



**Convention on the Elimination
of All Forms of Discrimination
against Women**

Distr.: General
11 February 2002

Original: English

**Committee on the Elimination of Discrimination
against Women**
Twenty-first session

Summary record of the 436th meeting

Held at Headquarters, New York, on Thursday, 17 June 1999 at 10.15 a.m.

Chairperson: Ms. Gonzalez

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The meeting was called to order at 11.05 a.m.

Consideration of reports submitted by States parties under Article 18 of the Convention *(continued)*

Third and fourth periodic reports of Spain (CEDAW/C/ESP/3 and 4)

1. *At the invitation of the Chairperson, the delegation of Spain took seats at the Committee table.*

2. **Mr. Arias** (Spain) said that the Spanish Constitution, adopted in 1978, was the legal framework within which all democratic reforms had been enacted, including those related to equality between men and women. The Constitution recognized freedom, justice, political pluralism and equality as the highest values of Spain's legal system, enshrining not only equality before the law, but also the responsibility of the public authorities to promote the necessary conditions for attaining true equality. That text also explicitly provided that the fundamental rights and freedoms which it recognized must be interpreted in conformity with the Universal Declaration of Human Rights and the international instruments to which Spain was a party. The Convention therefore formed part of Spain's legal structure, and could be invoked in interpreting national legal norms related to equality.

3. Since 1980, when Spain had decided to begin the process leading to ratification of the Convention, significant progress had been made in achieving equal opportunities for men and women: as demonstrated not only by legislative reforms, but also by the political undertakings of successive Governments. During the period covered by the third and fourth periodic reports, a number of important international conferences, including in particular the Vienna World Conference on Human Rights, the Cairo International Conference on Population and Development, and the Beijing Fourth World Conference on Women, had galvanized national efforts to achieve equality. Indeed, the plans of action adopted at those conferences had served as cornerstones in the development of national equal opportunity programmes. Spain's Third Plan of Action for Equal Opportunities, copies of which had been circulated to the Committee, was the most recent of those initiatives. The Institute for Women's Issues, which was the national mechanism primarily responsible for implementing equal opportunity policies, had served as the focal point for the various

administrative bodies and non-governmental organizations that had contributed to the preparation of the reports.

4. **Ms. Dancausa** (Spain), introducing, as General Director of the Institute for Women's Issues, the third and fourth periodic reports (CEDAW/C/ESP/3 and 4), said that information for the reports had been gathered from ministries, autonomous communities and non-governmental organizations. The Spanish State was divided into municipalities, provinces and autonomous communities. Under the Constitution, the powers for ensuring equality of opportunity were apportioned among the State, the autonomous communities and the town councils. There were currently equal opportunity agencies in the 17 autonomous communities, and many town councils had created councillorships for women. The sectoral conferences had been established to coordinate the work of the autonomous communities and the town councils.

5. The Institute for Women's Issues, which formed part of the Ministry of Labour and Social Affairs, had two governing bodies: the Governing Council, which implemented the coordination policies of the various ministerial departments responsible for women's affairs, and the Directorate-General, which was responsible for running the Institute. Approximately 150 persons worked in the Institute's various units. The role of the Sectoral Women's Conference, set up in 1995, was to assess the problems that arose in the implementation of equal opportunity policies and possible ways to solve them, and to participate in the formulation, development and follow-up of action plans. In addition, the Institute for Women's Affairs was responsible for establishing relationships with non-governmental organizations working on behalf of women and for promoting the formation of women's groups and the participation of women in political, cultural, economic and social life.

6. Non-governmental organizations participated in the work of the Institute's Governing Council, which furnished them with technical and financial support for carrying out programmes. From 1991 to 1998, such organizations had received almost 10,000 million pesetas (about US\$ 70 million) for the implementation of 1,619 programmes on behalf of women. Ensuring equality required the adoption not only of legislative measures, but also of cultural and structural ones.

7. The Spanish Government had formulated equal opportunity action plans for the entire country. The first such plan, covering the years 1988 to 1990, had aimed at developing legal measures to ensure the compatibility of the provisions of that country's legal code guaranteeing equality with the Constitution. The second action plan, which covered the period 1993 to 1995, had integrated specific measures and programmes in such areas as education, professional training and health. The third, which would conclude in the year 2000, was designed simultaneously to maintain programmes for women in specific areas of need and to introduce gender-mainstreaming into all public programmes and policies.

8. In increasing numbers, Spanish women had been attending the university and entering the job market. Education was indeed the cornerstone of a society in which neither sex dominated the other. While all Spanish boys and girls attended school during the obligatory schooling period, there were more women than men in optional pre-university courses and in the universities. In fact, women between the ages of 16 and 40 had achieved a higher level of studies than men of the same age group. Organic Law 1/1990, which regulated the education system, had established real equality of rights between the sexes, prohibited discrimination of any kind, and promoted the elimination of discriminatory stereotypes from teaching materials.

9. Primary and secondary school curricula, laid down in 1991, had established equality between the sexes and recognition of the contribution of women to society as educational goals. Among the various factors that affected the development of personal identity was the unequal value placed on masculinity and femininity. In 1994, the Institute had begun to work with the universities in an effort to transform the nature of basic teaching materials; texts had been formulated to serve as the basis for non-sexist education. It also conducted annual teacher-training programmes in universities and carried out programmes in cooperation with equal opportunity agencies and trade-union teaching associations.

10. The Institute had also concluded cooperation agreements with the Ministry of Education and the Spanish Confederation of Parent-Teacher Associations with a view to conducting non-sexist educational and training activities which would focus on sex education and the sharing of family responsibilities and promote

co-education. All those measures were designed to bring about attitudinal change. Steps had been taken to encourage adult women to pursue their educations and to encourage girl children and adolescent girls to broaden their choice of studies to include areas where women were not traditionally represented.

11. With a view to eliminating the use of sexist language, the NOMBRA Advisory Committee on Language had conducted a critical review of the *Diccionario de la Lengua de la Real Academia espanola*, and had drawn up a series of proposals which had been sent to all Academy members in order to be taken into account in the drafting of the new edition, scheduled for 2000. In 1998, the Committee had approved the carrying out of a number of studies on the depiction of masculine and feminine models in secondary-school textbooks.

12. In 1996, the Institute for Women's Issues had set up a sectoral gender programme within the National Plan for Research and Development, which had resulted in a significant increase in resources for gender-related research. The budget had doubled; and the quantity and quality of research studies had increased, and the number of professionals working in the areas of women's studies had grown. The Institute, furthermore, annually provided financial support for the activities conducted by women's studies seminars, which currently existed in all Spanish universities. Educational opportunities for women had indeed increased in recent years.

13. While the number of women pursuing higher education remained lower than that of men, the disparities between the sexes had diminished considerably between 1990 and 1998; the percentage of women in vocational training had climbed from 41 per cent to 46 per cent, the first cycle of university study from 56 per cent to 57 per cent, and the second cycle from 38 per cent to 46 per cent. Statistical data showed that vocational training was the area with the lowest percentage of women; furthermore, it remained divided into branches that were clearly male-oriented (automotive repair, electronics, metalworking, construction) and female-oriented (hairdressing, beauty treatment, health care). No progress had been made towards the desired outcome in that area. At the university level, women's presence had increased in all the disciplines, but they remained in the minority in scientific and technical fields. In general, however, the number of females at the various levels of education

was comparable to that of males. The clear improvements in women's professional preparation had facilitated the application of specific reforms aimed at increasing their participation in the job market.

14. Regarding employment, women's involvement in the job market had been growing over several decades, and their participation had been one of the priorities for action in the second and third Plans of Action for Equal Opportunities. The impact of the packages of special measures adopted since 1996 to give impetus to women's employment had been positive, in particular the Action Plan for Employment. The key components of that plan were: building capacity for entry into professions; developing a spirit of entrepreneurship; enabling workers and companies to adapt to change; and strengthening the equal opportunity policy. Although only the last element was directed specifically at women, they had benefited from the implementation of the entire Plan. The National Employment Institute also reserved 60 per cent of places in its job training courses for women as a result of the Action Plan. Technical and financial assistance programmes for women entrepreneurs had benefited some 20,000 women in recent years as well.

15. Those activities had been accompanied by a series of legal measures including regulation of part-time work, full social security benefits for workers on maternity leave, subsidies for companies hiring women in fields where they were traditionally under-represented and submission to Parliament of a bill on reconciling family and job responsibilities. General indicators showed that the situation of women in employment had improved since 1990. The Spanish economy was undergoing a transformation to a post-industrial phase where the majority of workers were employed in the service sector, while industry and agriculture were showing declines. The proportion of women employed in the industrial, construction and service sectors had increased considerably, while it had declined in agriculture.

16. Spain had made major efforts to increase women's participation in decision-making. Nevertheless, although women's participation in public life had continued to grow, a clear imbalance remained. Tradition often perpetuated the situation of male power, but the way in which organizational, political and economic structures were constituted also had a decisive influence. Accordingly, the results of a qualitative and quantitative study of the barriers to

women's participation in decision-making had been published, and a press and radio campaign had been conducted to encourage women to become active in politics and society by presenting role models of women in high-level positions. Other measures included programmes to give women the training and skills necessary to reach decision-making posts.

17. A great deal of data had been collected regarding women's participation in politics, business and education. As far as politics was concerned, the percentage of seats in the legislature held by women had risen from 15 per cent in 1993 to 22 per cent after the most recent elections. In the European Parliament, currently 33 per cent of Spain's seats were filled by women, placing it fourth among the 12 countries represented. At the elections in the autonomous communities just held on 13 June, there had been a marked increase in the number of female candidates. Women were also filling more high-level (director and above) posts in the civil service. However, their presence in the judiciary was growing slowly, and thus far no woman had ever been appointed to the Supreme Court.

18. The most recent data available for the business sector was from 1994. It showed that women were making slight gains in management, particularly in companies with fewer than 10 employees. In the teaching profession, women's representation was greatest at the pre-school and primary levels, and lowest at university level. On the whole, while Spanish women in principle had no difficulty developing careers in some fields, obstacles still remained to their entry into others, where positions of power, responsibility and prestige were attained in politics, business and the universities. Spain was still engaged in major sociological change, which had begun with the change in its political system in 1976, and some vestiges of the old system of power remained. In all, the efforts of institutions and civil society had begun to pay off, and women had begun to break through the "glass ceiling" keeping them from decision-making positions.

19. Spain was making major efforts to combat violence against women through a review of the laws in that area and the adoption of the Plan of Action against Domestic Violence 1998-2000. The Plan had emerged from a consensus among society, institutions and bodies directly involved with the effects of such violence, and had been made possible by the efforts to

mainstream a gender perspective in that field. The budget for the three years of the Plan was estimated at \$70 million. Its main parts included awareness-raising and prevention, education and training, social resources, health, legislation and judicial practice and investigation. Among the most relevant findings were a 28 per cent increase in complaints of domestic abuse between 1990 and 1998 and an increase of 18 per cent in complaints of assault. On the other hand, the number of rapes reported had declined by 29 per cent between 1990 and 1998.

20. The mass media played a very important role in efforts to eliminate the prejudices and customary practices involving discrimination against women. Thus, the Advertising Monitoring Unit, through a toll-free telephone number and an Image Evaluation Council, endeavoured to eradicate discriminatory advertisements and prevent the sexist distinctions between men and women. Studies and research on the employment of women in the mass media had also been undertaken.

21. Major changes were also taking place in the rural areas. Young rural women were now looking for jobs in sectors other than agriculture and stock-breeding and that had led to flight from rural areas. According to a study, 52 per cent of rural women were employed, while 48 per cent were unemployed. In 1998, only 25 per cent of the farms in Spain were owned by women; however, what was even more significant was the fact that farms owned by women were generally one third the size of those owned by men. The most common obstacles faced by women included lack of training, unemployment and underemployment, a lack of social amenities and isolation.

22. In order to improve the situation of rural women, give them a higher profile and underscore the importance of their work in Spain, her Institute, in collaboration with the Ministry of Agriculture and non-governmental organizations, had been providing more training for women farmers and had, for the first time, organized a rural women's fair to showcase the commodities produced by women. Moreover, funding was being provided for the establishment of a training centre for rural women.

23. There was a clear trend towards the feminization of poverty, which led to the marginalization of women. The most vulnerable women included gypsy women, immigrant women, prostitutes, female drug addicts,

HIV/AIDS infected women and single mothers. To combat that phenomenon, Government action had been focused on establishing specific programmes and increasing funding to non-governmental organizations that assisted such women.

24. A number of measures had also been taken to improve women's health. To that end, the Comprehensive Women's Health Care Plan had been adopted in 1998. The Plan's activities focused on four broad areas: prevention of gynaecological cancers; pregnancy, childbirth and post-partum care; care for women going through menopause; and information and follow-up on contraceptives, and prevention of unwanted pregnancies, especially among teenagers. For the first time, measures designed to promote the involvement of women in issues concerning the environment had been included in the Third Plan of Action for Equal Opportunities for Men and Women. Activities undertaken in that area basically had to do with training in environmental issues at all levels, including training women to work in the areas of rural tourism, environmental affairs and urban waste management.

25. With respect to international cooperation, the Spanish Law on International Cooperation, adopted in 1998, identified gender — together with poverty eradication and the environment — as one of the cross-cutting elements of Spain's policy in that field. That law, to be developed and implemented through a master plan established for that purpose, had involved preparatory work on the application of gender indicators in the area of international cooperation. Moreover, development cooperation projects with a gender perspective were being set up, especially in Latin America and the Maghreb, and women were being trained as experts in cooperation and development.

26. While some progress had been made during the period 1990 to 1998 towards equality between women and men, total gender parity had not been achieved in all areas of social life. Much still remained to be done; in particular, a radical change was needed in the mindset of society. Improvements were also necessary in the field of education and in professions that were still dominated by men. Women still had considerable difficulties in securing access to the labour market and getting particular jobs. Moreover, their wages were still barely 75 per cent of what men earned for the same jobs, and their working conditions and labour contracts

were more precarious. Furthermore, women were rarely represented in posts of higher responsibility. However, through cross-cutting programmes, a major change had been brought about. Inequality had ceased to be just a woman's problem; it was now seen as a social problem. To that end, Spain's social policies aimed at investing in financial and human resources to guarantee equality, since equality was a goal that had to be achieved in order to usher in a more democratic and equitable society.

27. **The Chairperson** said that the presentation had substantially supplemented and improved on the already abundant information available to the Committee on the status of women in Spain and how their role had evolved over time. Spain's political will to implement the Convention was abundantly clear. However, it was regrettable that all that wealth of information had not been made available in languages other than Spanish, since many members of the Committee did not speak that language.

28. **Ms. Corti** congratulated the delegation for the quality of its reports and oral presentation. That reflected the leading role played by Spain in the European Union with respect to achieving equality of opportunities for men and women. Spain had adopted a gender-mainstreaming perspective in its national policies and programmes and had also addressed the problem of cultural stereotypes and the power of the mass media to affect public opinion. Between the third and fourth periodic reports, the Government in Spain had changed. She asked whether that had led to changes in the policies of the Institute for Women's Issues.

29. Regarding the administrative relations between the Institute for Women's Issues and the various provincial equal-opportunity bodies, she asked whether there was a lack of policy cohesion or whether the Institute had oversight, so that a truly national policy was followed everywhere. Spain's employment policy, which focused on women running small businesses and self-employed women, and its laudable new part-time-work legislation were well founded but she wondered if the Government's approach was perhaps overly microeconomic rather than macroeconomic. She noted that despite the fact that women outnumbered men in the universities, there were very few, except to some extent in politics, in decision-making posts.

30. **Ms. Abaka** said that Spain's equal-opportunity programmes served throughout the developing world as a model on which Governments based their own programmes: Ghana, for instance, emulated Spain and the Scandinavian countries, and had patterned its national affirmative-action body after Spain's. The idea of decentralizing programmes, as Spain had done, was advantageous to women, who themselves were active in their communities.

31. Because of Spain's leadership position in the field and its reputation for being sympathetic to the less privileged, the Committee expected a great deal from it. The Government, especially the law enforcement authorities, might consider giving greater protection to foreigners, beyond the commendable assistance already given to asylum-seekers. In view of the considerable control that the autonomous communities had over matters of education, it would be interesting to know if the children of minorities routinely received some schooling in their own mother tongues.

32. **Ms. Acar** said that the report was very strong because the situation had been well studied and the problem areas well diagnosed and frankly discussed. Her main concern was the persistence of stereotypical attitudes and roles. Although the Government's written responses (CEDAW/PSWG/1999/II/CRP.1/Add.2, p. 23) indicated that almost two thirds of the population now said they supported a non-traditional family model in which both parents worked outside the home and shared household responsibilities, the practice had not kept pace with the change in thinking and women were still double-burdened. The Government's policy of promoting part-time work for women, although it had beneficial short-term effects, was not necessarily conducive in the long run to equality of employment and access by women to professional positions. Moreover, the fact that women became discouraged once they reached a certain level and that they limited their professional expectations around the age of 40 (written responses, p. 39) pointed to indirect discrimination against women at the root of such fatigue and loss of ambition. The problem must be attacked energetically.

33. She wondered if there had been any studies indicating which particular home responsibilities women themselves thought were holding them back the most, and whether the Government had taken any creative steps to help them — for example, by

integrating the elderly into day-care, after-school or home-management activities. She would also like information about the extent to which domestic labour was used, the nationality of the domestic workers, and any correlation between reliance on domestic labour and the pursuit of professional careers by women. It would be interesting to know more about the de jure and de facto situation of domestic workers.

34. **Ms. Cartwright**, noting how much more refined the Government's policies, programmes and legislative reforms had become since its initial report, observed that Spain was now at the sophisticated stage where the easy things had been done and only the major problems more resistant to solution remained. Spain was recognized by both developed and developing nations as a leader in the movement for gender equality, and consequently the areas of discrimination that it identified and the programmes that it developed had a major impact on other countries.

35. The report did not give much consideration to the question of indirect discrimination against elderly women, a problem that would in the future become disproportionate among the disadvantaged, especially in ethnic minorities. The longer lifespans and higher rates of illiteracy of elderly women, the majority of them widowed, meant that they were less likely to be able to support themselves; given the lower rate of employment of women in general and the gender pay gap, they were less likely to have been able to save for their own retirement, a problem compounded by the declining tax base for public care of the elderly owing to the lower birth rate and unemployment in the general population. Their plight, exacerbated by health factors like increased use of tobacco by women and a greater disposition to debilitating diseases in later life, would be conducive also to violence against them and financial abuse. She asked if the Government had already identified that emerging problem and developed policies based on research, and if it would focus on elderly women in its next national plan.

The meeting rose at 1 p.m.