

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

Initial report

40. The Committee considered the initial report of the German Democratic Republic (CEDAW/C/5/Add.1) at its 12th and 17th meetings, held on 2 and 5 August 1983 (CEDAW/C/SR.12 and 17).
41. The report was introduced by the representative of the State party who stated that his country had always attached great importance to the equality of women and, therefore, had co-operated actively in the elaboration of the Convention. The equality of women was a constitutional principle and a practical reality in the German Democratic Republic.
42. He gave additional statistical data relating to the right of women to political co-decision and to equality in training and employment.
43. He stated that one of the major achievements of the German Democratic Republic was that women enjoyed full equality with men in terms of participation in the social decision-making processes. In his country, the abolition of discrimination against women was part of the general proscription of any discrimination. Therefore, there was no need to enact new legal regulations after ratifying the Convention.
44. The high proportion of women in occupations and jobs which in earlier times had mainly or exclusively been carried out by men required a new approach to management and planning in the factories and institutions where women were employed.
45. Guided by the concern that women's equal participation in the further advance of social progress in the world was only possible in an environment of peace, the German Democratic Republic had initiated the Declaration on the Participation of Women in Promoting International Peace and Co-operation, which had been adopted by the General Assembly at its thirty-seventh session. 1/
46. Women in the German Democratic Republic fully supported the women who were struggling to secure independence of their countries and those who were fighting side by side with their husbands for the elimination of apartheid and racism.
47. The Committee commended the Government of the German Democratic Republic for the comprehensive, factual and informative presentation of its report. Several members observed that women's integration into all sectors of the country's life was abundantly clear from the statistics presented.
48. The question was raised as to whether the entry into force of the Convention had entailed any change or modification in the legal and practical systems relating to the status of women in the country, or whether it was felt that no changes were required. One expert mentioned that, while it seemed that equality of the sexes was guaranteed in specific provisions within the Family Code, Penal Code and Civil Code, there was no reference to any such matter in the country's Constitution.
49. Several experts requested more information on the role of the Democratic Women's League and its representational function at the People's Chamber, especially since it held 35 deputies' posts. Various experts also requested complete information as to the question whether the Democratic Women's League represented all women or whether there were other organizations that did so.
50. With reference to the follow-up on the implementation of the Convention, it was asked whether machinery existed that would sanction the lack of compliance with the principles embodied in the Convention and, if the Penal and Civil Codes contained such provisions, what were the sanctions.

51. It was also pointed out that the report concentrated on women's situation in the public sector, but did not refer explicitly enough to the status of women in private life. In that regard, several questions were posed regarding inheritance laws, divorce laws, provisions regarding "registered" marriages as opposed to common law unions, the legal standing of children born out of wedlock and of unmarried mothers, assistance to women and families in the raising of children, how that affected the birth rate and the policy of the family-planning programme. It was further pointed out that most of the measures mentioned in the report were women-oriented and little was said as to provisions for the father's participation in the child-rearing responsibilities and in the home. There seemed to be no indication, it was also noted, that paternity leave had been introduced.

52. Regarding labour law, it was asked whether the principle of equal pay for equal work was guaranteed and, if so, whether it included the idea of equal pay for work of equal value. Also, clarifications were requested as to what was meant by a "working day" and a "working week", in terms of the number of working hours. It was also asked whether new provisions had been made to protect women's health in occupations which required or involved new technologies.

53. Other questions regarding prostitution and rehabilitation were raised with regard to the Penal Code. Neither was it clear whether sanctions regarding rape had been introduced and whether crisis centres had been established as well as counselling and other measures specifically devised for rape victims.

54. With regard to women's participation in agriculture, questions were asked regarding the particular situation of women working in such a highly advanced technological society as the German Democratic Republic. It was well known that women who worked in the rural areas performed of necessity heavy physical work. That fact had in other countries discouraged women from working in the rural areas and caused their moving to the urban centres for better working and living conditions. Information was requested on whether women in the rural areas enjoyed the same facilities available in the cities.

55. It was also requested that more information should be provided on the obstacles encountered in the process of applying the principles of the Convention. That information would enable the Committee to learn from the experience of the German Democratic Republic. It was also important to share the experience of States parties in the implementation of measures in all sectors and, for that purpose, examples would be welcome.

56. The request was made by several experts that, in future, all pertinent legislation mentioned in the reports should be made available to the Committee through the Secretariat. Such information could be deposited with and kept by the Secretariat for perusal by the members of the Committee.

57. The representative of the German Democratic Republic made a comprehensive statement, trying to answer all the questions put by members of the Committee, and explained that the principle of equality was enshrined in the Constitution under articles 20 (equal rights for men and women) and 24 (equal pay for equal work); however, equality of women was not achieved by the mere enactment of legislation but, in addition, the necessary social conditions had to be created for the actual process to take place. His Government was trying to create those conditions through material and ideological measures and, in fact, it was still in process.

58. Conditions were such as to enable women to have access to education and specialized training, as well as to provide the social and political opportunities to stimulate their own growth and increase their capacity. The high number of women active in the People's Chamber, to which they were democratically elected, demonstrated the confidence of the general electorate in women. The fact that that had been achieved in the last 30 years showed some measure of progress.

59. Information was provided which related to the internal structure of the Government, of the multi-party system and on how international conventions were applied and publicized. He further outlined stipulations in the Labour Code regulating women's and young people's work, facilities for and assistance to women with children, including education and training, and he read out specific parts and articles of the Constitution, the Family Law and the Civil and Labour Codes. He also provided information on the political sphere of action of the women's organization in the German Democratic Republic, the Democratic Women's League.

60. Criminal acts against women were punishable under the Penal Code and violations of labour law provisions could be brought before the Labour Court. Under civil and family law, women could appeal against offences in the administrative field.

61. With regard to the situation of rural women, he explained that, as members of agricultural production co-operatives, women were better able to avail themselves of their rights. Up to now, 79.4 per cent of all women in agriculture had completed vocational training. They enjoyed regular working hours, had free time and were able to avail themselves of existing educational facilities. In addition, the co-operatives had brought shorter working hours, a reduction of heavy physical labour and paid annual holidays.

62. The emancipation of women, especially at home, he said, was ultimately possible only through the emancipation of both sexes and traditions were being examined to see if they merited survival. In addition, women had been given the freedom to choose the number and spacing of their children. The birth rate had increased, which showed that working mothers were able to combine their professional career with their family responsibilities. There were over 200 counselling centres to assist with that problem. Single mothers or fathers with children up to three years old could not be dismissed from their job, and single mothers or fathers were entitled to leave with pay in order to care for sick children. Information was given concerning the problem of divorce. The divorce rate was 1 per cent of all marriages or 40,000 divorces a year. At the same time, it was stated that society had undertaken comprehensive efforts to strengthen marriages which were in difficulties and prepare youths more suitably for marriage and family responsibilities.

63. Mothers with two or more young children enjoyed a 40-hour working week on full pay, instead of the normal working week of 43 3/4 hours, and all married women, mothers with young children and single women aged 40 or over had a day off with pay every month for household chores.

64. Prostitution was alien to the society and was prohibited and punished by law. Battering, rape and traffic in human beings were also punishable under the Penal Code. Concerning women's access to courts in discrimination cases, he pointed out that they could file suits in labour, civil and family courts.

65. The representative of the State party also stated that all questions and observations made during consideration of the initial report would be transmitted to his Government and would be taken into account in the elaboration of future reports. He submitted additional material to the experts of the Committee with excerpts from government documents on the promotion of women.

66. Some experts recommended drawing the attention of States parties to the desirability of using the positive experiences referred to in the above-mentioned report in order to make further progress in eliminating discrimination against women, not only de jure, but also de facto.