimination of discrimination against women. Her delegation had participated in the consensus, but wished to enter reservations with regard to certain provisions.

26. First, she expressed reservations concerning the eighth preambular paragraph which, as she had pointed out when it had been considered, did not express broad general principles, as a preamble should. Secondly, her delegation wished to enter reservations with regard to article 2 (b), article 9, article 11 [paragraphs 1 (c), 2 (a), (b) and (c)], and article 13 (paragraph 4); it also had reservations with regard to article 15 (h), and had voted against that paragraph during the first part of the twenty-sixth session, because it felt that, on the basis of the English text at least, men and women were not equal in the area of property rights. Lastly, she expressed reservations with respect to article 21. She hoped that those reservations would be duly reflected in the summary record.

27. The CHAIRMAN assured the United States representative that her delegation's reservations would be included in the summary record.

28. Mrs. FREDGARD (Sweden), after thanking the Chairman and the Deputy Director, said that she maintained the general reservation already entered by her delegation to the effect that the draft convention, as worded, concentrated on discrimination against women whereas it should have dealt with discrimination on grounds of sex in general.

29. Begum FARIDI (Pakistan) thanked the Chairman and the secretariat of the Commission. She welcomed the fact that the Commission had been able to work out the essential elements which would serve as a basis for amending the legislation of countries throughout the world in the area with which the draft convention was concerned. Her delegation had entered a few reservations; however, they did not relate to the Convention as a whole but only to some of its minor aspects. The draft was of course not perfect and could be improved, but the fact that many countries had approved it indicated that, despite differences in their systems and ways of life, they had much in common.

30. Miss TYABJI (India) congratulated the Chairman on her conduct of the Commission's business. In her opinion, there was good reason to be satisfied with the results achieved, but members of the Commission should be aware of the enormous task incumbent upon them, for the ideas and principles accepted must now be implemented to enable women to play their role in society.

31. Mrs. DAHLERUP (Denmark) thanked the Chairman and the Secretariat, as well as the Deputy Director. Her delegation had expressed several reservations during the consideration of the draft convention. In particular, it had made a proposal to restructure the Convention as a whole which the Style Committee had unfortunately not had time to examine. It was to be hoped, however, that the proposal could be considered subsequently.

32. Mrs. THOMPSON-TRENOU (Togo), speaking on behalf of the African group, congratulated and thanked the Chairman and the secretariat of the Commission, as well as the Deputy Director, who had already devoted many years to the cause of women. She also thanked the delegations which had submitted the resolution on the influence of the mass communications media, and was pleased that her delegation had been able to co-sponsor that text.

33. Mrs. VENEZI-COSMETATOS (Greece) associated herself with previous speakers in congratulating the Chairman and the officers of the Commission. She recalled that her country's term of office in the Commission on the Status of Women expired in 1976. Her delegation had considered it necessary to express a number of reservations during the consideration of the draft convention; it would have preferred more effective implementation machinery and, in some cases, provisions of a more general nature so as to enable a greater number of countries to ratify the instrument. It was to be hoped, however, that in its present form the text adopted would provide Governments with the guidelines that would enable them to make appropriate changes in their domestic legislation.

34. Mrs. LISBOA de NECER (Venezuela) joined other delegations in congratulating the Chairman on her conduct of the deliberations. Her delegation would not fail to transmit the text of the draft convention to her country's authorities, and she hoped that it could be adopted and implemented in order to facilitate the reforms that would make it possible to ensure recognition of the rights of women.

35. Mrs. HUSSEIN (Egypt) said that her country's term of office in the Commission also ended in 1976. It had been a lengthy term, having begun in 1962, and during that period considerable progress had been achieved. Owing to differences of views in the Commission, it had been difficult to reach agreement. The Commission should therefore take pride in the fact that the draft convention had been adopted by consensus, which showed that women from different regions of the world had a great number of interests in common.

DRAFT RESOLUTION TRANSMITTING TO THE ECONOMIC AND SOCIAL COUNCIL THE
DRAFT CONVENTION ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

36. Mrs. HUTAR (United States of America) read out the following text of a draft resolution transmitting to the Economic and Social Council the draft convention on the elimination of discrimination against women:

"DRAFT CONVENTION ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN,

The Commission on the Status of Women,

Considering General Assembly resolution 3521 (XXX) of 15 December 1975, which requested the Commission to complete, in 1976, the elaboration of the draft Convention on the Elimination of Discrimination against Women,

Recommends that the Economic and Social Council adopt the following draft resolution:

'DRAFT CONVENTION ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

The Economic and Social Council

Having taken note of resolution 1 (XXVI) of the Commission on the Status of Women concerning the draft Convention on the Elimination of Discrimination against Women,

Submits the draft Convention, which is annexed to the present resolution, to the General Assembly.

ANNEX

DRAFT CONVENTION ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN'."

37. The draft resolution was adopted.

The discussion covered in the summary record ended at 4.40 p.m.