
Committee on the Elimination of
Discrimination against Women
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Concluding comments of the Committee on the Elimination of
Discrimination against Women: German Democratic Republic

Second periodic report

313. The Committee considered the second periodic report of the German Democratic Republic (CEDAW/C/13/Add.3 and Amend.1 and Corr.1) at its 144th meeting, on 28 February 1989 (CEDAW/C/SR.144).

314. The representative introduced the second periodic report of the German Democratic Republic by reiterating that the principle of sexual equality had been laid down in the first Constitution adopted 40 years previously and all legal regulations contrary to it had been repealed at the time. Conditions had been created in the German Democratic Republic guaranteeing that men and women could assert equally their basic human rights to life, work and education, decent housing, recreation, health care and care in sickness and old age.

315. The representative informed the Committee that the Convention had been translated into German and published in the law gazette and in several professional journals, so that it was accessible to all persons. She said that an important goal of the country's policy on women had been the continued development of the legal system and the extension of material conditions enabling women to enjoy equality in asserting their human rights and basic liberties. Material security, full employment and equal educational opportunities, as well as sexual equality, were reported as fully guaranteed in the country. Women had made a major contribution to the hard work necessary to achieve that situation.

316. The Women's Democratic League worked to improve the lives of women so that they could harmonize employment with family life. In the German Democratic Republic, 91.1 per cent of all women of working age were gainfully employed, studying or in training and women represented 49 per cent of the labour force. The Council of State regularly studied reports by authorities on the implementation of local government policies to improve the lives of women. The representative said that a major goal of the advancement of women was to ensure that a major proportion of the costs incurred by the birth, care and education of children was borne by society and that the work of mothers was recognized appropriately. Family allowances had been raised in 1987. Under new legal regulations, mothers could take one year of paid maternity leave for their first child; after the birth of the third or any subsequent child, that period was extended to 18 months. If released from work to nurse a sick child, married mothers of two or more children, as well as single mothers, were entitled to social insurance benefits equivalent to their own sickness benefits. A new principle had been introduced whereby the husband or grandmother could request release, with pay, from work for a year to care for a child.

317. The representative reported on the regulation providing special assistance to families with severely handicapped children, which provided parents with more time and ensured better financial conditions for them. In 1989, 35 billion marks had been earmarked in the national budget for education, health care and social welfare, which was more than the allocation for national defence.

318. Some obstacles, such as ideological barriers, outdated traditions and family customs, still remained to the equal participation of women in the political, social, economic and cultural life of the country. The representative reported that 86.4 per cent of all women had completed skilled vocational training, and that one out of two technical-school graduates and one out of three university graduates were women. The Government was not satisfied with the situation that only one out of three women held executive positions and the standards of the service sector did not meet the needs of working women in all respects.

319. The Government of the German Democratic Republic regarded peace and disarmament as essential elements in the advancement of women and the implementation of the Convention.

320. The representatives then answered the questions posed by the Committee. One representative reported on a number of new measures that had been introduced in the German Democratic Republic since 1983. In 1986, measures had been introduced to aid families with severely handicapped children by reducing their working hours but not their income and by increasing their holidays. In every district, there were specialized schools for the handicapped. In 1986, extended maternity leave was introduced for the first child. In 1988, a Government decision led to arrangements being initiated for the State to cover unpaid alimony.

321. In response to two questions posed by the Committee, the representative said that there was no specific institution in the German Democratic Republic responsible for overseeing the implementation of the Convention, as experience had shown that it was more effective when sex equality was treated as a non-departmental issue. All ministers monitored and co-ordinated the Convention under their responsibilities for current legislation and new decrees. Social courts, grievance committees and local government and workers' inspectorates were also involved in the monitoring process.

322. In response to a question on studies on ingrained traditions and customs, it was reported that there were several studies being undertaken of the obstacles and barriers to equality, and research on women's affairs was conducted at the academies, universities, colleges and research and vocational training institutions, all of which were co-ordinated by a specific scientific council called Women in Socialist Society. Programmes to overcome traditions, customs and attitudes were being used by the media to stimulate broad public interest in youth and among women. Throughout the German Democratic Republic there were women's organization advisory centres, which held panel discussions and courses preparing youth for family life.

323. The representative reported that courts examining discrimination or violation of the labour, family, co-operative or civil laws invariably settled complaints within one month. District courts offered free legal services to all citizens, and trade unions had their own legal services, which informed members of their rights. Courts had the power to use legal criticism against a company in order to remove the general cause of discrimination so as to prevent its repetition. Women were able to criticize openly private or public acts if those violated their freedoms and rights and they would be supported by the courts, state authorities and public organizations. Petitions and appeals could be addressed to all bodies at all levels.

324. The representative said that, in the German Democratic Republic, two thirds of the population over the age of 18 were married. Both spouses had the responsibility for raising their children and creating equal relations within the family and developing their talents and creativity equally. The media was used to promote a more equal division of labour within the family but traditional patterns still existed. It had been observed that age, social background, the level of qualifications and training and the availability of neighbourhood facilities all played a part in changing those patterns. Women had marginally less personal free time. The attitudes had changed in young families as evidenced by the increased number of fathers taking child-care leave, although the number taking paternal leave was still small. The German Democratic Republic was party to a number of conventions of the International Labour Organisation and was considering becoming a party to the Convention concerning Equal Opportunities and Equal Treatment for Men and Women Workers: Workers with Family Responsibilities (No. 156).

325. The representative said that prostitution was a punishable offence but the incidence of it was very low; nine cases were reported in 1986 and 17 cases in 1987. The client could also be punished with a maximum sentence of five years' imprisonment. No cases involving minors had been reported.

326. The Government was not satisfied with the number of women in executive positions, which amounted to two members in the Politburo, five in the Council of State, one minister (of education) and five deputy ministers. A high percentage of

women were represented in the elected bodies and, although no quota system existed in the German Democratic Republic, 20,000 women had been nominated by women's organizations to compete in the forthcoming elections.

327. There were women representatives of the German Democratic Republic in the diplomatic service, including the consular service, and international organizations, but most were active at the intermediate level.

328. More details had been requested by the Committee on nationality and citizenship rights in the German Democratic Republic. The representative stated that equal rights were guaranteed by the Constitution and international law for adults and their children to change or retain their citizenship. Any change of nationality within a marriage was not automatically applicable to the wife.

329. In answer to a specific question, the representative said that sex education had been introduced in schools. The Government was not satisfied with the low figures of women at the professorial level, which did not reflect the high percentage of women students enrolled in higher education. A slight increase had been reported since the submission of the second periodic report and 8.8 per cent of the professors were women. Programmes, such as teaching projects and the provision of tutors, were continuously being prepared and updated to assist women in combining motherhood with the hard work necessary to participate at those higher levels.

330. With regard to the question on the imbalance of women's representation in employment activities, it was reported that over 300 vocations were open to women. Women were encouraged to study new technology and 40 per cent of the labour force who were receiving sponsored further training in microelectronics were women. Kindergarten and crèche facilities were provided at universities and students with children received additional allowances. The Labour Code contained criteria to assess work of equal value, which was determined by the qualifications required and the conditions of work, irrespective of the sex of the incumbent. In the German Democratic Republic, women enjoyed equality of status in employment and society. Disputes concerning equality were referred to grievance committees at the shop-floor level, which had the authority of state courts, and 94 per cent of their decisions had subsequently been upheld.

331. On the subject of family planning, the representative said that 40 per cent of all women of child-bearing age used hormonal contraception prescribed by a medical doctor although other forms of contraception were available for both men and women. In addition, every woman had the right to an abortion within 12 weeks of conception and would receive it as an in-patient at a medical clinic or centre, free of charge.

332. The representative reported that almost 330,000 women were employed in rural areas and represented 43 per cent of all permanent rural workers. All labour laws were equally applicable to rural women. Ninety per cent of the women in rural areas had completed vocational training and were employed as skilled workers, team leaders and in management, and their knowledge of modern machinery, as well as the number of licences issued for such machinery, had increased.

333. In response to questions on the protection afforded to victims of violence and rape, the representative said that the criminal court gave protection to persons, particularly minors, in cases of violence, neglect and sexual harassment. The

German Democratic Republic had low delinquency and crime rates and, in 1987, 563 cases of violence and rape (including attempted rape) and 377 cases of sexual harassment had been reported and brought before the court. Support, including advice and assistance, was given to both perpetrator and victim. Victims had the right to demand, and participate in, proceedings; there was no denigration of women by society and support and tact were guaranteed at all stages. Upon conviction, the State would then pay compensation to the victim.

334. In answer to questions posed on family law, the representative said that, as there was widespread support for the laws on the choice of family name, there was no thought of revising them. Either the wife's or the husband's name could be chosen, which would be the one given to the children. Upon divorce, the individuals concerned could choose whether they wished to revert to their former names or not. One third of the children in the German Democratic Republic were born to single mothers, the majority of whom were in cohabiting relationships, and the rights of illegitimate children were fully covered under the Family Code.

335. In reply to further questions posed by the Committee, the representative said that studies had shown that prostitution was not a result of violence and, as the cases of it were so few in the German Democratic Republic, it did not constitute a major social problem. The schools for handicapped children provided a general education to severely mentally and physically handicapped children in order to integrate them into society as fully as possible. There were 300 pre-school establishments, and about 430 special schools with 57,500 participants. Handicapped children were not excluded from youth and pioneer group meetings and were encouraged to participate in them by the media.

336. On the subject of work of equal value, it was recognized that there was still a necessity for discussions to implement the criteria in the Labour Code and to amend them to incorporate the field of modern technology. The change in the qualification requirements and the nature of the work meant that women could participate in more tasks than before. The Supreme Court and trade unions continuously reported to the Government so that provisions for new technologies could be incorporated into the Labour Code. In order to remove gender stereotyping in the labour market, more men were being encouraged to enter the health-care field; crèche and nursery-teaching jobs had been upgraded. The appointment of women to top-level positions required more involvement and preparation on the part of women. No statistics were available on the number of cases that women had won before the grievance committees. The representative said that women were encouraged to continue in full-time employment and to make use of the social support facilities provided by the State in order to combine their family lives with their working lives. Jobs were guaranteed for women returning to the labour force after a career break for family reasons.