



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

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**Committee on the Elimination of Discrimination
against Women**
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Summary record of the 429th meeting

Held at Headquarters, New York, on Thursday, 10 June 1999, at 10.30 a.m.

Chairperson: Ms. González

Contents

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

*Third and fourth periodic reports of the United Kingdom of Great Britain and
Northern Ireland*

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The meeting was called to order at 10.50 a.m.

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

Third and fourth periodic reports of the United Kingdom of Great Britain and Northern Ireland (CEDAW/C/UK/3 and Add.1 and 2 and CEDAW/C/UK/4 and Add.1-4)

1. *At the invitation of the Chairperson, the delegation of the United Kingdom took places at the Committee table.*

2. **Ms. Reynolds** (United Kingdom), introducing her country's third and fourth periodic reports, said that there had been substantial policy changes since the submission of the third report (CEDAW/C/UK/3 and Add.1 and 2). In essence, the fourth report (CEDAW/C/UK/4 and Add. 1-4) reflected the current situation in the United Kingdom. Her Government had a clear vision for equality for women. A new set of policies focused on issues which lay at the heart of the Convention, such as education, health and women's employment. A range of new institutions and structures had also been established within the Government. While substantial progress had been made, there were continuing challenges and opportunities that still had to be addressed.

3. The United Kingdom Government was committed to equality of opportunity and fairness for all and to eliminating discrimination against women. That was why the 1970 Equal Pay Act and the 1975 Sex Discrimination Act had been introduced. Her Government recognized that women's rights were human rights and now sought to move beyond the goal of simply eliminating discrimination, towards the more positive one of improving women's overall position in society, including giving men the chance to play roles traditionally assumed by women. In that regard, her Government saw its obligations under the Convention and the implementation of the Beijing Platform for Action as catalysts for helping to achieve those goals by mainstreaming the women's agenda.

4. That approach had led to the establishment of a Women's Unit at the centre of Government to serve as a catalyst and facilitator. The Unit was not responsible for detailed programme development or implementation, which was the job of major departments of the State. As an integral part of their

responsibilities, those departments worked in close cooperation with the Women's Unit to promote the women's agenda. The departments and the Unit also worked closely with the Equal Opportunities Commission (EOC) and with representatives of civil society, including non-governmental organizations. Another key partner was the Women's National Commission (WNC). Both EOC and WNC had made substantial contributions to the fourth report during its preparation. The emphasis on partnership with bodies reflected the reality that partnership was needed between all social sectors if real progress was to be made for women.

5. The fourth report showed significant developments, which testified to the Government's commitment to ensuring real progress for women. Key among those were the National Childcare Strategy; significant budgetary reform, including the largest ever increase in child benefits; and the introduction of the National Minimum Wage, which disproportionately benefited women. New employment programmes focused around women's circumstances and the measures in the European Union Social Chapter had begun to be implemented. She drew attention to the United Kingdom's long-standing commitment to universal health care and education. Both sectors were receiving substantial injections of fresh funds and provided a strategic underpinning to the progress shown in the fourth report.

6. Regarding new machinery and processes, there was now the highest ever level of representation of women in the Westminster Parliament — 18 per cent — and of the 22 Cabinet members, five were women. A strategic new development was the major commitment to "joined-up" and more open Government. A number of new units in the Cabinet Office had such a mission, including the Women's Unit, the Social Exclusion Unit — which was about to publish a major report on teenage pregnancy — and the Performance and Innovation Unit. There was also a number of new cross-cutting government mechanisms, including new ministerial groups, for example, on the family and on older people. With specific regard to women, there were now two Ministers for Women, including one in the Cabinet; a Cabinet sub-Committee on women; and a women's policy group, which brought together high-level officials across all Government departments to meet regularly to share

experience and to work together on the women's agenda.

7. The Women's Unit was working in three areas. It was adopting an innovative approach to communication and listening to women, combining quantitative and qualitative research. The results of the "Listening to Women" programme, to be published in the autumn, would provide the Government with a rich source of data and a new means of involving civil society, especially ordinary women, whose voices might not otherwise be heard. The second broad area was project work, which focused on identifying and examining issues of importance to women that cut across the activities of individual government departments. The Unit was currently working on four projects relating to violence against women, family-friendly employment, teenage girls and women's incomes over the lifetime. The third area involved mainstreaming women's issues and incorporating the women's perspective into the work of other government departments.

8. The emphasis on mainstreaming women's issues resulted in a relatively low profile for the Women's Unit and Ministers for Women, since other departments sought to take credit for achievements. What mattered, however, was the outcome, not the institution. Women still lacked information and knowledge about what the Government was doing to help them. Traditional means of communication, such as the daily media, were less likely to reach women than men. That issue was being explored through the "Listening to Women" programme and with expert Government communicators. New techniques of communicating with women would have to be developed.

9. Devolution of power was a major constitutional change reflecting the reality of cultural diversity within the United Kingdom. While the United Kingdom Government retained overall responsibility for implementation of the Convention alongside other reserved matters, including economic and foreign policy, many detailed decisions would be devolved to the new administrations. There had long been three legal jurisdictions in the United Kingdom: one for England and Wales, another for Scotland and a third for Northern Ireland.

10. **Ms. O'Neill** (United Kingdom), reporting on the progress of women in Northern Ireland, said that the women's movement had played a very active role in

forging successful cross-community relationships in Northern Ireland and had a major part in the peace process there. They had also been active in the discussions which had led to the formation of the Northern Ireland Assembly. The Northern Ireland Women's Coalition, a women-only political party, had succeeded in having two members elected to the Assembly, while a total of 14 women had been elected to the Assembly. The Northern Ireland Act of 1998, which gave legal effect to the key provisions of the Belfast Agreement, had established a system of devolution, set up a new Equality Commission and established a statutory duty on public authorities to promote equality of opportunity.

11. Northern Ireland had a separate legal jurisdiction, with separate legislation on sex discrimination. The Northern Ireland Assembly had powers to legislate in a wide range of economic and social areas, subject to a number of legal restraints, including observance of compliance with European Community obligations. However, a number of important areas relating to women's issues remained with the Westminster Parliament. Matters which would be transferred to the Northern Ireland Assembly included the anti-discrimination codes, including those on sex discrimination. In June 1997, the Equal Opportunities Commission for Northern Ireland had published 77 recommendations for changing the sex-discrimination recommendation. Because of the considerable overlap between those recommendations and the recommendations published by the Equal Opportunities Commission for Great Britain in November 1998, officials were considering both sets of recommendations concurrently.

12. A new Office of the First Minister and Deputy First Minister would be created and would include an equality unit. The powers of the existing anti-discrimination agencies would be transferred to a new Equality Commission, which would be authorized to conduct inquiries and enforce compliance with the new obligation of Government agencies to have due regard for the promotion of equal opportunity.

13. The peace settlement also involved the participation of the voluntary sector, including women's groups, in a new civic forum which would act as a consultative mechanism on social, economic and cultural questions. The Government was committed to ensuring that there were appropriate structures for an effective dialogue on women's issues in both reserved

and devolved areas, with the details to be decided by the various Ministries once the Assembly had begun to function.

14. **Ms. Donnelly** (United Kingdom) said that on 1 July 1999, the first Scottish Parliament in 300 years would begin its functions. For Scotland, devolution did not constitute independence, but rather a partnership for progress within the United Kingdom. However, it conferred substantial legislative powers which built on the long-standing separate legal system of Scotland. Legislative competence on equality issues was reserved for Westminster, but the Scottish Parliament could legislate to require compliance on such issues by any officeholder or public authority with devolved or mixed functions.

15. The Scottish Parliament had decided to establish an Equal Opportunities Committee, one of eight standing committees, as a sign of its commitment to placing equality of opportunities at the heart of its work. That Committee had a broad mandate, which included consideration of the policies of the Scottish Executive and the need for legislative reform, and the power to initiate bills on matters within its jurisdiction. Furthermore, Scottish Ministers must provide policy memorandums indicating the implications of all draft legislation for equal opportunities, human rights, island communities and sustainable development.

16. An Equality Unit would be established within the Scottish Executive in order to pursue issues such as gender, race and disability and would have a key role in ensuring the mainstreaming of equal opportunities into the policy process.

17. The Scottish Parliament met within family-friendly hours and was committed to promoting equal representation of men and women within its ranks and equal opportunity for all. Its operation was based on four key principles: power-sharing, accountability, accessibility and equal opportunities. Women made up 37 per cent of the new Parliament, a substantial increase over their 16 per cent representation in Westminster after the 1997 general elections, and held three of the ten Cabinet posts and two of the ten junior ministerial posts.

18. The new Parliament reflected the capacity-building efforts of recent years. Since 1998, the Women in Scotland Consultative Forum had provided a channel for reporting on the implementation of the Beijing Platform for Action. It was designed to act in

partnership with all interested parties, bring women's issues to the attention of the relevant Ministers and contribute to the policy-making process. In addition, a specialist Women's Issues Research Consultant had been appointed in 1998 in order to gather and disseminate information and to improve networks within the Scottish Office and with external organizations. The Consultant was supported by a Women's Issues Research Advisory Group; research on women was disseminated widely, and a database on women's organizations was being established. Other initiatives included a domestic violence strategy, a Scottish Health White Paper and programmes to improve the climate for women entrepreneurs.

19. **Ms. Reynolds** (United Kingdom) said that the new National Assembly for Wales would begin its functions on 1 July 1999. Unlike the Scottish Parliament, the Welsh Assembly could not enact primary legislation, but it had significant responsibility for policy implementation within Wales. Women accounted for 42 per cent of the members of the Assembly and held four of the eight Cabinet posts. The Government of Wales Act required the Assembly to have due regard for equal opportunities, and a Standing Committee on Equality, supported by an equality policy unit, was to be established.

20. **Ms. Owen** (United Kingdom) said that in the United Kingdom, the Treasury encompassed the functions of the Ministries of Finance and the Economy and the Budget Office in other countries. It had been traditionally a male preserve, but three of its five current Government Ministers were women. The Treasury played an increasingly strategic role, setting overall spending limits without interfering in the way in which departments spent the money allocated to them and using its tax-raising powers to promote Government objectives. It focused increasingly on the supply side, endeavouring to identify the causes of problems rather than simply addressing the effects thereof.

21. Under the new Government, the Treasury was better equipped to consider cross-cutting issues such as poverty and productivity, which was lower in the United Kingdom than elsewhere. It took a mainstreaming approach that involved determining policy implications for issues such as the environment and gender-related matters. Traditional budget preparation had been influenced by the activities of lobby groups. Recently, however, a broader process

had been undertaken; a preliminary budget report was issued and then considered in consultation with all interested parties. In 1998, the Treasury had held a two-day seminar on poverty, which had resulted in a budget that focused on child poverty and on preventing the persistence of poverty across generations. The results of that seminar had been published on the Treasury's web site.

22. Every element of the budget must be accompanied by an assessment of its impact on women. That emphasis was expressed through cross-departmental approaches and publications; the establishment of a Women's Unit, a policy unit in the Prime Minister's office and a Performance and Innovation Unit; and the holding of a series of Millennium Lectures, the first of which had been devoted to the use of time, an issue of great importance to women.

23. The Comprehensive Spending Review, introduced by the new Government, had established a three-year framework for spending which facilitated a cross-cutting approach and a reallocation of resources to meet specific needs, such as those of women, children, older workers and caregivers, allowing such issues to be addressed by several departments and avoiding interdepartmental competition for funds. The outcome of that Review had benefited women in a number of areas: crime and violence, health spending, social security reform, investment in public transport, the Sure Start programme for children and support for small- and medium-sized enterprises.

24. The focus on poverty in the current year's budget had also been beneficial to women. Tax cuts had halved the liability of over a million poor women; social security reforms would affect lower-income women; single parents, 90 per cent of whom were women, would benefit from the extension of Income Support payments; and improved maternity benefits would affect unemployed, self-employed and poorly paid women. Unmarried mothers would benefit from the new children's tax credit; the national framework for individual learning accounts would help women to gain qualifications for the job market; and tax credits would make it easier for unemployed persons over age 50 to return to work. During the past 10 years, there had been a significant increase in the number of working mothers with young children. However, women without a working partner were less likely to hold jobs.

25. There had been a significant narrowing of the pay gap, especially among educated women, although there remained a disparity between the situations of childless women and working mothers. Thus, at 33, childless women earned approximately the same as their male peers, whereas the remuneration of working mothers was only two thirds that of men. That inequality was less attributable to the years spent out of the labour market, than to the tendency for mothers returning to employment to take up part-time work, where rates of pay for women were only 58 per cent of those for men working full-time. The implementation of the European Union's part-time work directive would go some way towards addressing that problem. Also, the pay penalties for family responsibility seemed to be reduced for women who took advantage of maternity leave schemes in order to maintain career continuity. Extending maternity leave rights to part-time workers would therefore be very important. Another significant development in the labour market was young women's increasing awareness of the importance of investing in human capital.

26. While women in the United Kingdom enjoyed exemplary protection of their employment rights, it was questionable to what extent true equality in the labour market could be achieved so long as the cultural barriers to women's employment remained. Women were still perceived as bearing the primary responsibility for household tasks and childcare, and women themselves were therefore sceptical with respect to the likely impact of government initiatives on their behalf. That problem could be addressed only by encouraging men to take advantage, as women already did, of such arrangements as part-time work and flexible working hours, which would enable them to assume a greater share of domestic duties. Overcoming traditional perceptions of gender roles represented a significant challenge for her Government, and she would welcome the Committee's guidance in that regard.

27. **Ms. Reynolds** (United Kingdom) said that her delegation had focused in its presentation on the areas of significant change with respect to the situation of women, but it recognized that much remained to be done. In particular, while the structural elements for achieving gender equality were in place, significant cultural and institutional barriers persisted. She welcomed the opportunity for dialogue with the

members of the Committee, and looked forward to hearing their comments.

28. **The Chairperson** said that the slogan of the United Kingdom Women's Unit, "Better for Women, Better for All", was most apposite. The international community had been mindful, in drafting the Convention on the Elimination of All Forms of Discrimination against Women, that there could be neither peace, nor development without the active participation of women. She commended the Government of the United Kingdom for the political will that it had demonstrated in addressing women's issues, and thanked the delegation for its clear and concise presentation of the third and fourth periodic reports, which contained an impressive breadth of information. She looked forward to a fruitful dialogue with the delegation.

29. **Ms. Aouij** said that the Government of the United Kingdom had produced a very thorough report, which contained comprehensive information on the situation of women in every social stratum and gave a complete picture of the renewal that was taking place in British society. Never before had women occupied such a central place in the activities and interests of that Government. Its new vision of the role of women would have an impact both in Europe and beyond. The Government's commitment to the principles of democracy and participation was demonstrated by the new political arrangements in Scotland and Northern Ireland. There remained certain areas of weakness, particularly the high number of teenage pregnancies and the economic situation of older persons, which the Government had acknowledged in the reports. As to overcoming cultural barriers, efforts to address that problem should begin in schools, and the media also had an important role to play, since no project or reform could be successful without broad popular support.

30. **Ms. Acar** expressed concern that, despite some improvement, women remained under-represented in public and political life. She failed to understand the Government's hesitancy with respect to the introduction of temporary special measures in that area, particularly in the light of the provisions of the Sex Discrimination Act and the terms of the United Kingdom's declaration regarding articles 1 and 4 of the Convention. Noting that the recent increase in the number of women members of Parliament had been achieved largely through the adoption by the Labour

Party of women-only shortlists, she expressed regret at the abandonment of that practice in the name of the abstract principle of equality. She was also concerned at the lack of women lecturers in higher education institutions, and their systematic under-remuneration. She would like to know what measures the Government would take to address that problem and to increase the presence of women in such fields as engineering and technology.

31. **Ms. Cartwright** said she welcomed the fact that the Government had undertaken a systematic review of the United Kingdom's reservations to the Convention, and that the reasons for their retention were clearly set out in the fourth periodic report. It was also encouraging that the reservations would be kept under review. The Government was to be commended for implementing fundamental policy changes, including the new budget review provisions and the various initiatives in the economic field. As a participant in the drafting of the Optional Protocol to the Convention, she had welcomed the constructive contribution of the British delegation to that process and hoped that the United Kingdom would be among the first countries to ratify the Optional Protocol.

32. She had been impressed by both the quantity and quality of information in the State party's reports, and concurred with those non-governmental organizations that had praised the Government's honesty, sincerity and its serious approach. It was too soon for the Committee to assess the impact of the many changes over the past two years. She therefore urged the State party to conduct a rigorous evaluation of the new policies and programmes with a view to informing the Committee of their effectiveness in the United Kingdom's next periodic report.

33. She expressed concern that women accounted for only 9 per cent of all judges, and that there were no women in the senior judiciary in Northern Ireland. Judges should reflect the communities that they served, and the Government must take urgent action to address the problem. Given women's essential humility, she doubted whether the new system of inviting applications for judicial appointments would increase the number of female judges, since few women would put their names forward. While education of the judiciary was vital for the effective implementation of the Human Rights Act, delays in that process were not a reason for deferring the Act's entry into force.

34. Education of the judiciary should be a continuous process, and, if judges were to appreciate the importance of women's rights, it must incorporate training on gender issues, including a clear understanding of the Convention. The Government had taken a bold step in incorporating the provisions of the European Convention on Human Rights in domestic legislation and she urged it also to consider the incorporation of the Convention on the Elimination of All Forms of Discrimination against Women. While the United Kingdom had an impressive array of equal-opportunities legislation, it was not clear whether it reflected the full breadth of rights contained in the Convention. The Government should, as a first step, ensure that the provisions of article 1 of the Convention, regarding both direct and indirect discrimination, were incorporated in its domestic legislation. While she welcomed the inclusion within the Northern Ireland Act of sections on human rights and gender equality, she would like to know when those sections of the Act would come into force, and to receive an assurance that the monitoring bodies that were to be established pursuant to the Act would be adequately funded.

35. She had been alarmed by the substantial increase in the female prison population since 1992, which was attributed in the report to the rising number of serious drug offences committed by women. Targeted action was required to address that problem. It was not sufficient simply to build more prisons. She was also concerned at the large number of women who were being convicted for such minor offences as failing to purchase a television licence, which was more an indicator of poverty. The offence should be decriminalized, since a criminal conviction would serve only to worsen those women's economic situation by rendering it difficult for them to gain employment. While the number of women in prison in Northern Ireland was small, prison conditions were inadequate. The holding of juveniles in adult prisons was particularly deplorable. Lack of access to education was also a problem.

36. Despite the State party's confidence that sufficient flexibility was accorded to victims of domestic violence charged with homicide, in reality, the defence of provocation was not made widely available to juries. It was essential that the judiciary should be given proper training in such issues. With regard to violence against women, it was unclear

whether the Government's new strategy was to be implemented throughout the United Kingdom. The delegation should also clarify whether policy appraisal and equal treatment were only a statutory obligation in Northern Ireland.

37. Given that child prostitution was indicative of abuse of children rather than of criminal activity on the part of those children, the State party should indicate when the phenomenon was to be decriminalized. The Committee was also keen to learn whether criminalization of "curb-crawling" was to be extended to Northern Ireland. In view of the global nature of the problem of trafficking in women, it was unlikely that the United Kingdom was unaffected. Anecdotal evidence even suggested that British legislation was easily circumvented in that regard. It was important, furthermore, to ensure that so serious an issue was not camouflaged by immigration concerns.

38. With respect to cases of rape, the law should be amended to prohibit a court from probing into the prior sexual history of a defendant, except in certain circumstances and by leave of the judge. Until it was made easier for women to come forward to give evidence in such trials, rape would continue to be prevalent and committed with impunity. It was thus vital that judges received appropriate training in the handling of such cases.

39. **Ms. Corti** welcomed measures implemented by the State party to enhance the participation of women in decision-making, commenting particularly on the progress made by the new Government since its election and on the efforts of women volunteers who had contributed to the electoral campaign. Although the United Kingdom's parliamentary system was one of the oldest and most democratic in the world, women had always, paradoxically, been under-represented, and their contribution to British society poorly reflected in politics. At the Vienna World Conference on Human Rights and the Beijing Fourth World Conference on Women, where the United Kingdom had participated very actively, the importance of participatory democracy had been reiterated. In that context, the affirmative action taken to redress the gender imbalance in the country's Parliament was to be welcomed.

40. The delegation should provide information on any further measures being envisaged to ensure that women continued to be represented at the highest

levels. In particular, the Committee would be interested to learn the results of any gender-focused reappraisals of the electoral system. It was important to ensure not only that women candidates were included on party lists, but also that they were given the necessary support to be elected. It was unclear how the new system would affect the imminent elections to the European Parliament. More details in that regard would be appreciated.

41. **Ms. Ferrer** thanked the delegation for the comprehensive nature of the information submitted to the Committee. The recommendations of the Equal Opportunities Commission on reforms to welfare legislation were particularly welcome, especially on measures for ensuring that employers sought to achieve a gender balance and equitable remuneration of their staff. It was a matter of concern, however, that women who worked full-time received only 80 per cent of the corresponding remuneration for men and that women's average gross weekly wage was only 72 per cent that of men. It was to be hoped that the new minimum wage would help redress the discrepancy which persisted despite legislative guarantees of equal pay for equal work. Furthermore, according to data supplied in the fourth report, a significant number of complaints of discrimination in that regard were withdrawn before they reached the courts. The high incidence of sexual harassment of women workers was also a matter of concern. However, the proposed draft legislation for extending paid maternity leave to women on low incomes was to be welcomed.

42. According to the report, women from ethnic minorities were at a 10 per cent higher risk of unemployment. It was also known that black women received fewer promotions and worked more hours. Educational, awareness-raising and other initiatives should therefore be adopted by the Government with a view to preventing such women from being subject to a double burden of discrimination, on the basis of both sex and race. Disaggregated data must be collected to facilitate evaluation of the situation of such women.

43. **Ms. Hazelle**, commending the State party on its reports, addressed the situation of women in overseas territories, particularly those in the Caribbean region. The Government's commitment to eliminate discrimination against such women was to be welcomed, as was the establishment of a local Women's Desk. The delegation should describe mechanisms for ensuring proper coordination with

corresponding bodies in the United Kingdom. Information would also be appreciated on measures for providing the necessary resources to enable such territories to better meet their reporting obligations and other commitments under the Convention — commitments which had been made in their name by the United Kingdom. The information provided in addenda to the reports on the situation in those territories was clearly insufficient.

44. The delegation might also make available the results of any studies on the impact on women from former dependent or current overseas territories of the Immigration Act, particularly with regard to the issue of British citizenship, the movement of persons, and abuse of women and children for the purposes of sex tourism.

45. **Ms. Khan** congratulated the Government on progress made in the advancement of women, inter alia by promoting their participation in economic activity, achieving one of the lowest rates of female unemployment in Europe and significantly improving their representation in Parliament through affirmative action. A number of policies introduced by the new Government were to be welcomed, including the national childcare strategy, the national minimum wage, pension reform and family-friendly employment initiatives.

46. As previous speakers had pointed out, however, the intensification of discrimination against ethnic minority groups was an issue of concern. While the economic activity rate of women had increased from 66 to 70 per cent between 1984 and 1994, the corresponding rate for Pakistani and Bangladeshi women, according to one non-governmental organization, was only 25 per cent. According to the same source, the unemployment rate among ethnic minority women in the United Kingdom was 18 per cent compared to only 8 per cent for white women. Similarly, a larger percentage of ethnic minority women, notably Asian women, worked only part-time. The delegation should clarify whether such women were covered by the statutory national minimum wage and also provide details on the numbers of women from ethnic minorities who were in temporary employment and thus deprived of workers' benefits.

47. It was a matter of grave concern that 24 per cent of female prisoners were from ethnic minorities, given that they constituted a much smaller proportion of the

total population. In education, a similar distortion could be detected, with girls from ethnic minorities constituting as much as 20 per cent of those permanently expelled from school. No information had been provided in the reports on how women from ethnic minorities fared with respect to health status. The delegation should also clarify whether domestic workers from overseas were covered by national welfare and labour legislation. The Committee had received a number of reports of abuse of such workers, who were mostly women from Asia and Africa. The delegation should also explain the widespread discrimination against women from ethnic minorities in terms of education, wages, working and living conditions, and provide details of efforts to combat “double discrimination”, such as job-placement and training schemes.

48. The Committee would also appreciate information on any reforms introduced on the basis of the recommendations of the Commission on Racial Equality, including any statutory measures for outlawing discrimination on the basis of ethnic origin. Had any fund or refuge been established for women from ethnic minorities who were victims of domestic violence? Finally, the Committee would be interested to hear the delegation’s reaction to the assertion made by one non-governmental organization that there was five times more refuge space for animals in the United Kingdom than for women and children, with more funding being allocated to refuges for animals.

The meeting rose at 1 p.m.